
SENATE COMMITTEE ON NATURAL RESOURCES AND WATER

Senator Henry Stern, Chair

2021 - 2022 Regular

Bill No: AB 30 **Hearing Date:** June 1, 2022
Author: Kalra
Version: January 24, 2022 Amended
Urgency: No **Fiscal:** Yes
Consultant: Catherine Baxter

Subject: Outdoor access to nature: environmental equity

BACKGROUND AND EXISTING LAW

Existing law:

- 1) Establishes the Department of Parks and Recreation (State Parks) within the California Natural Resources Agency (CNRA). 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) Declares that every Californian should enjoy the same degree of protection from environmental and health hazards and that every community should be a healthy one in which to live, work, play, and learn. *Health and Safety Code (HSC) §116765(a).*
- 3) Declares that no single group of people should bear a disproportionate share of negative consequences or adverse health impacts from industrial, governmental, or commercial operations or policies. *HSC §116765(b).*
- 4) Declares that it is the policy of the state that the protection and management of natural and working lands is an important strategy in meeting the state's greenhouse gas emissions reduction goals. Further declares that the protection and management of natural and working lands provides multiple public benefits, including providing recreational and economic benefits. *PRC §9001.5.*

Background:

- 1) *30x30 initiative.* In October 2020, Governor Newsom issued Executive Order N-82-20 that adopted a state goal to conserve at least 30% of California's land and coastal waters by 2030. This goal is part of a larger international movement, known as "30 by 30", to conserve natural areas to protect biodiversity and combat climate change. Over 72 countries have committed to 30x30, including the U.S. under the Biden Administration.

CNRA released *Pathways to 30x30: Accelerating Conservation of California's Nature* in April 2022 outlining strategies to achieve the goal. *Pathways* identifies three key objectives of the 30x30 effort, including expanding equitable access to nature and its benefits. According to *Pathways*, 24% of California's lands and 16

percent of its coastal waters are already conserved. The document identifies strategies to conserve an additional six million acres of lands and one-half million acres of coastal waters needed to reach 30%, including accelerating regionally led conservation, buying strategic lands for conservation and access, and expanding voluntary conservation easements.

2) *Recent outdoor access budget and policy actions.* Last year, the Legislature appropriated significant funding to promote outdoor access, including:

- \$43.1 million for the Outdoor Equity Grants program to enable underserved and at-risk populations to participate in outdoor environmental education experiences at state parks.
- \$180 million for the Statewide Park Development and Community Revitalization Program to fund new parks, the beautification of existing parks, and recreation opportunities in underserved communities.
- \$14 million for the Explore the Coast Grant Program to expand coastal access programming statewide.
- \$10 million for the Whale Tail Program to connect the public with the California coast and its watersheds through outdoor experiences, education, and stewardship.

Additionally, the Legislature and Administration have recently taken action to increase access to state parks through special pass programs, including through the California State Park Adventure Pass that gives fourth graders and their families a free pass to access 19 selected state parks for a year; the State Library Parks Pass, which provides state park passes to libraries that may be checked out by library patrons; and the Golden Bear Pass, which makes it easier for families who receive CalWORKs to receive a free annual, vehicle day-use pass valid at over 200 state parks.

PROPOSED LAW

This bill would declare that it is the policy of the state that all Californians have safe and affordable access to nature and access to the benefits of nature, among other things. Further this bill would direct all relevant state agencies to incorporate this state policy in policies, regulations, and grant criteria, or making expenditures, as specified, pertinent to the uses of outdoor access to nature, as specified. Specifically, this bill would:

- 1) Make a series of findings and declarations, including that:
 - a) Access to nature and the benefits of nature are essential to the health, well-being, identity, culture, and economic prosperity of the state.
 - b) Research shows that communities of color are three times more likely than White communities to live in nature-deprived areas and that 70% of low-income communities live in nature-deprived areas.
- 2) Provide that it is the Legislature's intent with respect to the implementation of this bill that the state provide for the fair treatment and meaningful involvement of people of all races, cultures, incomes, and national origins. This includes soliciting, accounting

for, and responding to the voices, needs, and priorities of communities of color, indigenous communities, and economically disadvantaged communities.

- 3) Declare all of the following as the established policy of the state:
 - a) That all Californians have safe and affordable access to nature and access to the benefits of nature.
 - b) That outdoor access to nature and access to the benefits of nature are an essential part of the public health and well-being, identity, culture, and economic prosperity of the people of the State of California.
 - i) Provide that this policy extends to all people in the state, especially those who have historically lacked access to these resources and live in nature-deprived areas.
 - ii) Direct the state, when implementing this policy, to prioritize the voices, needs, and priorities of communities of color, indigenous communities, and economically disadvantaged communities.
- 4) Direct all relevant state agencies, as specified, to incorporate this policy when revising, adopting, or establishing policies, regulations, and grant criteria, or making expenditures, to the extent not in conflict with an appropriation, pertinent to the uses of outdoor access to nature, as specified.
- 5) Direct all state agencies implementing this state policy to do so in a manner consistent with the mission of their agency and in a manner that protects the health and safety of the public.
- 6) Provide that this bill does not prohibit an affected state agency, department, or respective boards and commissions from enacting policies, standards, or conditions that are intended to preserve the public health and safety.

ARGUMENTS IN SUPPORT

According to the author, "Access to public land, nature, and a healthy environment should be available to all Californians. Being able to access the many benefits of nature is necessary for the mental and physical health, and overall well-being of people, but studies have shown that people of color are less likely to have access to nature and indigenous communities living in rural areas have likewise suffered disproportionately from environmental degradation and displacement. As the destruction of nature accelerates at unprecedented rates due to climate change, marginalized communities will continue to bear more of the negative consequences of the climate crisis. By adopting AB 30, California would become the first state to declare equitable access to nature for all Californians, setting an important example for the rest of the nation that our most vulnerable communities can benefit equitably in our efforts to protect nature."

ARGUMENTS IN OPPOSITION: None received.

COMMENTS

Inequitable access. “Access” embodies both physical (e.g., distance to a park) and social (e.g., language and safety) aspects and varies widely throughout California. The Center for American Progress recently published a report examining ethnic, racial, economic, and other demographic disparities in the current distribution of natural areas in the United States by comparing satellite and census data. The study found that communities of color are three times more likely than white communities to live in “nature deprived” places, defined as an area that has a higher proportion of natural area lost to human activity, including urban sprawl. The report also found that 70% of low income communities live in nature deprived areas. The report noted that this inequitable distribution is the result of a long history of systemic racism and economic discrimination, including redlining, forced migration, and economic segregation.

These national findings have been reflected at the state level, with research showing that there are unfair park and outdoor access disparities based on race, ethnicity, income, poverty, youth, and access to cars. In Southern California, for instance, children of color disproportionately live in communities of concentrated poverty without enough places to play in parks and schools, and without access to cars or an adequate transit system to reach parks and school fields in other neighborhoods. According to the Trust for Public Land (TPL), one in three Californians do not live within a 10 minute walk to a quality park. According to a recent Hispanic Access Foundation report, 55% of Latinos in California lack access to open space, and significantly fewer acres of green space are present in many Black and Latino neighborhoods when compared to predominantly white neighborhoods.

Historical and continuing inequities, intersecting roadways, less acreage, lack of access to transportation, lack of safety, and physical condition/maintenance of spaces are just some of the barriers to parks and open space access. The COVID-19 pandemic also appears to have exacerbated existing inequities in access to parks and open spaces with lower income and underserved communities experiencing an even greater lack of access.

This bill would adopt state policies to ensure safe and affordable access of all Californians to nature and its benefits and to recognize the importance of outdoor access and nature to public health and well-being, identity, culture, and economic prosperity. The bill would adopt these policies with special emphasis on those who have historically lacked access to these resources and live in nature-deprived areas.

Benefits of access. Parks and open/green spaces provide numerous benefits to the community, environment, and economy. Use of parks and open spaces is correlated with a number of mental and physical health benefits, including decreased risk of stress, anxiety, and depression, lessened symptoms of ADD/ADHD, as well as reduced risk of psychiatric illness for those with childhood exposure to open/green space.

The American Public Health Association’s policy statement on Improving Health and Wellness through Access to Nature states: “People of all ages and abilities enjoy higher levels of health and well-being when they have nature nearby in parks, gardens, greenways, naturalized schoolyards and playgrounds, and natural landscaping around homes and workplaces. Access to nature has been related to lower levels of mortality and illness, higher levels of outdoor physical activity, restoration from stress, a greater sense of well-being, and greater social capital.”

Parks and open spaces also provide environmental benefits as they can remove pollution and filter air, provide shade to reduce the urban heat island effect, attenuate noise, absorb water as an alternative to storm water control systems, and replenish local groundwater reservoirs.

Parks and open space are also highly valued as economic drivers, as they have been found to increase property values and subsequent tax revenues by as much as 20%, draw new businesses and visitors to cities, and are reported to be among the top amenities sought after for people choosing a place to live.

Author’s amendments. Last year, Senator Hueso introduced a similar bill (SB 624, 2021) that would have established state policies to ensure all Californians have meaningful access to and can benefit from the state’s rich cultural and natural resources. That bill was held in the Assembly Appropriations Committee. The author has worked with Senator Hueso’s office to incorporate provisions of SB 624 into this bill, including relevant findings and declarations and new and revised policies. The author proposes adopting these amendments in this Committee.

See Author’s Amendments.

Prior legislation.

AB 2278 (Kalra, 2022) would require CNRA to submit an annual report to the Legislature on progress toward achieving the directives established by Executive Order No. N-82-20. *This bill is pending referral in the Senate Rules Committee.*

SB 624 (Hueso, 2021) would have enacted the Environmental Equity and Outdoor Access Act, which would have established state policy to ensure all Californians have meaningful access to and can benefit from the state’s rich cultural and natural resources. *This bill was held in Assembly Appropriations Committee.*

AB 3030 (Kalra, 2020) would have established new land, water, and ocean protection goals, including to protect 30% of the state’s land areas and water by 2030. *The bill was held in Senate Appropriations Committee.*

AB 209 (Limón, Chapter 675, Statutes of 2019) requires the Director of State Parks to establish the Outdoor Equity Grants Program, with the purpose of leveraging both public and private funds to target outdoor access programs for underserved and at-risk youth.

SUPPORT

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| Audubon California (co-sponsor) | California Association of Recreation & Park Districts |
| Azul (co-sponsor) | California Coastal Protection Network |
| Latino Outdoors (co-sponsor) | California Coastkeeper Alliance |
| 350 Silicon Valley | California Environmental Voters |
| Airbnb, INC. | California Institute for Biodiversity |
| Akoma Unity Center | California Interfaith Power & Light |
| Alliance of Nurses for Healthy Environments | California League of Conservation Voters |
| Brown Girl Surf | California Native Plant Society |
| California Academy of Sciences | |

California Releaf
 California State Parks Foundation
 California Trout
 California Wilderness Coalition
 Carbon Cycle Institute
 Center for Biological Diversity
 Center for Climate Change & Health
 Chicano Indigenous Community for
 Culturally Conscious Advocacy &
 Action
 Community Nature Connection
 Defenders of Wildlife
 Environmental Defense Fund
 Fresno Building Healthy Communities
 Justice Outside
 Los Angeles Conservation Corps
 Los Angeles Neighborhood Land Trust
 Midpeninsula Regional Open Space
 District
 Mono Lake Committee
 Native American Community Council of
 San Bernardino and Riverside
 Counties

Natural Resources Defense Council
 Nature for All
 Outdoor Outreach
 Pacific Crest Trail Association
 Pacific Forest Trust
 Parks Now
 Planning and Conservation League
 Pogo Park
 Pueblo Unido CDC
 San Francisco Bay Physicians for Social
 Responsibility
 San Jose Conservation Corps & Charter
 School
 Surfrider Foundation
 Treepeople
 Trout Unlimited
 Trust for Public Land
 Yes Nature to Neighborhoods
 Yoots
 Youth Outside

OPPOSITION

None Received

AUTHOR’S AMENDMENTS

SECTION 1. Division 1.5 (commencing with Section 1000) is added to the Public Resources Code, to read:

Division 1.5 California Equitable Outdoor Access Act

Chapter 1. General Provisions

1000. (a) This division shall be known and may be cited as the Equitable Outdoor Access Act.

(b) This division 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.

Chapter 2. Policy

SECTION 1.

1050. (a) The Legislature finds and declares all of the following:

(1) The biodiversity of the State of California is comprised of the plants, and animals, including humans, *and fungi* that reside within the state and its territorial waters ~~rivers,~~ *lakes, beaches, deserts, forests, mountain ranges, and other natural landscapes.*

(2) The state's cultural and natural resources are a shared heritage that no single individual or entity is more entitled to access or benefit from than another and must be stewarded for future generations.

(3) Countless Californians face barriers to visiting and enjoying the state's natural resources and outdoor spaces, including local, regional, state, and federal parks and beaches, and other public lands and outdoor spaces. These barriers include, but are not limited to, the following:

(A) Lack of safe, reliable, and affordable routes to these spaces, including transportation and pathways accessible for people with disabilities.

(B) Cost of admission, parking, and overnight accommodations at or near these spaces.

(C) Lack of accessible public information and exposure to the outdoors necessary to ensure familiarity and comfort with being in these spaces.

(D) Lack of culturally relevant and multilingual programming.

(E) Lack of local, quality outdoor spaces and amenities, including parks, pedestrian tree canopies, green streets, greenways, trails, community gardens, and other greenspaces.

(F) Lack of outdoor programming opportunities, including but not limited to, recreational, cultural, and education activities, in many communities.

(G) Local hostility towards visitors of these spaces and intentional efforts to restrict access.

(24) The state faces a biodiversity and nature crisis that scientists say we must address with urgency.

(35) Nature, like the climate, is nearing a tipping point where the continued loss and degradation of the natural environment will push many ecosystems and wildlife species past the point of no return, threaten the health and economic prosperity of the State of California and the United States, and increase the costs of natural disasters.

(46) Before European contact with the American continents, tribal nations, Native American tribes, and tribal entities managed and stewarded the state's terrestrial and marine resources using traditional ecological knowledge and a wide array of traditional practices and techniques to maintain an environment capable of supporting large, thriving human, plant, and animal populations. Today, tribes continue to use these practices, which vary from tribe to tribe, but are generally focused on ecosystem interconnectivity, respecting the carrying capacity of the land, and viewing humans as an integral part of the environment. Tribal methods of protecting and managing the land are an essential and fundamental part of a concerted effort to successfully rebalance the climate and restore biodiversity.

(57) Access to nature and the benefits of nature are essential to the health, well-being, identity, culture, and economic prosperity of the state.

(8) Accessing and connecting with the state's prized cultural and natural resources and experiencing the public and mental health, cultural, economic, and other benefits outdoor recreation can provide is essential to cultivating an appreciation and respect for nature that motivates conservation, biodiversity protection, and other actions to protect our climate and planet.

(69) Loss of nature and lack of access to nature disproportionately negatively affects people of color, especially people of color living in disadvantaged communities. Research shows that communities of color are three times more likely than White communities to live in nature-deprived areas and that 70 percent of low-income communities live in nature-deprived areas.

(710) Level of concern for things like The loss of habitat for fish and wildlife, inadequate water supplies, pollution in the air and water, the loss of pollinators, uncontrollable wildfires, and climate change are of increasing concern to many communities across

California but especially to communities of color and disadvantaged communities. ~~Communities of color and disadvantaged communities are highly concerned about the future of nature, water, air, and wildlife.~~

~~(811) The state should protect has a responsibility to conserve land, air, water, ocean, and wildlife resources in the state as necessary to prevent the further decline of nature, to address barriers to access, especially for low-income and disadvantaged communities disproportionately affected by them, and to ensure that all Californians have access to nature and a healthy environment.~~

(b) With respect to the implementation of this act, it is the intent of the Legislature that the state provide for the fair treatment and meaningful involvement of people of all races, cultures, incomes, and national origins. This includes soliciting, accounting for, and responding to the voices, needs, and priorities of communities of color, indigenous communities, and economically disadvantaged communities.

~~SEC. 2. Section 12804.6 is added to the Government Code, to read:~~

~~12804.6.~~

~~1051. (a) All of the following It is hereby declared to be the established policy of the state:~~

~~(1) To ensure that That all Californians have equitable opportunities to safe and affordable access to nature and access to the benefits of nature.~~

~~(2) That outdoor access to nature and access to the benefits of nature are an essential part of the public health and well-being, identity, culture, and economic prosperity of the people of the State of California. This extends to all people in the state, especially those who have historically lacked access to these resources and live in nature-deprived areas. When implementing this policy, the state shall prioritize the voices, needs, and priorities of communities of color, indigenous communities, and economically disadvantaged communities.~~

~~(2) To maximize public access to public lands, including the state's cultural and natural resources, in a sustainable manner, where appropriate, with a special emphasis on creating and promoting opportunities for people and communities that face disproportionate barriers to access, including, but not limited to communities of color, indigenous communities, and economically disadvantaged communities.~~

~~(3) To prevent and minimize the intentional and unwarranted limitation of sustainable public access to public lands, where appropriate, including, but not limited to local, regional, state, and federal parks, rivers, lakes, beaches, forests, mountain ranges, deserts, and other natural landscapes.~~

(b) All relevant state agencies, including the Natural Resources Agency, and each department, board, office, conservancy, and commission within the agency, and state departments, including the Department of Transportation, and their respective departments, boards, and commissions shall consider and incorporate, as appropriate, this state policy when revising, adopting, or establishing policies, regulations, ~~and~~ or grant criteria, or making expenditures, to the extent not in conflict with an appropriation, pertinent to the uses of outdoor access to nature described in subdivision (a).

~~(c)~~

~~1052. (a) Notwithstanding any other law, all state agencies implementing this state policy shall do so in a manner consistent with the mission of their agency, and in a manner that protects the health and safety of the public, and that conserves natural and cultural resources. This section shall not prohibit an affected state agency, department, or respective boards, office, conservancy, or commission and commissions from~~

enacting policies, standards, or conditions that are intended to preserve the public health and safety.

(b)(1) On or before January 1, 2024, the Natural Resources Agency shall prepare a report and submit it to the Legislature with information related to the implementation of this division.

(2) The report submitted pursuant to paragraph (1) shall be submitted in compliance with Section 9795 of the Government Code.

(3) The requirement for submitting a report imposed under paragraph (1) is inoperative on January 1, 2026, pursuant to Section 10231.5 of the Government Code.

-- END --