

Date of Hearing: May 10, 2023

**ASSEMBLY COMMITTEE ON APPROPRIATIONS**

Chris Holden, Chair

AB 411 (Bennett) – As Amended March 16, 2023

Policy Committee: Water, Parks and Wildlife

Vote: 14 - 0

Urgency: No

State Mandated Local Program: No

Reimbursable: No

**SUMMARY:**

This bill requires the Department of Parks and Recreation (State Parks) to establish the California Recreational Trails and Greenways Program (Program) to award grants to create, improve, expand, and restore nonmotorized recreational trails.

Specifically, this bill:

- 1) Requires State Parks to establish the Program to award competitive grants on a biennial basis for new, expanded, or improved public access opportunities through nonmotorized recreational trail creation, improvement, enhancement, and restoration projects, as specified.
- 2) Creates the California Recreations Trails and Greenways Fund (Fund), and to the extent consistent with state and federal law, requires the following moneys to be deposited into the Fund and, upon appropriation, made available by State Parks for the Program:
  - a) 50% of federal Recreational Trails Program (RTP) moneys received by the state and available for appropriation.
  - b) 25% of the federal Land and Water Conservation Fund (LWCF) Act of 1965 moneys received by the state and available for appropriation.
  - c) To the extent consistent with Proposition 68, any moneys not encumbered or expended by recipients within a specified time period that become available for allocation by State Parks.
- 3) To the extent consistent with Proposition 117, encourages State Parks to allocate 50% of the moneys it allocates through the Habitat Conservation Fund (HCF) to increase access to trails.
- 4) Authorizes State Parks to create a loan or grant process for advanced payment and match assistance to reduce barriers to participation in the Program.

**FISCAL EFFECT:**

Costs of an unknown but potentially significant amount, in excess of \$150,000, for State Parks to establish and administer the new Program and award grants for nonmotorized recreational trail work (General Fund, special fund, or bond funds). While this bill does not appropriate any new funding for the Program, it proposes to reconfigure and redirect specified percentages of several existing programs.

**COMMENTS:**1) **Purpose.** According to the author:

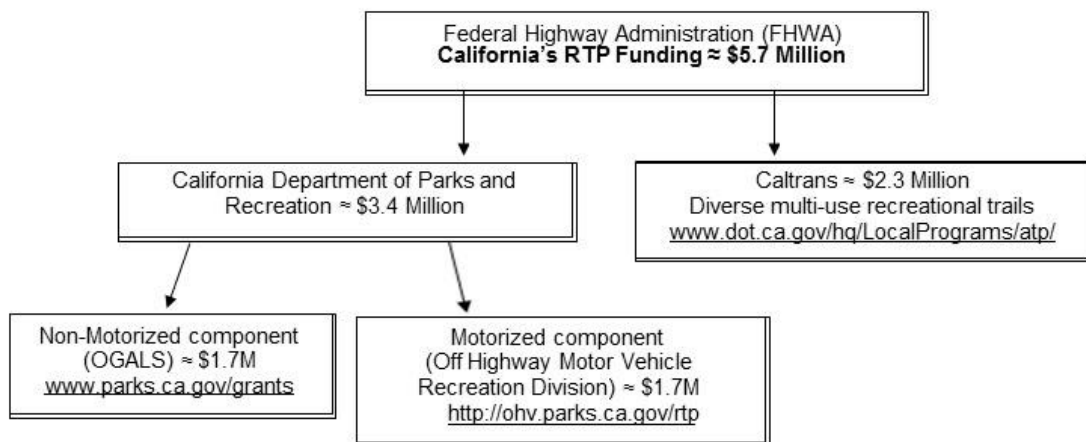
During the pandemic our parks and trails were highly utilized as an outlet for stress and connection. This difficult time put a spotlight on how integral access to outdoor spaces are to our overall well-being. Despite some modest federal and state investments in the past, we have not funded infrastructure improvements in our trails systems. This bill would establish funding for recreational trail improvements grants so all Californians can receive the benefits of outdoor activities.

2) **Background.**

**Recreational Trails.** According to the Assembly Water, Parks, and Wildlife Committee analysis of this bill, state parks contain more than 5,000 miles of trails. Additional thousands of miles of trails are found on other state lands, federal lands, and in regional, county, and city parks. Natural surface trails are used for non-motorized recreation and pedestrian, bike, and equestrian uses. Although natural surface trails are inexpensive and relatively quick to build, they require more frequent upkeep and maintenance compared to other trail surfaces. The California Recreational Trails Act, passed in 1974, requires the director of State Parks to prepare and maintain a comprehensive plan for the development and operation of a statewide system of recreation trails. AB 1789 (Bennett), Chapter 522, Statutes of 2022, requires State Parks to prepare a full update of this plan by January 1, 2024.

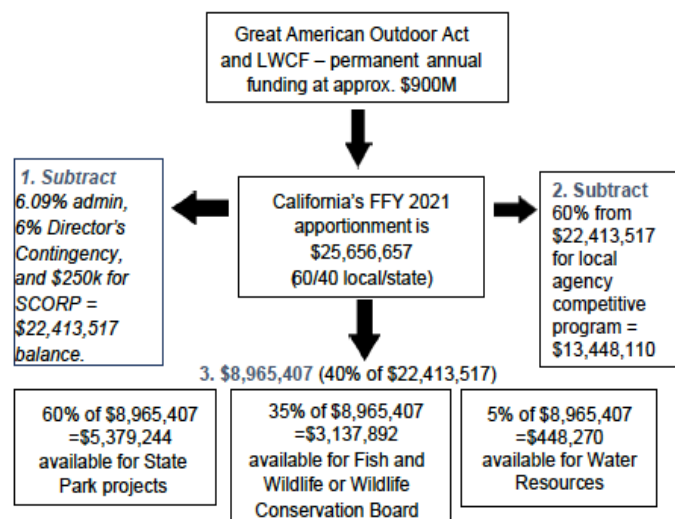
The supporters of this bill contend that the state's recent significant funding for outdoor access programming is incongruous with the level of investment in trails infrastructure, which they note is the most popular form of outdoor engagement in the country. In his January budget for fiscal year (FY) 2023-24, the Governor proposes to cut \$35 million that was appropriated in FY 2022-23 for the Recreational Trails and Greenways Program at the California Natural Resources Agency (CNRA). Supporters note this bill establishes a sustainable, dedicated funding source to keep up with trail demand.

**Recreational Trails Program.** The RTP is administered at the federal level by the Federal Highway Administration (FHWA) and at the state level by State Parks and the Department of Transportation's Active Transportation Program. As seen in the graphic below from State Parks, \$1.7 million is currently available annually for grants for non-motorized recreational trails and trails-related projects. Earlier this year, State Parks announced \$4.68 million in grant funding for seven non-motorized trail projects. The RTP requires a minimum 12% match from local sponsors and state funds. FHWA must approve project recommendations before State Parks can execute grant agreements with local agencies. This bill proposes to reserve 50% of the funding available through the RTP for the Program.



**Land and Water Conservation Fund.** The federal LWCF grants provide funding for the acquisition or development of land to create new outdoor recreation opportunities in the state. Since 1965, over 1,000 state parks have been created or improved with LWCF assistance. In 2022, State Parks recommended 16 local park projects for a total of \$45 million in LWCF grants, after evaluating \$116 million in requests. For a breakdown of current LCWF allocations, see the graphic below. This bill proposes to reserve 25% of LWCF moneys for the new Program.

**California's Public Resources Code 5099.12 Percentages Flow Chart**  
Using FFY 2021 Funding Certificate as an Example



**Proposition 68.** On June 5, 2018, voters passed Proposition 68 (the Drought, Water, Parks, Climate, Coastal Protection, and Outdoor Access For All Act of 2018), a \$4 billion bond. According to CNRA's bond accountability website, there is a balance of approximately \$145.4 million in Prop 68 funds. State Parks administers a number of programs utilizing Prop 68 funds. For example, the FY 2020-21 budget allocated \$395 million for the statewide park development and community revitalization program and \$23.1 million for the regional park program. Prop 68 specifically created and allocated \$30 million to the Trails and Greenways Investment Program, administered by CNRA, which has a remaining balance of \$32,000.

This bill calls for unencumbered Prop 68 dollars in specific categories to be available for the new Program.

***Proposition 117.*** Proposition 117 (the 1990 California Wildlife Protection Act) created the HCF, which provides grants to cities, counties, and districts for wildlife corridors and urban trails, nature interpretation programs, and other programs that bring urban residents into park and wildlife areas. The program requires a 50% match. A 2019 budget trailer bill approved a \$30 million annual allocation for HCF until 2030. This bill encourages State Parks to allocate 50% of the moneys it allocates through HCF to increase access to trails.

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