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AMENDED IN SENATE APRIL 24, 2001

**SENATE BILL**

**No. 788**

**Introduced by Senator Alarcon**

February 23, 2001

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An act to add Chapter 1.52 (commencing with Section 5094.70) to Division 5 of the Public Resources Code, relating to river parkways, and making an appropriation therefor.

LEGISLATIVE COUNSEL'S DIGEST

SB 788, as amended, Alarcon. Parks and Recreation: grants: urban river park projects.

Existing law authorizes the expenditure of state funds for local assistance grants to cities, counties, and districts for the acquisition and development of various park and recreational areas and facilities.

This bill would enact the California River Parkway Act of 2001 for the purpose of directly improving the quality of life in California by providing recreational, open space, wildlife, educational, flood control, and water quality benefits to communities in the state. The bill would authorize the Secretary of the Resources Agency to award grants to state and local agencies and nonprofit organizations *on a competitive basis* for feasible river parkway projects. The bill would require the secretary, in awarding those grants, to give priority to projects that accomplish specified objectives, including *to help improve blighted urban communities adjacent to urban rivers and streams.*

The bill would appropriate \$5,750,000 from the River Protection Subaccount of the Watershed Protection Account of the Safe Drinking Water, Clean Water, Watershed Protection, and Flood Prevention Bond Fund to the Secretary of the Resources Agency for capital outlay and

local assistance projects that are consistent with the bill and the River Protection Program funded by the River Protection Subaccount.

Vote: majority. Appropriation: yes. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Chapter 1.52 (commencing with Section  
2 5094.70) is added to Division 5 of the Public Resources Code, to  
3 read:

4  
5 CHAPTER 1.52. CALIFORNIA RIVER PARKWAYS ACT OF 2001

6  
7 5094.70. This chapter shall be known, and may be cited, as the  
8 California River Parkways Act of 2001.

9 5094.71. The Legislature finds and declares all of the  
10 following:

11 (a) River parkways directly improve the quality of life in  
12 California by providing important recreational, open-space,  
13 wildlife, educational, flood control, and water quality benefits to  
14 communities in the state.

15 (b) River parkways can provide communities with safe places  
16 for children to play; locations for family picnics; bike and  
17 pedestrian trails; areas for water sports including swimming,  
18 boating, and fishing, and many other activities.

19 (c) River parkways can also help improve blighted urban river  
20 areas that were formerly thriving natural resource preserves by  
21 providing important recreational and scenic amenities. By  
22 improving these areas, we can help decrease urban problems,  
23 including crime, pollution, nuisance activity, and other problems.

24 (d) River parkways can provide accessible open space that can  
25 help remedy the severe shortage in park and open-space areas that  
26 plague many urban and suburban communities and small towns.

27 (e) River parkways can provide flood protection benefits for  
28 our communities by protecting wider corridors along our  
29 waterways that help store, and provide safe corridors for, the  
30 passage of storm waters.

31 (f) River parkways can also protect and restore wildlife and fish  
32 habitat.

1 (g) California can improve the quality of life in this state by  
2 assisting local communities, nonprofit organizations, state  
3 agencies, and other agencies in establishing river parkways.

4 5094.72. For purposes of this chapter, the following terms  
5 have the following meanings:

6 (a) "Parkways Program" means the California River  
7 Parkways Program established pursuant to subdivision (a) of  
8 Section 5094.73.

9 (b) "Secretary" means the Secretary of the Resources Agency.  
10 5094.73. (a) The California River Parkways Program is  
11 hereby established in the office of the Secretary of the Resources  
12 Agency, to be administered by the secretary.

13 (b) The secretary may make grants *available* to state and local  
14 agencies and nonprofit organizations *on a competitive basis* for  
15 feasible river parkway projects from moneys appropriated to the  
16 secretary, and from other funds that become available to the  
17 secretary for these purposes. Those funds may also be used for  
18 administrative costs directly related to the administration of the  
19 parkways program.

20 (c) Eligible projects *may* include, but are not necessarily  
21 limited to, all of the following:

22 (1) The acquisition of real property. Prior to expending grant  
23 funds for the acquisition of real property, the grantee shall provide  
24 notice to any landowner who owns land immediately adjacent to  
25 the real property proposed to be acquired.

26 (2) Site improvement projects, including the provision of  
27 compatible improvements that enhance the safety of parkway  
28 visitors and neighboring communities.

29 (3) Projects to restore and enhance riparian and other habitat.

30 (4) Projects to provide public access to a stream or river.

31 (5) Projects to develop visitor services, and recreational and  
32 interpretive facilities.

33 (6) Trail projects.

34 (d) In awarding grants to state and local agencies and nonprofit  
35 organizations under this chapter, the secretary shall give priority  
36 to river parkway projects that accomplish one or more of the  
37 following objectives:

38 (1) Help improve blighted urban communities adjacent to  
39 urban rivers and streams.

1 (2) Provide parks and recreational facilities for underserved  
2 communities, in urban and suburban communities, and in small  
3 towns.

4 (3) Protect or restore fish and wildlife habitat in a manner that  
5 benefits threatened or endangered species.

6 (4) Provide flood control benefits by maintaining or restoring  
7 the open-space character of lands along rivers and streams that are  
8 subject to periodic flooding.

9 (e) When implementing this chapter, the secretary shall give  
10 consideration to providing an equitable regional distribution of  
11 funding over the lifetime of the program.

12 (f) *Prior to the release of any funds awarded pursuant to this*  
13 *chapter, the secretary shall develop grant application criteria*  
14 *governing the allocation of these funds consistent with the*  
15 *requirements of this chapter. The secretary shall disburse these*  
16 *funds at least twice a year after announcing and accepting grant*  
17 *applications from applicable state, local, and nonprofit*  
18 *organizations.*

19 5094.74. A state or local agency or nonprofit organization that  
20 receives a grant awarded pursuant to this chapter shall, to the  
21 extent feasible, utilize the services of the California Conservation  
22 Corps and local conservation corps in those efforts.

23 ~~5094.76. Any state agency, local agency, or nonprofit~~  
24 ~~organization that expends grant funds pursuant to this chapter shall~~  
25 ~~file with the secretary an annual progress report on the~~  
26 ~~implementation of the river parkway project that has been funded~~  
27 ~~by the grant.~~

28 5094.77. It is the intent of the Legislature that this chapter  
29 shall supplement, and not replace or duplicate, existing river  
30 parkway efforts undertaken by state and local agencies and  
31 nonprofit organizations. In implementing this chapter, the  
32 secretary may make grants to entities for the purposes of better  
33 utilizing existing river parkway programs, to the extent feasible,  
34 to achieve the objectives of this chapter, including, but not  
35 necessarily limited to, the implementation and administration of  
36 river parkway programs undertaken pursuant to Chapter 4  
37 (commencing with Section 1300) and Chapter 4.1 (commencing  
38 with Section 1385) of Division 2 of the Fish and Game Code, Title  
39 7.42 (commencing with Section 66905) of the Government Code,  
40 Division 21 (commencing with Section 31000), Division 22.5

1 (commencing with Section 32500), and Division 23 (commencing  
2 with Section 33000) of this code, and Section 7048 of the Water  
3 Code, and other river parkway efforts undertaken by local  
4 agencies and nonprofit organizations.

5 SEC. 2. The sum of five million seven hundred fifty thousand  
6 dollars (\$5,750,000) is hereby appropriated from the River  
7 Protection Subaccount of the Watershed Protection Account of the  
8 Safe Drinking Water, Clean Water, Watershed Protection, and  
9 Flood Prevention Bond Fund, established by Section 79019 of the  
10 Water Code, to the Secretary of the Resources Agency for capital  
11 outlay and local assistance projects that are consistent with  
12 Chapter 1.52 (commencing with Section 5094.70) of Division 5  
13 of the Public Resources Code and Article 4 (commencing with  
14 Section 79100) of Chapter 6 of Division 26 of the Water Code.

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# Appropriations Committee Fiscal Summary

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	788 (Alarcon)
Hearing Date: 5/14/01	Amended: 4/24/01
Consultant: Lisa Matocq	Policy Vote: N R & W
	6-1
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## BILL SUMMARY:

SB 788 establishes a river parkway projects program, to be administered by the Secretary of the Resources Agency, and appropriates \$5.75 million in Safe Drinking Water, Clean Water, Watershed Protection, and Flood Prevention Bond Act (Prop. 13) funds to the Secretary of the Resources Agency for capital outlay and local assistance projects for river parkway projects, as specified.

## Fiscal Impact (in thousands)

<u>Major Provisions</u>	<u>Fund</u>	<u>2001-02</u>	<u>2002-03</u>
<u>2003-04</u>			
Appropriation		\$ 5,750*	
Special*			
General		Potentially significant pressure	
funding		in outyears to continue	

\*Appropriated in the bill from Prop. 13 bond funds which are included in the Governor's Budget.

STAFF COMMENTS: This bill meets the criteria for referral to the Suspense File.

The bill (1) authorizes the Secretary to award grants to state, local, and nonprofit organizations, on a competitive basis, as specified. STAFF NOTES that there is no match requirement, and (2) provides that moneys in the fund may be used for administrative costs.

STAFF RECOMMENDS that the bill be amended to cap the Secretary's administrative costs at 5% of the amount appropriated.

The Governor's Budget includes \$70 million (General Fund), and \$7.65 million (Prop. 13 funds) for local assistance for river parkway projects. This bill transfers \$5.75 million of the \$7.65 million to this program. Senate Subcommittee

**DRAFT**

May 18, 2001

The Honorable Richard Alarcon  
California State Senate  
State Capitol, Room 4035  
Sacramento, CA 95814

**RE: SB 788 (Alarcon) Parks and Recreation: Grants: Urban River Park Projects (SUPPORT)**

Dear Senator Alarcon:

The City of Sacramento **supports** SB 788 (Alarcon) which appropriates \$5.75 million from Proposition 13 bond funds for capital outlay and local assistance river parkway projects to be awarded on a competitive grants basis.

River parkways provide important recreational, open-space, and flood protection benefits. By assisting local agencies in the improvement of river parkways, SB 788 will provide California's communities with increased access to facilities and improved quality of life.

**The City of Sacramento strongly supports SB 788.**

Sincerely,

Steve Cohn  
Chair, Law and Legislation Committee  
Sacramento City Council

cc: Members, Senate Appropriations Committee  
Ken Emanuels