

Date of Hearing: April 9, 2024

ASSEMBLY COMMITTEE ON WATER, PARKS, AND WILDLIFE

Diane Papan, Chair

AB 2285 (Rendon) – As Amended March 21, 2024

SUBJECT: Natural resources: equitable outdoor access: 30x30 goal: urban nature-based projects

SUMMARY: Encourages the Governor’s office, state agencies, and the Legislature to recognize the coequal goals and benefits of the 30x30 goal (conserving at least 30% of the state’s land and coastal waters by 2030) and Outdoors for All when distributing resources, and, to the extent practical, maximize investment in urban communities consistent with those initiatives.

Specifically, **this bill:**

- 1) Codifies the priorities to achieve the goals of the Outdoors for All initiative as provided in the November 2023 report “Outdoors for All: Providing Equitable Access to Parks and Nature.”
- 2) Encourages the Governor’s office, state agencies, and the Legislature, when distributing resources, to recognize the coequal goals of 30x30 and to the extent practical, maximize investment in urban communities consistent with those initiatives.
- 3) States that consideration should include higher land value acquisition and development costs per acre, the use and rehabilitation of degraded lands and brownfield sites for conservation projects, the proximity to populations lacking park and greenspace access with programming interests and uses preferred within urban outdoor recreation spaces, the acute health needs of a local population due to historic lack of greenspace access and development externalities, local park needs assessment plans, and the availability of mobility options near a proposed land conservation site.
- 4) Encourages regulatory agencies, such as the Department of Toxic Substances Control (DTSC), to work with local communities to restore degraded lands that could contribute to a more equitable strategy to meet the state’s goals.
- 5) Requires state funding agencies, including the state conservancies and the Wildlife Conservation Board, when programming and awarding funds to revise, to modify or amend guidelines as necessary to meet the 30x30 goal to allow for urban nature-based projects on degraded lands to be eligible and competitive for state funds.

EXISTING LAW:

- 1) Establishes the Department of Parks and Recreation (State Parks) within the California Natural Resources Agency (CNRA) and vests State Parks with control of the state park system. State Parks is responsible for administering and managing the state park system for the use and enjoyment of the public, protecting this system from damage, and preserving the peace [Public Resources Code (PRC) §§501, 5001, 5003, and 5008].

- 2) Establishes the Equitable Outdoor Access Act and sets forth the state’s commitment to ensuring all Californians can benefit from, and have meaningful and sustainable access to, the state’s rich cultural and natural resources (PRC § 1000).
- 3) Codifies the 30x30 goal (PRC § 71450).
- 4) Requires CNRA, in implementing actions to achieve the 30x30 goal, to prioritize specified actions. Requires the Secretary of CNRA to prepare and submit, beginning on or before March 31, 2024, an annual report to the Legislature on the progress made during the prior calendar year toward achieving that goal, as provided (PRC §§ 71451–71452).
- 5) Creates, under the federal Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), a "Superfund" to clean up uncontrolled or abandoned hazardous waste sites, as well as accidents, spills, and other emergency releases of pollutants and contaminants into the environment. Provides the United States Environmental Protection Agency with the authority to seek out those parties responsible for any release and assure their cooperation in the cleanup (42 United States Code § 9601 *et seq.*).
- 6) Directs DTSC to implement CERCLA through the state’s Hazardous Substance Account Act (Health & Safety Code § 78000, *et seq.*).

FISCAL EFFECT: Unknown. This bill is keyed fiscal.

COMMENTS:

- 1) **Purpose of this bill.** This bill codifies the strategy described in the November 2023 report *Outdoors for All: Providing Equitable Access to Parks and Nature* and encourages the Governor’s office, state agencies, and the Legislature to maximize investment in urban communities, to the extent practical, to accomplish both 30x30 and Outdoors for All goals. According to the author, “California has committed to protecting and preserving our natural lands, but it’s critically important we’re not leaving our densely populated, underserved communities behind in our conservation efforts. By encouraging California to prioritize greening and restoration of lands in heavily urbanized areas alongside our conservation efforts for natural and rural land, we can ensure we’re taking a comprehensive approach to environmental protection that will protect vulnerable communities and provide greater access to nature across California.”
- 2) **Background.** Spending time outdoors is understood to benefit mental and physical health, but outdoor access is not equitably distributed to all communities. A history of discriminatory policies and exclusionary zoning have led to long-term disinvestment, fewer parks and outdoor spaces, and less coastal access for many communities. The practice of redlining led to neighborhoods with far fewer trees and parks and more paved surfaces that for lower-income residents and communities of color. The Outdoors for All initiative is intended to expand access to parks and nature for communities with little outdoor space.

The *Outdoors for All: Providing Equitable Access to Parks and Nature* report has several strategies regarding urban and/or park-poor communities including:

- 1) Develop, improve, and maintain local and regional outdoor spaces, which includes: (1) prioritize funding programs for park and open space development in park-poor

communities such as the Statewide Park Development and Community Revitalization Program, and the Urban Waterways Program; (2) create priorities for park-poor communities within existing funding sources for open space acquisition, development, enhancement, and/or maintenance; and (3) assist local and regional entities to bring federal investments to California for outdoor space renovation and acquisition, especially in underserved communities.

30x30. In October 2020, Governor Newsom issued Executive Order N-82-20, which establishes a state goal of conserving 30% of California's lands and coastal waters by 2030. The 30x30 goal is intended to help conserve state lands and coastal waters through voluntary, collaborative action with partners across the state to meet three objectives: conserve and restore biodiversity, expand access to nature, and mitigate and build resilience to climate change. As of May 2023, the state has conserved 24.4% of lands and 16.2% of coastal waters for 30x30.

CNRA released *Pathways to 30x30 California Accelerating Conservation of California's Nature* in April 2022, which describes the key objectives and core commitments that are a part of California's 30x30 conservation framework; defines conservation for the purpose of California's 30x30 initiative and establishes a current baseline of conserved areas; outlines strategic actions necessary to achieve 30x30; and, introduces CA Nature, a suite of publicly available applications to identify conservation opportunities and track our collective progress.

30x30 for All? The *30x30 Annual Progress Report* (May 2023) recognizes that Outdoors for All initiative is a companion strategy to 30x30:

By increasing both the variety and accessibility of outdoor recreation, California's 30x30 initiative is working to enable everyone in California to enjoy and connect with nature. Seizing opportunities to expand conservation that also increase access has been a priority over the past year and will remain so going forward. The Outdoors for All strategy will guide this facet of its 30x30 work.

The 2022 *Pathways to 30x30* report acknowledges that conservation is best achieved when acquired areas can meet all three objectives (*i.e.*, conservation, access, and resilience), but that not every acquisition will be able serve all three objectives.

The 2022 *Pathways to 30x30* report lists several conservation priorities to expand access to nature, including to protect and restore natural areas and connections within and near urban and rural communities that have barriers of access to nature and to increase access points and trails within existing natural areas including coastal areas and urban rivers. Several pathways to 30x30 mention environmental remediation, including to "identify and prioritize acquisition of degraded landscapes and waterways most important to protecting biodiversity." Work is underway on that effort through funding for restoration projects with improved information expected from the State Wildlife Action Plan scheduled to be released in 2025. Additional pathways in the report focus on degraded environments, including:

- Explore land repurposing and remediation to address historical land use incompatibility such as fossil fuel extraction and polluting industries near low-income communities, particularly in degraded urban landscapes.

- Prioritize coastal habitats and degraded seascapes for restoration through science-based assessment.

Investments in urban nature-based investments. Parks, open spaces, recreation facilities, trails, and gardens are essential community infrastructure, but, as mentioned, not all communities have access to these resources. In Los Angeles (LA) County, communities with the fewest parks often have the environmental burdens (*i.e.*, most pollutants and other stressors that directly impact public health and well-being). In LA, people of color account for 84% of the population living in areas with highest environmental burdens. Over time, some areas of the county have to acquire and protect natural lands as well as the restoration of degraded areas, such as brownfields, landfills, and oil fields. There is a special focus on lower-income communities of color, in which vulnerable populations and environmental burdens are concentrated.

In southern California, the LA County 2022 Parks Needs Assessment Plus identifies priority areas for environmental conservation and restoration to form the basis of a local 30x30 strategy. This assessment reimagines conservation to include both traditional efforts to acquire and protect natural lands as well as the restoration of degraded areas, such as brownfields, landfills, and oil fields. There is a special focus on lower-income communities of color, in which vulnerable populations and environmental burdens are concentrated.

Specific actions already taken to further 30x30 in urbanized areas include the San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy investment of \$1.5 million in the Colorado Lagoon Open Channel Improvement Project to remove a 900 foot long culvert that runs through Marina Vista Park and replace it with a shallow earthen channel, reintroducing full tidal connectivity between Colorado Lagoon and Alamitos Bay to create 3.35 acres of new subtidal habitat and enhance 17.28 acres of existing marsh habitat at Colorado Lagoon. The project includes tree planting and other amenities to contribute to recreational benefits.

Santa Monica Mountains Conservancy also invested \$8.3 million in the River Wilderness Park (RWP) to serve as a trailhead at the northern terminus of the San Gabriel River Bike Trail, which stretches approximately 38 miles through the Los Angeles Basin and to the ocean—linking many of the region’s most underserved communities to dynamic open spaces. Construction of the RWP will include walking paths, river overlooks, extension of the San Gabriel River Bike trail, and public amenities (interpretive features, restrooms, play areas, and concessions).

Funding urban projects. California has various programs for creating more green space in urbanized areas. Last year, nearly \$30 million was awarded through the Department of Forestry and Fire Prevention’s (CAL FIRE) Urban and Community Forestry Grant Program for sustainable urban forest projects. These projects help local communities create green spaces, increase long-term benefits for surrounding communities, protect communities from extreme heat, and advance urban forest management. CAL FIRE is also in the process of awarding \$117 million for green schoolyards. Other examples include the Urban Greening Program administered by CNRA, the Statewide Park Development and Community Revitalization Program administered by State Parks, and loans and grants offered by DTSC for environmental cleanup.

Restoration. These programs are important for improving the quality of life in our urban environments, but they are not necessarily investing in the restoration of degraded areas to

create new open space. Restoration of degraded lands is typically costly, complicated, and requires time and commitment. Mapping where environmental benefits and burdens are concentrated is a critical step in reversing policies, systems, and norms that have led to pervasive open space inequities in our most diverse communities.

The 30x30 progress report notes that last year, a \$97 million acquisition was finalized by the Trust for Public Land and made possible by funding from the state and other sources to secure Banning Ranch, 387 acres of lowlands and coastal bluffs in West Newport Beach near where the Santa Ana River meets the Pacific Ocean. Over the next several years, Banning Ranch will undergo substantial clean up and limited restoration to convert former oil fields into a coastal park that can be opened to the public.

This bill requires state funding agencies to allow for urban nature-based projects on degraded lands to be eligible and competitive for state funds. While nothing in current law or the Governor's EO prohibits these investments, this bill would expressly prioritize them.

- 3) **Proposed committee amendments.** Brownfield site remediation is not expressly an element of either 30x30 or Outdoors for all. Further, to improve clarity and better align this bill with intent of Outdoors for All and 30x30 initiatives the committee may wish to amend the bill as follows:

PRC 1004. (b) (1) To advance and promote environmental, ~~and~~ conservation, and public access policies and budget actions, the Governor's office, state agencies, and the Legislature, when distributing resources, shall aspire to recognize the coequal goals and benefits of the 30x30 goal, as defined in Section 71450, and Outdoors for All and, to the extent practical, maximize investment in urban communities consistent with those initiatives.

(2) In distributing resources to achieve the goals and benefits of 30x30 and Outdoors for All, decision makers are encouraged to consider factors that are more unique to urban settings such as ~~Consideration shall include~~ higher land value acquisition and development costs per acre, the use and rehabilitation of degraded lands ~~and brownfield sites~~ for conservation projects, the proximity to populations lacking park and greenspace access ~~with programming interests and uses preferred within urban outdoor recreation spaces~~, the acute health needs of a local population due to historic lack of greenspace access and development externalities, local park needs assessment plans, and the availability of mobility options near a proposed land conservation site.

(c) Regulatory agencies, including, but not limited to, the Department of Toxic Substances Control, are encouraged to work with local communities to restore degraded lands that could contribute to a more equitable strategy for meeting the state's environmental, conservation, and public access goals.

(d) State funding agencies, including, but not limited to, the conservancies established pursuant to Sections 31100, 32320, 32510, 32555, 32602, 32633, 33200, and 33501 of this code and Section 66906 of the Government Code and the Wildlife Conservation Board, shall, ~~when programming and awarding funds to revise, modify, or amend guidelines as necessary to meet the state's goals,~~ allow for urban nature-based projects on degraded lands, that are consistent with state goals, to be eligible and competitive for state funds.

- 4) **Arguments in support.** Two golf organizations write in support of this bill say that it will “longstanding imbalance in public investment in the parks, open spaces, and recreational offerings in these park-poor, underserved communities”
- 5) **Double referral.** This bill was also referred to the Assembly Natural Resources Committee and passed that committee 15–0 on consent on March 19, 2024.
- 6) **Related legislation.** AB 2440 (Reyes) of the current legislative session requires CNRA, in implementing the strategies to achieve the 30x30 goal, to promote and support partnering state agencies and departments, including State Parks, in the acquisition and responsible stewardship of state land. AB 2440 passed the Assembly Natural Resources Committee (vote 11–0) on March 20, 2024 and is set for hearing in this Committee.

AB 30 (Kalra), Chapter 939, Statutes of 2022, established the Equitable Outdoor Access Act.

AB 2278 (Kalra), Chapter 349, Statutes of 2022, requires CNRA to annually report to the Legislature the progress made toward accomplishing the 30x30 goal.

AB 3030 (Kalra) of 2020 would have established new land, water, and ocean protection goals, including to protect thirty percent of the state’s land areas and water by 2030. AB 3030 was held in Senate Appropriations Committee.

REGISTERED SUPPORT / OPPOSITION:

Support

California Alliance for Golf
Southern California Golf Association

Opposition

None on file

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