

Mono County Local Transportation Commission

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AGENDA

September 14, 2020 – 9:00 A.M.

As authorized by Gov. Newsom’s Executive Orders, N-25-20 and N-29-20, the meeting will be accessible remotely by live cast with Commissioners attending from separate remote locations. There is no physical meeting location. This altered format is in observance of recent recommendations by local officials that certain precautions be taken, including social distancing, to address the threat of COVID-19.

You are strongly encouraged to observe the live stream of the LTC at http://monocounty.granicus.com/MediaPlayer.php?publish_id=12fc27d4-50cd-4dd9-b9d8-1454f964e9b0
The meeting may be joined by video at <https://monocounty.zoom.us/j/99086112248> and by telephone at: 669-900-6833 (Meeting ID# is 990 8611 2248) where members of the public shall have the right to observe and offer public comment.

An alternate method to access the video meeting is <https://zoom.us/join> and enter Meeting ID: 990 8611 2248.

1. **CALL TO ORDER & PLEDGE OF ALLEGIANCE**
Meeting procedures and format (*Gerry LeFrancois*)
2. **PUBLIC COMMENT**
3. **MINUTES**
 - A. Approval of minutes from August 10, 2020 – **p.1**
4. **LOCAL TRANSPORTATION**
 - A. The Great American Outdoor Act (GAOA) and the potential to collaborate on transportation related projects that might be proposed by Federal Agencies in the region (*requested by Commissioner Wentworth*) – **p.4**
 - B. Discussion on development of a coordinated data collection program (transit, road counts, trail counts) to ensure consistency between agencies (*Commissioner Wentworth*) – **p.43**
 - C. Preliminary Review State Active Transportation Program (ATP) and provide direction to staff (*Dist. 9 and LTC Staff*) – **p.44**
5. **CALTRANS:** Activities in Mono County & pertinent statewide information
6. **TRANSIT**
 - A. Adopt a Resolution R20-10, approving the State of Good Repair program Project List submitted by Eastern Sierra Transit Authority for FY 2020-21 (*Phil Moores*) – **p.74**
 - B. Eastern Sierra Transit Authority (ESTA) updates (*Phil Moores*)

COMMISSIONERS

Jennifer Kreitz Sandy Hogan John Peters Lynda Salcido Fred Stump John Wentworth

- C. Regional winter recreation program update (*Commissioner Wentworth*)
 - D. Yosemite Area Regional Transportation System (YARTS) updates (*Christine Chavez*)
7. **ADMINISTRATION**
- A. Resolution of Appreciation for Garrett Higerd – **p.81**
 - B. Response from County Counsel regarding Brown Act and Board of Supervisor also being Commissioners on the LTC – **p.83**
8. **CORRESPONDENCE:** None
9. **COMMISSIONER REPORTS**
10. **INFORMATION**
Federal Surface Transportation Debate – American Planning Association article – **p.85**
11. **UPCOMING AGENDA ITEMS**
Resolution of Appreciation for Fred Stump
12. **ADJOURN** to October 12, 2020

***NOTE:** Although the LTC generally strives to follow the agenda sequence, it reserves the right to take any agenda item – other than a noticed public hearing – in any order, and at any time after its meeting starts. The Local Transportation Commission encourages public attendance and participation.

In compliance with the Americans with Disabilities Act, anyone who needs special assistance to attend this meeting can contact the commission secretary at 760-924-1804 within 48 hours prior to the meeting in order to ensure accessibility (see 42 USCS 12132, 28CFR 35.130).

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DRAFT MINUTES

August 10, 2020

COUNTY COMMISSIONERS: John Peters, Fred Stump, Jennifer Kreitz

TOWN COMMISSIONERS: Sandy Hogan, John Wentworth, Dan Holler (as alternate for absent Lynda Salcido)

COUNTY STAFF: Gerry LeFrancois, Wendy Sugimura, Megan Mahaffey, Bentley Regehr, Tony Dublino, Sean Robison, Chad Senior, Melissa Bell

TOWN STAFF: Hayes Haislip, Chandler Van Schaack,

CALTRANS: Dennee Alcala, Austin West, Mark Heckman

ESTA: Phil Moores

YARTS: Christine Chavez

Public: Rhonda Duggan

1. **CALL TO ORDER & PLEDGE OF ALLEGIANCE:** Vice-chair Jennifer Kreitz called the meeting to order at 9:01am. Commissioner Hogan led the pledge of allegiance.

2. **PUBLIC COMMENT:** No public comment
 - * *Vice-Chair Kreitz announced to the Commission that due to scheduling constraints, Commissioner Stump would need to exit the meeting at 10:00 a.m. Because of this, it was requested to move agenda items so he could participate in action items.*

3. **MINUTES:**
 - A. Approval of minutes from July 13, 2020.
 - Motion:** Approve minutes from July 13, 2020.
Peters/Wentworth. Ayes: Hogan, Peters, Stump, Wentworth, Kreitz. Absent: Salcido.
 - * *Commissioner Dan Holler joined at 9:06 a.m. as an alternate Commissioner for absent Chair Lynda Salcido.*

6. **TRANSIT**
 - B. Approval of Resolution R20-07 approving Eastern Sierra Transit Authority (ESTA) Program of Projects under the 5311 Program CARES Act
 - Presented by Phil Moores
 - Motion:** Approve Resolution R20-07: Resolution of the Mono County Local Transportation Commission, State of California, authorizing the federal funding under FTA section 5311 (49 U.S.C. Section 5311) with the Department of Transportation with Eastern Sierra Transit Authority as the subrecipient of the \$172,765.
Hogan/Wentworth. Ayes: Hogan, Peters, Stump, Wentworth, Holler, Kreitz.

COMMISSIONERS

Jennifer Kreitz Sandy Hogan John Peters Lynda Salcido Fred Stump John Wentworth

7. ADMINISTRATION

- A. Approve Minute Order 20-04 amending the 2020-21 Overall Work Program (OWP) incorporating two grant awards, and other minor amendments
- Presented by Gerry LeFrancois
- Motion:** Approve Minute Order M20-04, to amend the 2020-21 Overall Work Program (OWP), authorize the Co-Executive Director to execute/sign the Overall Work Program Agreement/Certifications and Assurances, and allow staff to make any minor corrections to the Overall Work Program.
- Hogan/Peters. Ayes: Hogan, Peters, Stump, Wentworth, Holler, Kreitz.*
- B. Approve Resolution R20-06 authorizing Co-Executive Directors to sign necessary documents for grants, RPA, RSTP funding, and related transportation documents required by State and Federal Transportation Agencies
- Presented by Gerry LeFrancois
- Motion:** Approve Resolution R20-06, Resolution of the Mono County Local Transportation authorizing the Co-Executive Director's signature of funding agreements.
- Peters/Hogan. Ayes: Hogan, Peters, Stump, Wentworth, Holler, Kreitz.*

8. CORRESPONDENCE: CSA 1 letter regarding chip seals on area roadways

- Gerry LeFrancois presented a brief summary and introduction.
- Commissioner Stump provided information on comments received from public.
- Chad Senior (Public Works) provided information on Mono County's chip seal process, as well as location in which it is used.
- Discussion followed on locations used, complaints, potential future Mono County projects.

4. LOCAL TRANSPORTATION

- B. Request from Commissioner Wentworth regarding the Commission's role on development projects in Mono County and Town of Mammoth Lakes
- Gerry LeFrancois presented a brief history of the Mono County Local Transportation Commission (LTC), as well as the role & requirements of the Regional Transportation Planning Agency (RTPA) & LTC.

** Commissioner Stump exited the meeting at 10:01 a.m. due to a scheduling conflict. Prior to exiting, it was requested by Commissioner Stump that the LTC recognize Garrett Higerd for his work with LTC and to present a letter of appreciation at the next meeting.*

4. LOCAL TRANSPORTATION

- A. Update on traffic counts (Caltrans) and Mammoth Lakes Trail System trail user counts (TOML), tracking the similarities and differences from May 1, 2019 to August 1, 2020
- Hayes Haislip presented information on Mammoth Lakes Trails' recent trail count data, along with comparisons to previous years' data.
 - Commissioner Hogan: Are equestrian counts included?
 - Haislip: Yes.
 - Discussion followed regarding the use of mountain bikes on trails & locations permitted, use of electric bikes (e-bikes) on multi-use trails, and using trail count data for long term planning, Covid-19 planning, transit planning (including trolleys), and winter planning.
 - Chandler Van Schaack provided updates on the mobility hub study & mobility masterplan effort.

- Austin West presented traffic count data, along with comparisons to previous years' data.
- Commissioner Peters: Ability to pull data from the Nevada border? Useful for understanding traveler pattern effects from Covid-19.
- West: Yes, able to pull data and will follow up via email.
- Kreitz: Trail and vehicle data provides useful information to be able to view how Covid-19 has affected recreation and the changes in patterns.

5. **CALTRANS**: Activities in Mono County & pertinent statewide information

- Dennee Alcala provided updates on current & upcoming projects.
- Austin West provided updates on current & upcoming projects.
- Discussion followed, regarding requests for message board items & processes.

6. **TRANSIT**

A. Yosemite Area Regional Transportation System (YARTS) updates

- Christine Chavez was unable to present due to conflicted schedule.

C. Eastern Sierra Transit Authority (ESTA) updates

- Phil Moores provided updates on ESTA, ridership data, service enhancements, new Bishop facility, grants, Walker-Mammoth Lakes route update, Highway to Care program/grant & coordination with Mammoth Hospital, fleet, funding, disposal of old fleet, and California Low-Carbon Fuel Standard (LCFS).

** Commissioner Holler exited the meeting at 10:58 a.m. due to a scheduling conflict.*

- Commissioner Wentworth: MMSA winter program discussions?
- Moores: Discussions have not begun yet but will follow up with Mammoth Mountain.
- Discussion followed, regarding approval of Mono County Health Department being a part of winter program discussions, larger planning for winter, budget effects on ESTA

9. **COMMISSIONER REPORTS**

- Commissioner Hogan: Observations of current Caltrans projects.
- Commissioner Wentworth: Trail host program update, Eastern Sierra ?? meeting (11:10a), consistent public messaging throughout region, and masks & critical role for MMSA operations.
- Commissioner Peters: Recognizing Commissioner Stump in a future meeting.
- Commissioner Kreitz: No report.

10. **INFORMATION**: No informational items

11. **UPCOMING AGENDA ITEMS**

- Commissioner Kreitz: Letter of appreciation & recognition for Garrett Higerd & Commissioner Stump, trail counter protocols for TOML & Mono County, and winter Covid-19 discussions (dispersed camping in winter, allowances, increased numbers, effects on Sherwins).
- Commissioner Hogan: Discussions with Yosemite NPS on coordination for Tioga Pass Road opening.
- Commissioner Wentworth: Success of reservation entry program and plans for next summer (Yosemite NPS).

12. **ADJOURN** at 11:21 a.m. to September 14, 2020

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Staff Report

September 14, 2020

TO: Mono County Local Transportation Commission

FROM: Gerry LeFrancois, Co-Executive Director (requested by Commissioner Wentworth)

SUBJECT: The Great American Outdoor Act (GAOA) and the potential to collaborate on transportation related projects that might be proposed by Federal Agencies in the region (requested by Commissioner Wentworth)

RECOMMENDATION: Receive information and provide any desired direction.

FISCAL IMPLICATIONS: N/A

ENVIRONMENTAL COMPLIANCE: N/A

DISCUSSION: The Great American Outdoors Act revitalizes America's conservation and outdoor recreation heritage by establishing the National Parks and Public Lands Legacy Restoration Fund to address an estimated \$20 billion maintenance backlog on federal public lands. The backlog includes \$11.92 billion at the National Park Service, \$5.2 billion at the U.S. Forest Service, \$1.3 billion at the U.S. Fish and Wildlife Service, and \$960 million at the Bureau of Land Management in FY2018. Eligible projects include paved roads, buildings, trails, water and wastewater systems, housing, unpaved roads, and campgrounds.

ATTACHMENTS:

- PL 16-152 GAOA
- Utilizing the GAOA / Land and Water Conservation Fund
- Inyo National Forest Plan excerpt
- Agreement for Shared Stewardship CA & Pacific SW Region

PUBLIC LAW 116–152—AUG. 4, 2020

GREAT AMERICAN OUTDOORS ACT

Public Law 116–152
116th Congress

An Act

To amend title 54, United States Code, to establish, fund, and provide for the use of amounts in a National Parks and Public Land Legacy Restoration Fund to address the maintenance backlog of the National Park Service, the United States Fish and Wildlife Service, the Bureau of Land Management, the Forest Service, and the Bureau of Indian Education, and to provide permanent, dedicated funding for the Land and Water Conservation Fund, and for other purposes.

Aug. 4, 2020
[H.R. 1957]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Great American
Outdoors Act.
54 USC 100101
note.

SECTION 1. SHORT TITLE.

This Act may be cited as the “Great American Outdoors Act”.

SEC. 2. NATIONAL PARKS AND PUBLIC LAND LEGACY RESTORATION FUND.

(a) IN GENERAL.—Subtitle II of title 54, United States Code, is amended by inserting after chapter 2003 the following:

54 USC 200401
prec.

“CHAPTER 2004—NATIONAL PARKS AND PUBLIC LAND LEGACY RESTORATION FUND

“Sec.

“200401. Definitions.

“200402. National Parks and Public Land Legacy Restoration Fund.

54 USC 200401.

“§ 200401. Definitions

“In this chapter:

“(1) ASSET.—The term ‘asset’ means any real property, including any physical structure or grouping of structures, landscape, trail, or other tangible property, that—

“(A) has a specific service or function; and

“(B) is tracked and managed as a distinct, identifiable entity by the applicable covered agency.

“(2) COVERED AGENCY.—The term ‘covered agency’ means—

“(A) the Service;

“(B) the United States Fish and Wildlife Service;

“(C) the Forest Service;

“(D) the Bureau of Land Management; and

“(E) the Bureau of Indian Education.

“(3) FUND.—The term ‘Fund’ means the National Parks and Public Land Legacy Restoration Fund established by section 200402(a).

“(4) PROJECT.—The term ‘project’ means any activity to reduce or eliminate deferred maintenance of an asset, which

may include resolving directly related infrastructure deficiencies of the asset that would not by itself be classified as deferred maintenance.

“§ 200402. National Parks and Public Land Legacy Restoration Fund 54 USC 200402.

“(a) **ESTABLISHMENT.**—There is established in the Treasury of the United States a fund to be known as the ‘National Parks and Public Land Legacy Restoration Fund’.

“(b) **DEPOSITS.**—

“(1) **IN GENERAL.**—Except as provided in paragraph (2), for each of fiscal years 2021 through 2025, there shall be deposited in the Fund an amount equal to 50 percent of all energy development revenues due and payable to the United States from oil, gas, coal, or alternative or renewable energy development on Federal land and water credited, covered, or deposited as miscellaneous receipts under Federal law in the preceding fiscal year.

“(2) **MAXIMUM AMOUNT.**—The amount deposited in the Fund under paragraph (1) shall not exceed \$1,900,000,000 for any fiscal year.

“(3) **EFFECT ON OTHER REVENUES.**—Nothing in this section affects the disposition of revenues that—

“(A) are due to the United States, special funds, trust funds, or States from mineral and energy development on Federal land and water; or

“(B) have been otherwise appropriated—

“(i) under Federal law, including—

“(I) the Gulf of Mexico Energy Security Act of 2006 (43 U.S.C. 1331 note; Public Law 109–432); and

“(II) the Mineral Leasing Act (30 U.S.C. 181 et seq.); or

“(ii) from—

“(I) the Land and Water Conservation Fund established under chapter 2003; or

“(II) the Historic Preservation Fund established under chapter 3031.

“(c) **AVAILABILITY OF FUNDS.**—Amounts deposited in the Fund shall be available to the Secretary and the Secretary of Agriculture, as provided in subsection (e), without further appropriation or fiscal year limitation.

“(d) **INVESTMENT OF AMOUNTS.**—

“(1) **IN GENERAL.**—The Secretary may request the Secretary of the Treasury to invest any portion of the Fund that is not, as determined by the Secretary, in consultation with the Secretary of Agriculture, required to meet the current needs of the Fund.

“(2) **REQUIREMENT.**—An investment requested under paragraph (1) shall be made by the Secretary of the Treasury in a public debt security—

“(A) with a maturity suitable to the needs of the Fund, as determined by the Secretary; and

“(B) bearing interest at a rate determined by the Secretary of the Treasury, taking into consideration current market yields on outstanding marketable obligations of the United States of comparable maturity.

Determination.
Consultation.

“(3) CREDITS TO FUND.—The income on investments of the Fund under this subsection shall be credited to, and form a part of, the Fund.

“(e) USE OF FUNDS.—

“(1) IN GENERAL.—Amounts deposited in the Fund for each fiscal year shall be used for priority deferred maintenance projects in the System, in the National Wildlife Refuge System, on public land administered by the Bureau of Land Management, for the Bureau of Indian Education schools, and in the National Forest System, as follows:

“(A) 70 percent of the amounts deposited in the Fund for each fiscal year shall be allocated to the Service.

“(B) 15 percent of the amounts deposited in the Fund for each fiscal year shall be allocated to the Forest Service.

“(C) 5 percent of the amounts deposited in the Fund for each fiscal year shall be allocated to the United States Fish and Wildlife Service.

“(D) 5 percent of the amounts deposited in the Fund for each fiscal year shall be allocated to the Bureau of Land Management.

“(E) 5 percent of the amounts deposited in the Fund for each fiscal year shall be allocated to the Bureau of Indian Education.

“(2) LIMITATIONS.—

“(A) NON-TRANSPORTATION PROJECTS.—Over the term of the Fund, within each covered agency, not less than 65 percent of amounts from the Fund shall be allocated for non-transportation projects.

“(B) TRANSPORTATION PROJECTS.—The amounts remaining in the Fund after the allocations required under subparagraph (A) may be allocated for transportation projects of the covered agencies, including paved and unpaved roads, bridges, tunnels, and paved parking areas.

“(C) PLAN.—Any priority deferred maintenance project funded under this section shall be consistent with an applicable transportation, deferred maintenance, or capital improvement plan developed by the applicable covered agency.

“(f) PROHIBITED USE OF FUNDS.—No amounts in the Fund shall be used—

“(1) for land acquisition;

“(2) to supplant discretionary funding made available for annually recurring facility operations, maintenance, and construction needs; or

“(3) for bonuses for employees of the Federal Government that are carrying out this section.

Deadline.

“(g) SUBMISSION OF PRIORITY LIST OF PROJECTS TO CONGRESS.—Not later than 90 days after the date of enactment of this section, the Secretary and the Secretary of Agriculture shall submit to the Committees on Energy and Natural Resources and Appropriations of the Senate and the Committees on Natural Resources and Appropriations of the House of Representatives a list of projects to be funded for fiscal year 2021 that—

“(1) are identified by the Secretary and the Secretary of Agriculture as priority deferred maintenance projects; and

“(2) as of the date of the submission of the list, are ready to be implemented.

“(h) SUBMISSION OF ANNUAL LIST OF PROJECTS TO CONGRESS.— President.
Until the date on which all of the amounts in the Fund are expended, the President shall annually submit to Congress, together with the annual budget of the United States, a list of projects to be funded from the Fund that includes a detailed description of each project, including the estimated expenditures from the Fund for the project for the applicable fiscal year.

“(i) ALTERNATE ALLOCATION.—

“(1) IN GENERAL.—Appropriations Acts may provide for alternate allocation of amounts made available under this section, consistent with the allocations to covered agencies under subsection (e)(1).

“(2) ALLOCATION BY PRESIDENT.—

“(A) NO ALTERNATE ALLOCATIONS.—If Congress has not enacted legislation establishing alternate allocations by the date on which the Act making full-year appropriations for the Department of the Interior, Environment, and Related Agencies for the applicable fiscal year is enacted into law, amounts made available under subsection (c) shall be allocated by the President.

“(B) INSUFFICIENT ALTERNATE ALLOCATION.—If Congress enacts legislation establishing alternate allocations for amounts made available under subsection (c) that are less than the full amount appropriated under that subsection, the difference between the amount appropriated and the alternate allocation shall be allocated by the President.

“(j) PUBLIC DONATIONS.—

“(1) IN GENERAL.—The Secretary and the Secretary of Agriculture may accept public cash or in-kind donations that advance efforts—

“(A) to reduce the deferred maintenance backlog; and

“(B) to encourage relevant public-private partnerships.

“(2) CREDITS TO FUND.—Any cash donations accepted under paragraph (1) shall be—

“(A) credited to, and form a part of, the Fund; and

“(B) allocated to the covered agency for which the donation was made.

“(3) OTHER ALLOCATIONS.—Any donations allocated to a covered agency under paragraph (2)(B) shall be allocated to the applicable covered agency independently of the allocations under subsection (e)(1).

“(k) REQUIRED CONSIDERATION FOR ACCESSIBILITY.—In expending amounts from the Fund, the Secretary and the Secretary of Agriculture shall incorporate measures to improve the accessibility of assets and accommodate visitors and employees with disabilities in accordance with applicable law.”

(b) CLERICAL AMENDMENT.—The table of chapters for subtitle II of title 54, United States Code, is amended by inserting after the item relating to chapter 2003 the following:

“2004. National Parks and Public Land Legacy Restoration Fund200401”.

54 USC 100101
prec.

(c) GAO STUDY.—Not later than 5 years after the date of enactment of this Act, the Comptroller General of the United States shall—

Deadline.

(1) conduct a study on the implementation of this section and the amendments made by this section, including whether

this section and the amendments made by this section have effectively reduced the priority deferred maintenance backlog of the covered agencies (as that term is defined in section 200401 of title 54, United States Code); and

Reports.

(2) submit to Congress a report that describes the results of the study under paragraph (1).

SEC. 3. PERMANENT FULL FUNDING OF THE LAND AND WATER CONSERVATION FUND.

(a) IN GENERAL.—Section 200303 of title 54, United States Code, is amended to read as follows:

“§ 200303. Availability of funds

“(a) IN GENERAL.—Any amounts deposited in the Fund under section 200302 for fiscal year 2020 and each fiscal year thereafter shall be made available for expenditure for fiscal year 2021 and each fiscal year thereafter, without further appropriation or fiscal year limitation, to carry out the purposes of the Fund (including accounts and programs made available from the Fund pursuant to the Further Consolidated Appropriations Act, 2020 (Public Law 116–94; 133 Stat. 2534)).

“(b) ADDITIONAL AMOUNTS.—Amounts made available under subsection (a) shall be in addition to amounts made available to the Fund under section 105 of the Gulf of Mexico Energy Security Act of 2006 (43 U.S.C. 1331 note; Public Law 109–432) or otherwise appropriated from the Fund.

“(c) ALLOCATION AUTHORITY.—

President.

“(1) SUBMISSION OF COST ESTIMATES.—The President shall submit to Congress detailed account, program, and project allocations of the full amount made available under subsection (a)—

Deadline.

“(A) for fiscal year 2021, not later than 90 days after the date of enactment of the Great American Outdoors Act; and

“(B) for each fiscal year thereafter, as part of the annual budget submission of the President.

“(2) ALTERNATE ALLOCATION.—

“(A) IN GENERAL.—Appropriations Acts may provide for alternate allocation of amounts made available under subsection (a), including allocations by account, program, and project.

“(B) ALLOCATION BY PRESIDENT.—

“(i) NO ALTERNATE ALLOCATIONS.—If Congress has not enacted legislation establishing alternate allocations by the date on which the Act making full-year appropriations for the Department of the Interior, Environment, and Related Agencies for the applicable fiscal year is enacted into law, amounts made available under subsection (a) shall be allocated by the President.

“(ii) INSUFFICIENT ALTERNATE ALLOCATION.—If Congress enacts legislation establishing alternate allocations for amounts made available under subsection (a) that are less than the full amount appropriated under that subsection, the difference between the amount appropriated and the alternate allocation shall be allocated by the President.

PUBLIC LAW 116–152—AUG. 4, 2020

134 STAT. 687

“(3) RECREATIONAL PUBLIC ACCESS.—Amounts expended from the Fund under this section shall be consistent with the requirements for recreational public access for hunting, fishing, recreational shooting, or other outdoor recreational purposes under section 200306(c).

“(4) ANNUAL REPORT.—The President shall submit to Congress an annual report that describes the final allocation by account, program, and project of amounts made available under subsection (a), including a description of the status of obligations and expenditures.”. President.

(b) CONFORMING AMENDMENTS.—

(1) Section 200302(c) of title 54, United States Code, is amended by striking paragraph (3).

(2) Section 200306(a)(2)(B) of title 54, United States Code, is amended by striking clause (iii).

(c) CLERICAL AMENDMENT.—The table of sections for chapter 2003 of title 54, United States Code, is amended by striking the item relating to section 200303 and inserting the following: 54 USC 200301 prec.

“200303. Availability of funds.”.

Approved August 4, 2020.

LEGISLATIVE HISTORY—H.R. 1957:

HOUSE REPORTS: No. 116–39, Pt. 1 (Comm. on Ways and Means).
CONGRESSIONAL RECORD, Vol. 165 (2019):

Apr. 9, considered and passed House.

June 10–12, 15–17, considered and passed Senate, amended.

July 21, 22, House considered and concurred in Senate amendments.

DAILY COMPILATION OF PRESIDENTIAL DOCUMENTS (2019):

Aug. 4, Presidential remarks.



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Utilizing the Great American Outdoors Act/Land and Water Conservation Fund for Outdoor Recreation Access, Public Health, Improved Equity and Economic Development

Executive Summary

On June 17, 2020, S.3422—the Great American Outdoors Act (GAOA), sponsored by Senators Cory Gardner (R-CO) and Joe Manchin (D-WV), and co-sponsored by a bipartisan coalition of 59 other Senators—passed the Senate by a broad bipartisan vote of 73-25. On July 22, H.R.1957, the House version of the same bill, passed with another bipartisan vote of 310-107. Signed by the President on August 4th, GAOA will fully fund the Land and Water Conservation Fund (LWCF) at a level of \$900 million annually and address the approximately \$20 billion maintenance backlog on federal public lands through a new "National Parks and Public Lands Legacy Restoration Fund." GAOA enjoys widespread support outside the federal government with 850 outdoor companies, conservation and recreation organizations, local and state governments [supporting the passage](#) of GAOA.

The Benefits of Outdoor Recreation

Outdoor recreation is a major force in the American economy. The U.S. Bureau of Economic Analysis estimates that outdoor recreation generates \$778 billion in economic output and supports 5.2 million jobs—many of which are in rural communities. This research shows that outdoor recreation comprises 2.2 percent of the United States GDP, and on the indicators of real gross output, compensation, and employment, grew faster than the U.S. economy as a whole during the time period measured.¹ In 2018, over 318 million national park visits led to \$20.2 billion in direct spending at hotels, restaurants, outfitters, and other amenities in gateway

¹ U.S. Bureau of Economic Analysis. [Outdoor Recreation Satellite Account, U.S. and Prototype for States, 2017](#). September 20, 2019.

communities, supporting over 329,000 jobs and generating over \$40.1 billion in total economic output.² The benefits of outdoor recreation extend to the state, regional and local levels. Research from Headwaters Economics shows that outdoor recreation amenities draw visitors who spend money at local businesses, help recruit and retain talent for all businesses,³ attract new investments, increase property values, and improve quality of life and public health, particularly in low-income neighborhoods.⁴

Supporting Deferred Maintenance Projects

The Great American Outdoors Act revitalizes America's conservation and outdoor recreation heritage by establishing the National Parks and Public Lands Legacy Restoration Fund to address an estimated \$20 billion maintenance backlog on federal public lands. The backlog includes \$11.92 billion at the National Park Service, \$5.2 billion at the U.S. Forest Service, \$1.3 billion at the U.S. Fish and Wildlife Service, and \$960 million at the Bureau of Land Management in FY2018.⁵ Eligible projects include paved roads, buildings, trails, water and wastewater systems, housing, unpaved roads and campgrounds. GAOA will deposit into the National Parks and Public Lands Legacy Restoration Fund an amount equal to 50 percent of all federal revenues from the development of oil, gas, coal, and alternative or renewable energy on federal lands and waters, and not exceed \$1.9 billion for any fiscal year from FY2021 to FY2025.⁶ These appropriations would bolster outdoor recreation opportunities across the United

² RV Industry Association. [Support for the Great American Outdoors Act](#). May 11, 2020.

³ Rasker, Ray. [West is Best: How Public Lands in the West Create a Competitive Economic Advantage](#). Headwaters Economics, March 11, 2019.

⁴ Lawson, Megan. [How Outdoor Recreation Supports Rural Economic Development](#). Headwaters Economics, February 19, 2019.

⁵ Congressional Research Service. [Deferred Maintenance of Federal Land Management Agencies: FY2009-FY2018 Estimates and Issues](#). April 30, 2019.

⁶ U.S. Congress. [S.3422 - Great American Outdoors Act](#). March 09, 2020.

States by improving both accessibility and user experience on diverse, publicly-owned outdoor assets.

Fully Funding the Land and Water Conservation Fund

While the restoration fund component of GAOA is a novel mechanism, LWCF—funded through offshore oil and gas lease revenues for over 50 years—is one of America's most powerful tools to protect and provide outdoor recreation access in every county in the country.⁷ GAOA guarantees the full capability of LWCF to protect outdoor recreation assets and increase access for diverse communities across the United States. LWCF was established by an Act of Congress in 1964 to provide conservation and outdoor recreation grants at the federal, state, tribal, and local levels. The primary income source for the fund is fees and royalties on offshore oil and gas drilling in federal waters, paid to the Bureau of Ocean Energy Management, Regulation and Enforcement. LWCF is authorized to disburse up to \$900 million annually for conservation and outdoor recreation projects, though this cap has only been met twice in the program's history.⁸ GAOA would direct \$900 million to be spent solely on LWCF's intended purpose each year, rather than allowing diversions of funding towards other purposes, which has been the norm.

The broad conservation and outdoor recreation impacts of LWCF can be attributed to its two main funding channels: "Federal Side" and "State Side" grants. Federal Side grants are managed by the Land Resources Division of the National Park Service "to acquire lands, waters and interests therein necessary to achieve the natural, cultural, wildlife, and recreation

⁷ U.S. Department of the Interior. [Land and Water Conservation Fund](#)

⁸ Ducks Unlimited. [Land and Water Conservation Fund](#)

management objectives of the National Park Service."⁹ Federal land acquisition accounts for roughly 60 percent of the \$18.9 billion appropriated since the inception of LWCF.¹⁰ These funds have helped protect many of the country's most iconic land- and waterscapes, including Great Sand Dunes National Park (CO), Flight 93 National Memorial (PA) and Everglades National Park (FL), among others.

State Side grants are managed by the LWCF State and Local Assistance Program and have provided billions in funding to state, tribal and local governments for a variety of outdoor recreation purposes, including acquisition, development, and/or rehabilitation of public parks and other outdoor recreation sites. State Side grants most often target community-level needs and can be used to rehabilitate and improve outdoor recreation infrastructure like parks, trails, bike paths, ball fields, recreation centers, pools and bathhouses, cultural interpretation sites, and other areas as well as analytical studies on recreation potentials, needs, opportunities and policies.¹¹ While these projects often lack the name recognition of federally managed assets, they solve for community needs by increasing quality of life, improving access to outdoor recreation, addressing equity and health disparities, and enhancing economic opportunities in diverse communities across the country.¹²

Importantly, state grants are 50/50 matching grants, meaning the federal government supplies up to 50 percent of the project cost, and the state project sponsor bears the remaining

⁹ National Park Service. [Federal Land Acquisition - Land and Water Conservation Fund \(US National Park Service\)](#). March 30, 2016.

¹⁰ Vincent, Carol Hardy. [Land and Water Conservation Fund: Overview, Funding History, and Issues](#). Congressional Research Service.

¹¹ National Park Service. [State and Local Grant Funding - Land and Water Conservation Fund \(US National Park Service\)](#)

¹² U.S. Department of the Interior. [Secretary Bernhardt Announces \\$170.6 Million to Support State Parks and Outdoor Recreation through the Land and Water Conservation Fund](#), September 5, 2019

cost. It should be noted, however, that meeting match requirements can be exceedingly difficult for smaller communities. This can lead to an over-representation of funded projects in larger communities. The ongoing crisis of the COVID-19 pandemic and its impact on the economy may further restrict communities' abilities to guarantee match requirements until budgets stabilize, particularly in regions with restricted budgets prior to the economic shutdown.

State grants can be further subdivided into two categories: traditional (formula) and competitive. The traditional grant program provides matching grants to states for outdoor recreation planning and facility development, while competitive grants (i.e. "Outdoor Recreation Legacy Partnership Program") are used to develop outdoor recreation projects in areas lacking sufficient close-to-home parks, as well as promote the development of new or enhanced partnerships to support outdoor recreation in densely populated cities with populations of 50,000 or more.

Targeted Economic Development via Outdoor Recreation Infrastructure

LWCF State Side grants provide a tool for states to invest in community outdoor recreation amenities and build more resilient local economies. In FY2019, the State and Local Assistance Program awarded grants ranging from \$8,000 to \$4.4 million to a diverse array of projects that support outdoor recreation including public parks, community pools, bathhouses, visitor centers, parking lots, ballfields, splash pads, golf courses, equestrian centers, water treatment plants, campgrounds and many others.¹³ Among the largest state side grants in 2019 were the 11th Avenue Community Pool Development in Delano, CA (\$2.8 million), the Hollofield Bathhouse Replacement in Ellicott City, MD (\$1.9 million), and Rendezvous Beach

¹³ National Association of State Outdoor Recreation Liaison Officers. *2019 LWCF State Side Grant Report*.

Renovation near Laketown, UT (\$1.5 million). These outdoor recreation-focused projects improve quality of life for locals and attract economic activity from tourists. According to Headwaters Economics, "recreation counties" (i.e. those with greater share of employment in entertainment and recreation, accommodations, eating and drinking places, and real estate) experience various economic benefits, including short-term support for tourism-related businesses, longer-term support by recruiting new residents who may be business owners, entrepreneurs, or workers, and by growing earnings per job across a community.¹⁴ In the Outdoor Recreation Legacy Partnership Program competitive grant selection process, NPS staff are cognizant of these benefits. Staff favorably evaluate projects that create jobs, directly connect people to the outdoors, engage community members, and involve public-private partnerships.

Improved Outdoor Recreation Access, Equity and Health Outcomes

By investing in outdoor recreation infrastructure that can be used by a diverse array of constituents close to home, LWCF State Side grants also improve access to outdoor recreation and increase equity and health outcomes in communities.¹⁵ According to the National Park Service, 75 percent of total funds obligated through state and local grants have gone to locally-sponsored projects to provide close-to-home recreation opportunities that benefit America's youth, adults, senior citizens, and the physically or mentally challenged.¹⁶ When looking specifically at the Outdoor Recreation Legacy Partnership Program, the grant selection process also prioritizes communities that are underserved in terms of outdoor recreation

¹⁴ Headwaters Economics. [Recreation Counties Attract New Residents and Higher Incomes](#). January 2019.

¹⁵ Vincent, Carol Hardy. [Land and Water Conservation Fund: Overview, Funding History, and Issues](#). Congressional Research Service.

¹⁶ [State and Local Grant Funding - Land and Water Conservation Fund \(US National Park Service\)](#)

opportunities, and that have economically disadvantaged populations.¹⁷ These opportunities are particularly important given the context of a 2020 report from the Outdoor Foundation which estimates that just under half of the United States population did not participate in outdoor recreation at all in 2018, and that Americans went on one billion *fewer* outdoor outings in 2018 than they did in 2008.¹⁸ There are equity issues embedded in these statistics as well: when focusing on racial/ethnic groups, African American/Black in-group participation rates have declined from a high of 55 percent to around 38 percent.¹⁹ Additional research indicates that communities of color are three times more likely than white communities to live in nature-deprived places.²⁰ These statistics fit within the context of broader research from the Trust for Public Land that suggests that 100 million Americans do not have a park or green space within a 10-minute walk from their home.²¹ When considering that outdoor recreation is linked to increased fitness and better cardiovascular function, and reduced blood pressure, obesity, and resting heart rate,²² it is evident that disadvantaged communities would experience health benefits from improved outdoor recreation opportunities. LWCF state side grants are a pivotal tool to enable such outcomes.

¹⁷ National Park Service. [National Park Service Announces Grants for New Park Development and Improvement Projects in 18 Cities](#). December 27, 2019.

¹⁸ Outdoor Foundation. [2019 Outdoor Participation Report](#)

¹⁹ Ibid.

²⁰ Rowland-Shea, Jenny, Doshi, Sahir, Edberg, Shanna, and Fanger, Robert. [The Nature Gap: Confronting Racial and Economic Disparities in the Destruction and Protection of Nature in America](#). Center for American Progress July 2020.

²¹ Trust for Public Land. [ParkServe® - About, Methodology, and FAQ](#)

²² Eigenschenk, B. et. al. [Benefits of Outdoor Sports for Society. A Systematic Literature Review and Reflections on Evidence](#). March 15, 2019.

Breakdown of FY2019 LWCF State Side Projects

The LWCF State and Local Assistance Program disbursed over \$130 million in LWCF state side grants to a variety of projects that improve outdoor recreation opportunities in diverse counties across the United States.²³ FY2019 grants covered 46 states, and supported projects in state and local parks like:

- Acquisition
- Amphitheaters
- Archery/Shooting Ranges
- Ballfields/Ball Sports (surface upgrades and rehabilitation, lighting, running tracks)
- Beach/Harbor/Marina (boathouses, beaches piers/pavilions, boat launches)
- Camping/Lodging (cabins, campgrounds)
- Equestrian
- Fishing/Boardwalk
- Golf Courses
- Ice Rinks
- Infrastructure (parking areas, electrical, roads, ADA accessibility, shelters, water treatment, waste management)
- Parks/Trails Development/Renovation (park development, trail resurfacing, bridge construction, multi-use paths, fitness stations)
- Planning (State Comprehensive Outdoor Recreation Plans (SCORPs) and Master Plans)
- Playgrounds (including ADA accessibility)
- Pool/Aquatic Centers
- Restrooms/Bathhouses
- Skate Parks
- Splash Pads
- Tennis Courts (including pickleball)
- Visitors Centers

The distribution of grants by project type can be found in Figure 1. The grants ranged in size from \$8,000 to \$4.4 million, with median grant size of \$200,000. Distribution of grants by size can be found in Figure 2. The diversity of projects demonstrates the wide utility of LWCF state side grants to support outdoor recreation amenities and community needs. These projects

²³ National Association of State Outdoor Recreation Liaison Officers. *2019 LWCF State Side Grant Report*.

grow outdoor recreation economies in both urban and rural communities, increase quality of life, improve access to outdoor recreation, and address equity issues.

Achieving Funding Match

As mentioned, LWCF state side grants require a 1:1 funding match from the project sponsor to receive a grant. A project sponsor must have total project costs committed at the time of application, as the sponsor must make full payment on all project expenses before being reimbursed for up to 50 percent of allowable costs.²⁴ While each state sources funding for LWCF match from different partners, a grant manager from the Wisconsin Department of Natural Resources²⁵ pointed to the following sources of funding that are most often utilized for local projects, generally from most to least common:

- Cash from the grant recipient
- Force account (i.e. in-kind services from the grant recipient)
- Cash donations from private partners (e.g. local businesses)
- Donated labor (non-recipient)
- Donated materials
- State stewardship grants
- Donations/grants from local private foundations or organizations
- Cash donation or in-kind from partner jurisdictions (e.g. a county contributing to a city project)
- Grants/donations from land trusts (uncommon)
- Grants/donations from national nonprofits or private foundations (uncommon)
- State economic development, tourism, or office of outdoor rec grant programs (uncommon, but gaining interest)

This grant manager noted that contributions from national-level organizations are very rare, and that grantees cannot use other federal dollars to match LWCF, with limited exceptions.

The likelihood of acquiring the funding listed above is made greater by designating a broadly representative stakeholder group to unite around the potential for outdoor recreation in a given

²⁴ Utah State Parks. [*Land And Water Conservation Fund State-side Grant Program*](#)

²⁵ Jennifer Gihring, Wisconsin Department of Natural Resources

community. Additionally, a hired grant/funding coordinator for a town, region or state can help uncover sources of funding, act as a messenger to potential funders on the benefits of outdoor recreation for a given community and assist with sometimes-burdensome LWCF grant requirements for a project sponsor.

Ensuring Efficient Spending on Outdoor Recreation Infrastructure through Partnerships

The return on investment for outdoor recreation infrastructure through LWCF is even greater when considering utilization of existing structures like youth service corps or university extension services for their implementation. Corps are locally-based organizations that engage young adults (generally ages 16 – 25) and veterans (up to age 35) in service projects that address recreation and conservation, among other desired outcomes.²⁶ More than 230 active member organizations are currently recognized as part of the 21st Century Conservation Service Corps, which saw bipartisan support in Congress in the 2019 John D. Dingell, Jr. Conservation, Management, and Recreation Act. Corps work on all types of conservation, restoration and resilience, and disaster response work, and provide outstanding quality of service at a fraction of the cost compared to traditional government contract workers.

Through the cooperative extension system, land-grant colleges and universities provide vital, practical information to agricultural producers, small business owners, consumers, families, and young people.²⁷ For example, the West Virginia University Extension Service entered a cooperative partnership with the USDA Forest Service and local communities around the Monongahela National Forest to conduct gateway community assessments, develop asset maps, design public spaces and market the region, while efficiently utilizing government funding. Both

²⁶ The Corps Network. [What is a Corps?](#)

²⁷ U.S. Department of Agriculture National Institute of Food and Agriculture. [Extension](#)

corps and university extension services can play a valuable role in cost-effective implementation of LWCF-sponsored projects.

Next Steps for Outdoor Recreation Community

Now that GAOA is enacted, the outdoor recreation business community stands ready to play an integral role in the prioritization and implementation of outdoor recreation infrastructure projects that would enable environmental, community and economic benefits across the United States. Examples of potential projects are listed in the appendix, as identified by state outdoor recreation directors across the country. In the face of simultaneous acute crises across America—COVID-19, public health disparities and inequities in outdoor access, to name a few—these stakeholders should make the case that outdoor recreation infrastructure provides holistic benefits to communities. Dollars spent on outdoor recreation infrastructure provide a strong return on investment through improved public health and decreased healthcare costs,^{28,29} increased property values and tax revenues,³⁰ improved air and water quality,³¹ reduced crime rates,³² and small business development and revitalization,³³ among many other outcomes. It may be wise to develop new language to emphasize these benefits— for instance, the term "front door" outdoor recreation could be used to describe accessible local opportunities (i.e. within ten minutes from one's front door), versus "backcountry" outdoor recreation as that which takes

²⁸ Gies, Erica. [The Health Benefits of Parks: How Parks Help Keep Americans and their Communities Fit and Healthy](#). Trust for Public Land. 2006

²⁹ Wang, F. et al. *BMI, Physical Activity, and Health Care Utilization/Costs Among Medicare Retirees*. 2005.

³⁰ Nicholls, S., and J. Crompton. 2005. *The Impact of Greenways on Property Values: Evidence from Austin, Texas*. *Journal of Leisure Research* 37(3): 321-341.

³¹ Denchak, Melissa. [Green Infrastructure: How to Manage Water in a Sustainable Way](#). Natural Resources Defense Council. March 04, 2019

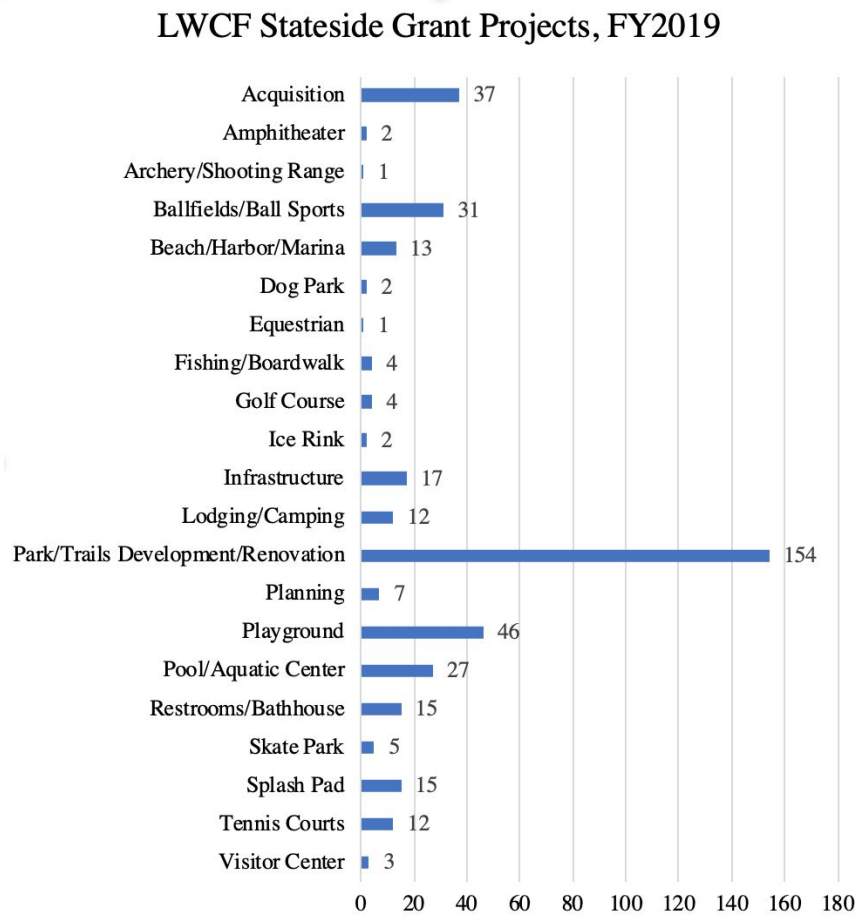
³² Weinstein, Netta et al. *Seeing Community for the Trees: The Links Among Contact with Natural Environments, Community Cohesion, and Crime*. BioScience, 2015.

³³ Davis, Lindsey, King, Frank-Paul, and Wooden, John. [Commentary: Outdoor recreation small businesses are the new frontier for rural communities](#). The Salt Lake Tribune. November 9, 2019.

place a significant distance from home, often removed from cell service and rapid medical care. Additionally, the outdoor recreation community can help address the challenging difficulties in LWCF local match requirements for rural communities by offering cash or in-kind support to project development, with an emphasis on projects that provide access to historically underserved populations. By passing the Great American Outdoors Act, the United States has an outstanding opportunity to revitalize outdoor recreation's role as a driver of economic, environmental and social benefits in diverse communities throughout the country.

Appendix

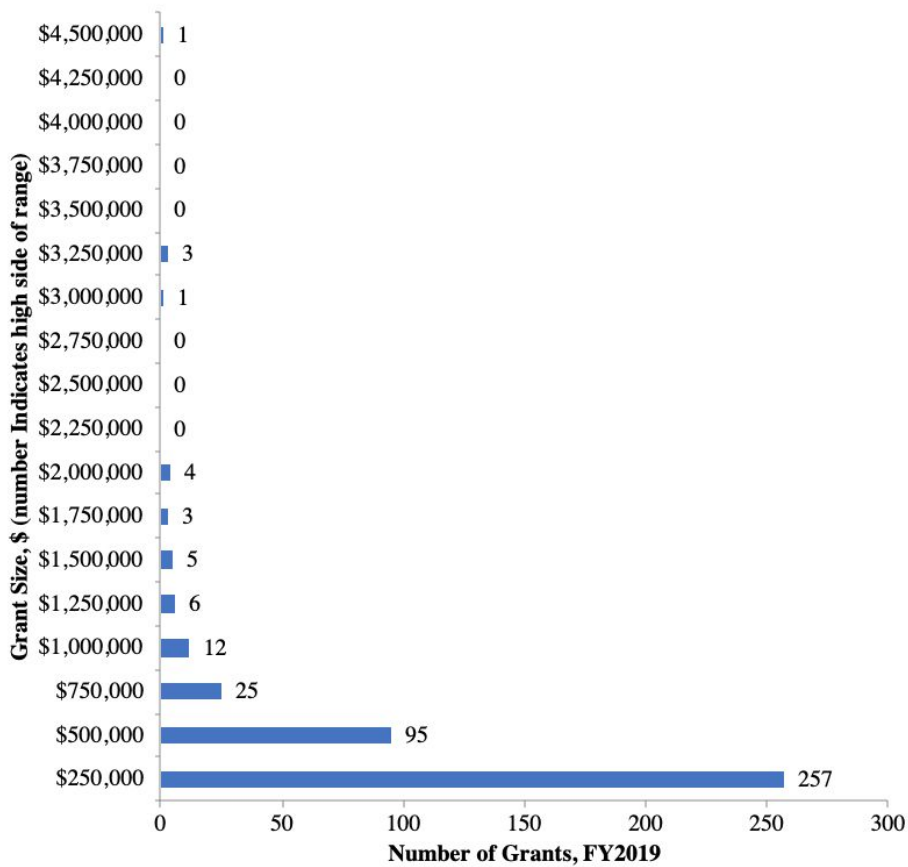
Figure 1. Distribution of LWCF State Side Grant Projects by Project Type³⁴



³⁴ Data from National Association of State Outdoor Recreation Liaison Officers (NASORLO)

Figure 2. Distribution of LWCF State Side Grant Projects by Grant Size³⁵

Frequency of LWCF Stateside Grant Size, FY2019



³⁵ Data from National Association of State Outdoor Recreation Liaison Officers (NASORLO)

Table 1. Potential Outdoor Recreation Infrastructure Projects for LWCF State Side Funding

Project Title	ST	Description	Total Project Cost	Grant Request Amount
Little Castle Lake / Shasta-Trinity N.F. California	CA	Purchase of 637 acres along the eastern shore of Castle Lake, at the crest of the Klamath mountain range and in the headwaters of the Sacramento Area. This area is an important recreation resource in the rural and economically disadvantaged community of Mt. Shasta, Siskiyou County, California. This land acquisition would provide legal public access, trail design, and development to Heart Lake, one of the most popular local visitor destinations. Once a hidden gem known only to locals, this unofficial trail and tiny lake have been featured in Sunset magazine, Via magazine, Tripadvisor, and the San Francisco Chronicle and now regularly experience several hundred hikers a day who make their way up the one-mile route across the private land. Multiple routes braid across the slope below the lake on the sub-alpine vegetation and shallow soil.	\$17,245,000	\$2,600,000
Bear Creek Trail— City of Lakewood	CO	Improvements to the Bear Creek Trail include the addition of a crusher fines parallel trail, widening and realigning the concrete trail in certain sections and adding striping and signage to enhance safety and wayfinding. This will help alleviate congestion along the trail by providing an alternative natural surface for walkers and runners.	\$2,032,480	\$750,000
Legacy Loop, Rock Island Trail Segment— Colorado Springs Parks, Recreation and Cultural Services	CO	The planned Rock Island Trail, the northern connector of the Loop, will link more than 121,000 residents living within a 2-mile biking radius and 21,861 residents within a one-half mile walking radius of the Legacy Loop to nearby parks, educational institutions, hospitals, business districts, and areas of employment. Investment in trail infrastructure in the project area is critically needed as many residents are economically disadvantaged with 25% of households living in poverty and 20% having no access to a personal vehicle.	\$1,523,100	\$750,000
St. Vrain Greenway Trail— St. Vrain State Park	CO	This 1.2 miles of greenway trail connecting Longmont and Firestone Trails. This project will connect the St. Vrain Greenway trail under Highway 119 to the Firestone Trail under I-25 as the Front Range Legacy trail and is a key connection linking the community greenway trails through the state park.	\$1,100,000	\$550,000
City of Boyne City/Charlevoix County--Open Space Pathways	MI	Construct non-motorized pathways at the Boyne City Open Space Park property. Property is approximately 4.6 acres with 600 feet of shoreline on Lake Charlevoix. The site is used as an open space park available for general public use and enhances the economic development opportunity for adjacent properties including the public boat launch, commercial and residential properties in the immediate area.	\$376,600	\$188,300
Fraser Township/Bay County-- Linwood Scenic Access Improvements	MI	The project will create new physical and visual access and shore-based fishing recreational area for the public by improving an existing underutilized parking lot on Saginaw Bay. These targeted improvements will significantly expand regional ADA public recreational opportunities and provide direct access to Saginaw Bay where none currently exists in over 130 miles of shoreline. Improvements include 1) creation of a linear green space park area for passive, non-motorized public recreation by combining a narrow portion of the existing parking lot with a new, narrow expansion at the site for a designated, safe, non-motorized viewing area outside the traffic flow/parking lot. 2) Provide ADA recreational amenities, benches, picnic tables, viewing scopes and kayak launch, ADA pedestrian pathways 3) Seasonal, ADA accessible 50' roll-in fishing dock for shore-based fishing.	\$300,000	\$150,000

St. Joseph Charter Township/Berrien County--Carronde Park Water Trail Connection & Fishing Platform	MI	Development of the 19 acre Carronde Park to add a water trail connection point on the St. Joseph River, an ADA compliant fishing platform, accessible kayak launch, accessible walkways, and parking. This development will provide the only ADA accessible public kayak launch along the St. Joseph River water trail in Michigan. All improvements will support existing recreation at the site and further Township goals of providing a variety of quality recreational environments and opportunities readily accessible to all of its citizens regardless of ability.	\$400,000	\$200,000
Huron-Clinton Metropolitan Authority, Livingston County--Lower Huron Metropark - Walnut Grove Campground Development	MI	Development of the Lower Huron Metropark campground with improved features and accessibility using universal design principles, to comprise: 1) six new campsites; 2) seven ADA campsites with concrete pads; 3) water and electric hookups to all sites; 4) accessible picnic tables throughout; 5) firewood storage shed; 6) playground upgrades; 7) wi-fi; 8) landscaping including fifty native tree plantings; 9) two drinking fountain/water bottle filling stations; and 10) parking lot improvements including removal of excess parking areas. Lower Huron Metropark is one of thirteen Metroparks owned and managed by the Huron-Clinton Metropolitan Authority (HCMA). It is a 1,256-acre park located in Wayne County and situated on the Huron River. The project will provide improvements to a campground utilized by those traveling on the National Huron River Water Trail and the Iron Belle Trail, both of which have direct access to the campground. It is only one of two public campgrounds in Wayne County.	\$600,000	\$300,000
DNR - Parks and Recreation Division	MI	The proposed project will repair and replace culverts and rebuild the trail where washouts occurred on the Lake Linden Trail between Hubbell and Lake Linden. The Lake Linden trail is a multi-use recreational trail that was severely damaged in 2018 as a result of a 500 year storm and serves as an important link for not only recreation but also alternative transportation between communities in the Keweenaw Peninsula.	\$3,000,000	\$1,500,000
Town of Easton – Rehabilitation of the Easton Recreation Area.	ME	Their plan is to rehabilitate the site to more of a waterside park instead of public beach type park, adding playground components and improving the site overall. Their application was selected for funding in the last grant round but is awaiting design and engineering plans before submitting to NPS for review / approval and a project agreement. The rehabilitation of this site should improve quality of life, and given an added anti goose component, improve public health and water quality.	\$273,429	\$136,714
Town of Boothbay – Rehabilitation of Clifford Park	ME	The project includes rehabilitation of an existing park. The demand for playing fields for soccer and lacrosse is growing. Therefore, one field that is currently a combined baseball/multi-purpose field will be rehabilitated into a multi-purpose field. The current location of the playground will be rehabilitated into a new Little League field. A new pad for the playground will be built and the existing equipment will be relocated by the public works department. A new multi-purpose field will be built on land that is already cleared and graded. A pavilion will be built (new development) to serve as a concession stand and bathrooms. Water and sewer lines will be installed to serve the bathrooms and concession stand. Walkways will be paved around the playing fields to improve accessibility. There are bleachers at the baseball field now. The old bleachers will be replaced with new bleachers at all three of the playing fields so that spectators can watch games or other events taking place on the fields.	\$500,000	\$250,000
Town of Howland –	ME	The town vision for the larger site includes relocating the fire station and	\$552,658	\$270,500

Tannery Park		town offices to the site (town bonds to be issued); maintain a parcel along the road for retail development (private investment); extending and expanding the park up along the bypass channel; and building additional amenities including handicapped accessible paths, benches, lighting, a pavilion and bathroom facility (LWCF, PRRT, private foundations). Successfully implemented, the site will become the centerpiece of the Town of Howland's effort to re-invigorate local pride and ownership as well as attract more regional use of the area.		
Gorges State Park— Transylvania County	NC	Development of the Frozen Creek Access including parking, picnic area and trail connection.	\$1,076,661	Not specified
Chimney Rock State Park— Buncombe/Henders on/Polk/Rutherford Counties	NC	World's Edge Development including parking, picnicking and trail access.	\$650,000	Not specified
Bob's Creek State Natural Area— McDowell County	NC	Initial access including parking, restrooms and trails.	\$600,000	Not specified
Bluewater Trail and Trailhead project	NM	Would help complete one of the best mountain bike trail networks in the state – the Zuni Mountains Trail System.	Not specified	Not specified
City of Farmington-	NM	Expand outdoor recreation and lake access around their municipal lake.	Not specified	Not specified
Fisher Peak Area	NM	Shovel-ready trail system that would connect with another system that Colorado is building from the Trinidad side.	Not specified	Not specified
Capital to Tahoe Trail	NV	Capital City (Carson City, NV) to Tahoe Trail Construction of approx. 12 mi of new non-moto, multi-use, single-track trail connecting Carson City to Spooner Backcountry.	Not specified	\$247,368
Lamoille Summit Trail System	NV	Lamoille Summit Trail System Assist with the planning, design & flagging of a new, approx. 50 mi trail system between Elko & Spring Creek.	Not specified	\$47,325
Walker River State Recreation Area OHV Camp	NV	The Bighorn Campground at "The Elbow" and staging areas provide access to the adjacent USFS and BLM lands, and to trails and fishing within the park boundaries along the Walker River. Facilities in this portion of the new park are in the process of being upgraded and include a picnic table and fire ring in each campsite. The campground provides access to several USFS trails and road, including longer routes to natural hot springs, incredible vistas, and access to the historic mining town of Bodie, CA. High clearance vehicles (ATV, UTV, small 4x4s) are recommended. Expect technical and washed-out trails in some areas.	Not specified	Not specified
Silver State Trail—Cathedral Gorge State Park Multi-Use Connector (Proposed)	NV	The Silver State Trail is a Nationally recognized OHV adventure route that has multiple trailheads around the small town of Caliente, Alamo, Pioche and Panaca Nevada. The trail loops its way around 260 miles of Nevada backcountry. The route extends north/south through Lincoln County. There are many linkages that can be made between towns, four State Parks, Mesquite and the state border. The trail is well signed with markers designating mileage and access locations.	Not specified	Not specified

		The majority of the Silver State trail is accessible using a full size 4WD, however optional portions are designated ATV <50" only. The proposed project would connect the trail to Cathedral Gorge with a multi-use trail.		
Van Sickle State Park Campground (Proposed)	NV	Van Sickle is one the most accessible parks in the Tahoe Basin. A short climb from the trailhead quickly transports visitors to the serenity of the forest. The Rim Trail Connector provides a tie-in to the famed Tahoe Rim Trail , designated by National Geographic Adventure magazine as one of the nation's top ten trails. The park is open to hikers, bicyclists and equestrians. There is potential to tie into the Tahoe Rim Trail with a bi-state park, which is in need of both a campground and a ranger residence in order to welcome campground visitors.	Not specified	Not specified
City of Lebanon Old Mill Trail	OR	This project will build a fully accessible, concrete, public trail 4,100 feet long and 11 feet wide. Amenities include lighting, benches, natural play areas, interpretive signage, universal design standards.	\$ 923,573	\$ 261,065
Bend Park & Recreation District Drake Park Enhancement Project	OR	This project will create: A beach, ADA path to beach, ADA ramp into river, Fencing, ADA plaza, Seatwalls and bench, ADA trails and boardwalks, Stairway, Lighting, Riparian rehabilitation and protection	\$ 1,499,544	\$ 749,772
North Clackamas Parks and Recreation District Milwaukie Bay Park Project	OR	This project will develop 3 acres to complete Milwaukie Bay Park in Milwaukie with an interactive water feature, seat & retaining walls in amphitheater & throughout site, stage, site clearing/excavation/fill and landscaping	\$ 2,000,000	\$1,000,000
Jaycee Park— Manheim Township	PA	Rehabilitation and further development of Jaycee Park Manheim Township, Lancaster County. Work to include construction of a playground with required safety surfacing; ADA access, landscaping, site amenities, project sign and other related site improvements.	\$500,000	\$250,000
Barrett Playground— Philadelphia City	PA	Further development of Barrett Playground, Philadelphia City. Work to include reconstruction of tennis and basketball courts, playfields; installation of playground equipment with required safety surfacing, exercise stations, ADA access, site amenities, landscaping project sign and other related site improvements.	\$1,605,360	\$750,000
Nall Field— Ridley Township	PA	Description: Rehabilitation of Nall Field, Ridley Township, Delaware County. Work to include renovation of ballfields; installation of lighting, fencing, dugouts, batting cages, rain gardens, ADA access, landscaping, project sign and other related site improvements.	\$500,000	\$250,000
Willoughby Acquisition	VT	The VT Department of Forests, Parks and Recreation has the opportunity to acquire a critical inholding surrounded by Willoughby State Forest located at the southern end of Lake Willoughby. The approximately 20 acres will improve public access to the State Forest and the public's experience along the lake. The land connects to public land available for hunting and fishing and the more than 20 miles of recreational trails within and around the State Forest. The level of visitation and use is challenging the capacity of the land and infrastructure at one of the state's most treasured and iconic places. Adding this acreage with frontage along Route 5A will enable the	\$800,550	\$387,500

		Department of Forests, Parks and Recreation to better manage public access and sustainably buffer the lake.		
Healthy Children, Healthy Community Playground Replacement	VT	Fair Haven is a rural community of 2900 residents with a per capita income of only 68% of the national average. The current equipment is approximately 30 years old and has become a hazard to children due to broken steps, severely corroded bridges and a broken slide. By partnering with the school, local businesses, and the PTO, the community as a whole are committed to replacing the equipment and are actively fundraising.	\$150,000	\$75,000
ADA Trail Development and Replacement	VT	Develop new ADA trails and make improvements to existing ADA trails in multiple locations throughout Vermont.	\$800,000	\$400,000
North Rainier Land Bank--City of Seattle	WA	The North Rainier Land Bank (NRLB) site is a development project that will create a 1-acre park in the Rainier Valley of Southeast Seattle: one of the most demographically diverse regions in the nation. In support of Seattle Parks and Recreation (SPR) research (2017 Parks and Open Space Plan) SPR places a high priority on NRLB for its limited proximity to parks resources, limited walkability feature, and low representation within the equity, health, income, and poverty parameters of Seattle. The project goal is to enhance this dense urban, under-represented, residential and commercial neighborhood by create a community recreation and gathering space. The SPR has engaged in extensive community outreach efforts as it relates to NRLB and is enthusiastically responsive to these community and equity needs. This collaborative park will provide multi-use and generational activities, including picnicking, exercise and play: a Fitness Zone with exercise equipment for teens and adults, and will incorporate ADA access. The park will have open space in the form of a lawn, paths, planted areas, and trees that will provide some habitat, heat island mitigation, and climate resiliency. Green stormwater infrastructure will be incorporated in the park. NRLB represents an enormous community effort and responsive public process to the under-represented needs of Seattle's most diverse community in providing a well-rounded, multi-use park that serves the highest number of park users.	\$3,443,733	\$500,000
Key Central Forest Parking--Pierce County	WA	Key Central Forest (KCF) is owned by the Department of Natural Resources (DNR) and managed by Key Pen Parks (KPP). The property was leased to KPP on a 50-year term in June 2011, with an option to extend the term another 50 years. KCF is a passive recreation area with soft/natural surface trails through a forested landscape that is home to an abundance of wildlife including black bear, deer, fox, cougar, very few invasive plant species and salmon species in Vaughn Creek. In September 2012, KPP purchased a long, narrow 4.89-acre property located along a public right-of-way abutting Wright Bliss Rd. The parcel runs along the KCF property line and was acquired with the intent of developing it into a future parking area. Current parking is only along the narrow 2-land Wright Bliss Road. The KCF is popular with hikers and a robust local equestrian community and over the last couple years, a group of dedicated volunteers have been developing an extensive trail system including several loops and two culvert bridges. The 480-acre KCF currently has no off-street parking and the new paved parking area on the KPP-owned parcel will include a one-way pull around and six trailer parking stalls, along with six car parking spaces. The plans also include trail head improvements such as a pit toilet facilities, where there are currently no restrooms of any kind.	\$350,000	\$175,000
Eagle Ridge Park Development— Snohomish County	WA	The Eagle Ridge Park development project comprises a portion of a 27.9 acre park in the north end of the city (2302 Soper Hill Road) -- just two miles from downtown Lake Stevens and easily accessible from State Route 9 and Soper Hill Road. Lake Stevens will use this development grant for an	\$925,200	\$393,210

		<p>amphitheater/outdoor classroom, pedestrian circulation routes, lighting, interpretive learning, nature-themed playground, restrooms, parking (including buses for students), and landscaping. With the completion of this project, primary uses within the park will be recreation, education, hiking/walking, and the playground. An extensive planning effort with public input informed a 2010 master plan for the site.</p> <p>Proposal includes preservation and protection of wetland habitat that supports vital ecological resources and breeding nests for eagles. The park is home to protected areas including eagle habitats, riparian areas, mature forests and wetland complexes with native vegetation. The outdoor classroom brings a unique educational opportunity for students to learn about the natural environment while interacting with it. The installation of frontage improvements allows for increased walking access for the community and nearby Stevens Creek Elementary.</p>		
Burnham Park— Milwaukee Public Schools, Dept. of Recreation	WI	This project includes a large-scale renovation of Burnham Park, the only significant green space in a very low-income neighborhood on the south side of Milwaukee (44% of children in the neighborhood live in households with income below the poverty line). Scope components include conversion of degraded asphalt to green space, construction of a splash pad, new playground equipment, lighting, and other park amenities.	\$798,000	\$399,000
City Riverwalk Connector— City of Oshkosh	WI	This project includes construction of a trail along the Fox River, connecting the Eisenbahn State Trail, Tribal Heritage Crossing Trail, and the City of Oshkosh Riverwalk. The LWCF grant was part of a larger public-private partnership between the City and Oshkosh Corporation to renovate a closed municipal golf course into a joint public outdoor recreation amenity and corporate headquarters.	\$1,586,000	\$483,000
City of Sauk City— August Derleth Park	WI	This project included renovation of existing public park along the Wisconsin River to include soccer fields, accessible restrooms, and other park amenities. August-Derleth Park connects with the Great Sauk Trail, also developed with LWCF assistance, which runs for ~8 miles, linking local communities and one of Wisconsin's most popular state parks (Devil's Lake).	\$1,374,000	\$458,000

1. PART 1: The Inyo National Forest Management Plan
 - a. "Sustainable Recreation (INF Management Plan 2019 - page 147)
 - i. Collaborate with local communities, Tribes, partner organizations, and Federal, State, and local agencies to restore, maintain, and enhance recreation settings impacted by climate change, declining ecosystem health, wildfire and inappropriate use to improve the quality of outdoor experiences and to promote citizen stewardship of public lands.
 - ii. Effectively manage concentrated recreation use; provide a quality visitor experience while managing ecosystem effects within sustainable levels.
 - iii. Collaborate with neighboring communities, partner organizations, State and local agencies, Tribes and adjacent Forest Service and National Park Service units to provide recreation opportunities that are economically, socially, and environmentally sustainable. Work to harmonize direction that affects users to the extent practical to minimize confusion when crossing administrative boundaries.
 - b. "Local Communities (INF Management Plan 2019 - page 147)
 - i. Work with local governments, businesses and organizations to assist in permit processes, including providing technical assistance, processing programmatic environmental clearance, and other measures to streamline the time and expense of permitting.
 - ii. Work to maintain and expand contracting and partnering opportunities with local governments, businesses and organizations. Develop partnerships that leverage different sources of funding to support opportunities to contribute to the economic and social sustainability of local communities.
 - iii. Develop partnerships with local governments, businesses and organizations to collect economic data to track changes for businesses in sectors dependent on national forest activities.

**AGREEMENT FOR SHARED STEWARDSHIP OF CALIFORNIA’S FOREST AND
RANGELANDS
Between the
STATE OF CALIFORNIA
And the
USDA, FOREST SERVICE
PACIFIC SOUTHWEST REGION**

This MEMORANDUM OF UNDERSTANDING (MOU) is hereby made and entered into by and between the State of California, hereinafter referred to as “the State,” and the United States Department of Agriculture (USDA), Forest Service, Pacific Southwest Region, hereinafter referred to as “the U.S. Forest Service” and together referred to as “The Parties.”

TITLE: Agreement for Shared Stewardship of California's Forests and Rangelands

PURPOSE:

This MOU establishes a joint framework to enhance science-based forest and rangeland stewardship in California. The U.S. Forest Service and the State of California commit to maintain and restore healthy forests and rangelands that reduce public safety risks, protect natural and built infrastructure, and enhance ecological habitat and biological diversity. The Parties agree to develop shared tools, coordinated processes, and innovative approaches to increase the pace, scale, and effectiveness of forest and rangeland stewardship in California.

The U.S. Forest Service and the State of California, through the California Natural Resources Agency, make this commitment in accordance with the following provisions.

STATEMENT OF MUTUAL BENEFIT AND INTERESTS:

Restoring healthy forests and rangelands in California will yield both ecological and community benefits. Healthy forests will improve climate resilience and reduce the risk of catastrophic wildfire, safeguard water quality and air quality, protect fish and wildlife habitat, enhance biological diversity, sequester carbon, improve recreational opportunities, and generate good jobs and economic opportunities.

BACKGROUND:

Home to some of the largest, tallest and oldest trees in the world, rich biological diversity, vast watersheds, and spectacular recreation, the grandeur of California’s wildlands has captivated generations. California’s forests naturally adapted to low-intensity fire, nature’s preferred management tool, but Gold Rush-era clearcutting followed by a wholesale policy of fire suppression resulted in the overly dense, ailing forests that dominate the landscape today.

Compounding risks have made it nearly impossible for nature to self-correct. A cycle of catastrophic wildfires, longer fire seasons, severe drought, intense wind, tree mortality, invasive species, and human population pressure threaten to convert conifer forests to shrublands and shrublands to invasive grasses.

The health and wellbeing of California communities and ecosystems depend on urgent and effective forest and rangeland stewardship to restore resilient and diverse ecosystems.

With California's landscape heavily divided among multiple landowners, coordinated stewardship is critical to success. The U.S. Forest Service's Pacific Southwest Region manages over 20 million acres across 18 National Forests in California. The State of California has nearly 14 million acres of private or state-owned forested lands within its jurisdiction. Together this represents over one-third of California's landmass.

In August 2018, the USDA announced a new Shared Stewardship Investment Strategy, committing to establish shared stewardship agreements with state partners throughout the nation. The USDA strategy outlined three core elements:

1. Manage together. Establish a joint forest stewardship plan to combine capacity and assets to achieve shared goals across jurisdictions.
2. Do the right work in the right places at the right scale. Identify and prioritize forest treatments and other investments that can do the most good to protect the most vulnerable communities, watersheds, fish and wildlife habitat, and economies.
3. Use all available tools for better stewardship. Utilize all available authorities, investments and programs to do more work on the ground, which includes carefully managed fire, appropriate timber harvest, non-commercial mechanical treatments, infrastructure maintenance and improvement, and other habitat and watershed restoration activities. Work with partners and stakeholders to utilize appropriate tools for each project.

California's Shared Stewardship Agreement will enable the Parties to increase pace and scale of science-based forest and rangeland stewardship efforts, and better protect California's people, infrastructure, and ecosystems. It is incumbent upon us to restore California's forest through stewardship that returns natural fire regimes to the landscape and restores the natural functions of California's ecosystems.

PRINCIPLES:

1. **Utilize Science:** Use science to inform and prioritize stewardship decisions. Adapt stewardship tools and techniques around improvements in scientific understanding. Support long-term research and studies to deepen our understanding of forest management. Use the best technology and tools to acquire accurate and detailed data. Share data, maps, and analyses and assess any gaps or duplication. Apply this science to all management techniques to ensure the right management plan support the right ecology, including taking into account California's wide variance in fire return intervals for shrublands vs. conifer forests.
2. **Prioritize Community Safety and Ecology:** Manage risk across broad landscapes by prioritizing vulnerable communities and ecosystems for improved fire suppression and

prevention capabilities. Protect vulnerable communities by expanding wildfire risk models beyond fire-prone topography and vegetation to include socioeconomic factors such as age, car ownership, disability, and ingress or egress corridors that hinder evacuation. Ensure that all management plans and projects incorporate ecological goals and protections to avoid solving one problem by creating another.

3. **Improve Efficiency:** Adopt efficiencies and streamlined regulatory procedures to quickly and effectively complete environmental review while maintaining environmental safeguards and opportunities for public engagement. Streamline and synchronize permits through on-line permitting systems. Utilize all tools available including but not limited to, state-delivered landowner technical assistance, forest health assistance, wildland fire suppression, prescribed fire, State and private forestry programs, Good Neighbor Authority and other Farm Bill authorities.
4. **Scale Up Ecologically-based Forestry Across Sectors:** Evaluate and deploy available resources such as staff and funding for targeted investment to help local governments, small landowners, tribal governments, and businesses scale up sustainable ecological forest management efforts that deliver multiple ecological and social co-benefits. Explore opportunities to leverage public-private partnerships and investments. Government investments should act as a force multiplier for private and local funds.
5. **Coordinate Land Management:** Wildfires don't stop at jurisdictional boundaries. Work with landowners, including small landowners, tribal governments, utility companies and owners of road rights-of-way to promote consistent, efficient, economic and environmental forest stewardship across a contiguous landscape.
6. **Collaborate and Innovate with all Stakeholders:** Utilizing the Governor's Forest Management Task Force, coordinate and collaborate with environmental and non-governmental organizations, academic institutions and other federal and state agencies, tribal governments, local governments, and private landowners. Consistent and clear communication and collaboration will result in more effective policy outcomes, foster better public understanding, encourage constructive engagement across multiple stakeholders and promote effective stewardship, problem-solving and decision-making. The Parties will embrace new thinking, innovation, and take measured risks to seize opportunities for shared success.

ACTIONS:

The Parties commit to the following actions to advance shared stewardship opportunities:

1. **Treat One Million Acres per Year:** The Parties will scale up vegetation treatment to one million acres of forest and wildlands annually by 2025, committing to each sustainably treat 500,000 acres per year. Treatments will follow a joint plan and will be driven by public safety and ecological goals including reducing wildfire impacts in high priority areas and maintaining or restoring healthy, resilient forests and rangelands.

2. **Develop a Joint Plan:** The Parties will develop a coordinated, statewide, 20-year project plan by 2021 for forest and vegetation management. This plan will be based on landscape level analysis, risk assessment and other relevant methods and will be updated at five-year intervals. This plan will be captured on a master map that includes recently completed, ongoing and planned vegetation management and forest thinning projects across State, Federal and private landowners. This project map will overlay landscape level risk assessments including ecological, wildfire and community risks, identifying any gaps and highlighting the highest priority areas. The Parties will consult with, and seek input from, tribal governments, local governments, other state and federal agencies, NGOs and other stakeholders in developing and updating this map. This map will be shared publicly to foster coordinated planning, dialogue and feedback among community and environmental stakeholders.

3. **Use Sustainable Vegetation Treatments:** The Parties will use science-based management to ensure vegetation treatment tools are ecologically appropriate to specific vegetation and landscapes. Treatments will include thinning in excessively dense stands, timber harvesting, mechanical fuel reduction, prescribed fire, grazing, and reforestation.
 - a. Expand Prescribed Fire: Expanding and accelerating the use of prescribed fire is key to effective stewardship at scale. The Parties will build public awareness about prescribed fire and develop tools to support expanding natural fire on the landscape.
 - b. World Class Research Forests: To effectively monitor treatment types and climate change, the Parties will establish a world-class monitoring and research program. Coordinating and expanding the existing network of 50-plus experimental forests in California, the Parties will partner with state and national parks, universities, and non-profits. Future sites can focus on non-forested areas like Southern California chaparral systems, ensuring that treatments are ecologically appropriate for non-conifer ecosystems.

4. **Expand Forest Management and Associated Infrastructure:** To increase the pace and scale of forest stewardship, especially for small landowners, the entire infrastructure behind forestry and vegetation management will need to expand, including the workforce, investments in projects and equipment, and technical support for small landowners to manage their land.
 - a. Improve Sustainable Timber Harvest: Californians purchase 7 billion board feet of lumber annually, but only 2 billion board feet is produced in the state. Given that California has some of the highest environmental standards for timber harvest in the world, producing California lumber could decrease demand for timber harvested with lower ecological standards. Given California's increasing housing needs and greenhouse gas emission goals, California has a direct interest in consuming ecologically sourced lumber. Improving ecologically and financially sustainable timber harvest in California will support rural economies, reduce transportation emissions from imported lumber, stem conversion of forestland to developments, improve air and water quality, promote carbon sequestration, protect biodiversity and

most importantly reduce wildfire risk.

To enable landowners to better harvest and thin their forestland, the Parties will work to streamline permitting, support public-private partnerships, continue to incorporate the latest science-based management standards and provide technical support to help small landowners design and execute timber harvest. The Parties will explore incentives for ecologically beneficial harvest outcomes like multi-age class stands, stable carbon storage, and biological diversity. The Parties will identify tools to promote timber as a California agricultural product using labels like “California Grown” and better integrate timber into policies that prevent conversion of agricultural land. The Parties can also better support landowners adjacent to or within State or Federal land to achieve contiguous forest health.

- b. Increase Access to Capital: Shortages of equipment and resources for forest treatment is driving up the price per acre and slowing California’s capacity to restore forests. Parties will explore ways to incentivize investment in vegetation treatment equipment like masticators, chippers, and bulldozers and forest products processing facilities like mills. Parties will also support finance mechanisms like loan guarantees, revolving loan funds, and cooperative models to attract private investment.
 - c. Grow the Workforce: The Parties will support training and workforce development to increase the current labor pool available to meet the challenge of forest management, forest health and fuels reduction. The Parties will develop career pathways into forestry through high schools, community colleges, the California Conservation Corps, local certified conservation corps, and the Public Land Corps. Parties will promote alternative education venues such as vocational training targeted to specific professions such as timber faller, heavy machine operator, vegetation treatment crews, and ecological restorationists. State and Federal entities will work to avoid bottlenecks or oversight gaps.
 - d. Expand Landowner Agreements: Build on the existing fuels reduction MOUs and Good Neighbor Authority agreements to achieve efficiencies and increase support in forest and rangeland stewardship. Expand MOUs to include local governments, tribal governments, utility companies, consortiums of small landowners, and owners of road rights-of-way, like CalTrans and County Governments.
5. **Promote Ecological Co-Benefits**: In addition to public safety, recreation, job creation, and economic opportunity, restoring the ecological function of California forests will yield multiple ecological co-benefits. These include habitat protection, watershed health, air quality, and carbon sequestration.
- a. Protect Biodiversity: California is a world biodiversity hotspot. Among the 50 states, California is home to more species of plants and animals and the highest number of species found nowhere else. Protecting and fostering that diversity is both fundamental to the citizens of California and will help to reduce wildfire risk. The California Biodiversity Initiative highlights state agencies roles to understand the

- threats to biodiversity, protect native species, manage natural and working lands to promote biodiversity, and promote partnerships to achieve biodiversity protection. The Parties will incorporate increased biodiversity into forest management plans and prioritize vulnerable habitats and species for protection and restoration.
- b. Protect Water Resources: California's forested watersheds function as critical natural infrastructure for wildlife and people. Catastrophic wildfire devastates both the natural and built infrastructure endangering California's drinking water. By prioritizing vulnerable watersheds for restoration and vegetation treatment, our work will protect and purify California's water supply for communities, agriculture, and critical fish and wildlife habitat. Much of California's physical water infrastructure including reservoirs and pipelines run through high risk fire zones. The Parties will focus on protecting water systems against damaging wildfire effects from the forest to the faucet.
 - c. Carbon Sequestration: The mega-fire phenomenon has turned California's forests into carbon emitters rather than carbon sinks. Well-managed forests provide a significant source of stable carbon storage. The Parties will manage for carbon sequestration by thinning dense stands and undergrowth and promoting growth of large trees, which provide hundreds of years of carbon storage. The Parties will work with experts like the California Air Resources Board to establish forest-specific carbon accounting techniques to incentivize stable carbon storage.
6. **Develop Markets for Wood Products and Recycle Forest Byproducts**: The byproduct of forest management projects are limbs and small trees referred to as woody biomass. Currently woody biomass is either piled and burned in the forest or left to rot, diminishing air quality, increasing wildfire risk, or emitting green-house gasses. As pace and scale of forest management increases, it is imperative to develop cleaner and more sustainable alternative uses for woody biomass. Developing markets for wood products includes:
- a. Innovation: The Parties will explore innovative uses for wood products and establish a strategy to signal, subsidize, or incubate alternate uses for woody biomass products. Innovative products like cross-laminated timber, gasification, or cellular reconstruction, sequester carbon or provide carbon-efficient alternatives to fossil fuels and building materials such as steel and concrete.
 - b. Biomass Energy: To avoid mass pile-burning, biomass energy will be a key component of forest recycling. To site or support new facilities, the Parties will use the principles of right scale, right place, right technology taking externalities into account like air quality impact, environmental justice, and wildfire avoidance. The Parties will help identify and untangle market distortions, inefficiencies, and obstacles to the use of forest waste for alternative energy.
 - c. Supply Signals: Investors are unlikely to build wood product facilities for logs, small logs, and woody biomass without a sustainable, uninterrupted raw material supply. The Parties will make their Joint Plan public so investors will know when and where

wood supply will be available. The Parties will work with stakeholders to develop additional supply signal tools to guarantee multi-year supply contracts and incentivize new investments in wood processing facilities in California.

7. **Improve Access to Sustainable Recreation:** Foster a range of forest and wildland opportunities that reflect the needs of and better serve California’s diverse population. The Parties will pursue mission-appropriate and sustainable recreation opportunities in ways that leverage resources and extend capacity through partnerships and alignment around a shared vision of access and diversity. Examples include improved transportation opportunities, more affordable lodging options, increasing accessible trails and facilities, and targeting low income communities that lack access.
8. **Fire-Adapted Communities:** Identify and protect communities most vulnerable to fire impacts. These vulnerability factors include proximity to high fire risk, communities without good ingress or egress corridors and socioeconomic factors that hinder evacuation such as age or car ownership. The Parties will work together to improve fire suppression and fire prevention capabilities that safeguard communities, including but not limited to, these vulnerable populations.
9. **Advance Science and Share Monitoring and Data Analytics:** Leverage scientific expertise and capacity to maintain healthy and resilient forests in a changing climate. Coordinated data will enable stakeholders to adapt priorities and management techniques to the dynamics of California’s changing ecosystems. The Parties will:
 - a. Consolidate Data: Consider co-locating data teams from State and Federal agencies to reduce redundancy and improve efficiency. Establish joint monitoring methods, joint protocols, and work on developing a single, statewide shared data set that all Parties can utilize and update.
 - b. Ecological Monitoring: Consistently monitor forest health, carbon sequestration, biological diversity, watershed quality, and other parameters that impact forest and wildlands in California. The Parties will coordinate closely with environmental organizations and universities to ensure monitoring techniques are addressing the most current ecological concerns.
 - c. Research and Innovation: Support long-term research and monitoring efforts. Enhance surveying and monitoring programs such as the Forest Inventory and Analysis program with joint funding contributions, allowing a greater number of monitoring installations to be remeasured more frequently.

MUTUAL UNDERSTANDING AND AGREEMENT BETWEEN THE PARTIES:

- A. The Parties are bound by all applicable federal, state, and local statutes and regulations. If conflicts arise, the Parties will evaluate how authorities can best achieve the goals of a project.

- B. The Parties will protect sacred sites and preserve cultural resources and take all necessary actions to protect data collected from Native American tribes.
- C. All Parties will communicate on a regular basis to enhance and develop the institutional arrangements necessary to facilitate the purposes of this MOU.
- D. The Parties will meet at least twice a year to evaluate progress on the MOU and will meet regularly with stakeholders including the environmental community, local government, tribal governments, and industry.


NONBINDING AGREEMENT. This MOU creates no right, benefit, or trust responsibility, substantive or procedural, enforceable by law or equity. The Parties shall manage their respective resources and activities in a separate, coordinated, and mutually beneficial manner to meet the purpose(s) of this MOU. Nothing in this MOU authorizes or requires either of the Parties to obligate or transfer anything of value.

Specific, prospective projects or activities that involve the transfer of funds, services, property, and/or anything of value to, from, or between the Parties requires the execution of separate agreements and are contingent upon numerous factors, including, as applicable, but not limited to: availability of appropriated funds and other resources and administrative, regulatory, and legal requirements (including authorization by statute).

This MOU neither provides, nor meets these criteria. If the Parties elect to enter into an obligation agreement that involves the transfer of funds, services, property, and/or anything of value to, from, or between the Parties, then the applicable criteria must be met. Additionally, under a prospective agreement, each party operates under its own laws, regulations, and/or policies, and any obligation of the Parties is subject to the availability of appropriated funds and other resources. The negotiation, execution, and administration of these prospective agreements must comply with all applicable authorities.

Nothing in this MOU is intended to alter, limit, or expand the Parties' statutory and regulatory authority.

I. AUTHORIZED REPRESENTATIVES



Gavin Newsom, California Governor

 8/12/2020

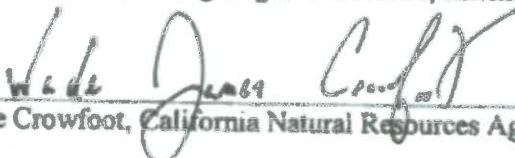
Victoria C. Christiansen, Chief, US Forest Service

 8/12/20

Randy Moore, Regional Forester Pacific Southwest Region

 8/12/2020

Frank R. Beum, Acting Regional Forester, Intermountain Region

 8/12/20

Wade Crowfoot, California Natural Resources Agency Secretary

Mono County Local Transportation Commission

P.O. Box 347
Mammoth Lakes, CA 93546
(760) 924-1800 phone, 924-1801 fax
monocounty.ca.gov

P.O. Box 8
Bridgeport, CA 93517
(760) 932-5420 phone, 932-5431 fax

Staff Report

September 14, 2020

TO: Mono County Local Transportation Commission

FROM: Gerry LeFrancois, Co-Executive Director (requested by Commissioner Wentworth)

SUBJECT: Discussion on development of a coordinated data collection program (transit, road counts, trail counts) to ensure consistency between agencies.

RECOMMENDATION: Receive information and provide any desired direction.

FISCAL IMPLICATIONS: N/A

ENVIRONMENTAL COMPLIANCE: N/A

DISCUSSION: Last month your Commission received an overview of trail count data and traffic count data within our region by the Town of Mammoth Lakes and District 9. The variation of this data due to Covid-19 and fire issues impact visitation and transportation demand. Commissioner Wentworth requested this item for discussion.

The Overall Work Program (OWP) includes the 900 series Asset Management and Traffic Issues that provides for purchase of trail/traffic counters (WE 900.2) and managing regional asset information (WE 900.3).

Mono County Local Transportation Commission

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(760) 932-5420 phone, 932-5431 fax

Staff Report

September 14, 2020

TO: Mono County Local Transportation Commission

FROM: Gerry LeFrancois, Co-Executive Director
Haislip Hayes, Engineer Town of Mammoth Lakes
Caltrans District 9 staff

SUBJECT: Review State Active Transportation Program (ATP) and provide any direction to staff

RECOMMENDATION: Receive information and provide any desired direction.

FISCAL IMPLICATIONS: N/A

ENVIRONMENTAL COMPLIANCE: N/A

DISCUSSION: The State of California is preparing Active Transportation Plans for all 12 Caltrans Districts. LTC staff received preliminary information on this plan with the consultant, Headquarters and District 9 Staff in August.

ATTACHMENTS: PowerPoint on Caltrans Active Transportation (CAT) Plan, District 9

Caltrans Active Transportation (CAT) Plan, District 9

Milestone Meeting #1

August 27, 2020



Agenda

Topic	Time
Welcome and Introductions	2:00 – 2:05 PM
Project Overview	2:05 – 2:15 PM
Statewide and District 9 Goals and Key Outcomes	2:15 – 2:20 PM
Scope of District 9 Plan	2:20 – 2:30 PM
Existing Conditions Overview and Discussion	2:30 – 3:15 PM
Debrief, Next Steps, Wrap-Up	3:15 – 3:30 PM

Welcome and Introductions



Project Overview



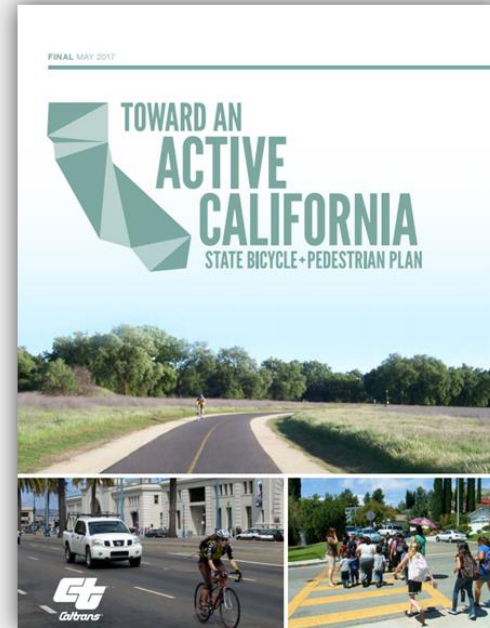
Project Overview

- Complete Active Transportation (AT) plans for all 12 districts
- Develop an overarching statewide data framework and methodology for collecting, storing, and using active transportation data
- Performance
- Focus on social equity
- Gaps
- Prioritization criteria
- Route prioritization (demand and needs)
- Identify and prioritize context-appropriate recommendations on and adjacent to the State Highway System



CAT Plans Purpose & Background

- Toward an Active California Implementation
- Purpose: The District-Level Active Transportation Plans will identify and prioritize active transportation asset needs that will lead to safer, more comfortable and connected pedestrian, bicycle, and transit access networks.
- Focus Areas:
 - Social equity throughout process
 - Strengthening partnerships
 - Connecting to local networks



SAFETY

Reduce the number, rate, and severity of bicycle and pedestrian involved collisions



MOBILITY

Increase walking and bicycling in California



PRESERVATION

Maintain a high quality active transportation system



SOCIAL EQUITY

Invest resources in communities that are most dependent on active transportation and transit



District 9 – Project Overview

- Barriers to implementing transportation projects in the past relate to **lack of institutional support and resources** devoted to implementing active transportation improvements.
- Continuing **competition for constrained resources** presents a challenge for incorporating Complete Streets features into SHOPP projects.
- Through developing a district level plan that identifies active transportation needs, District 9 staff hope to **justify increased investment** in active transportation improvements.



CAT Plans Schedule and Workflow



District 9 Goals and Objectives



District 9 – Goals & Objectives



Goal 1 – Identify location-based needs in the District 9 Caltrans bicycle network

Objective 1.1

Develop a plan to implement a complete network of bicycle lanes and 4-ft+ shoulders.

Objective 1.2

Incorporate skip-rumble strip on all future projects.

Objective 1.3

Identify other strategies to address location-based needs

District 9 – Goals & Objectives



Goal 2 – Provide greater quantitative justification for bike and pedestrian improvements

Objective 2.1

Improve bicycle and pedestrian data library/collection methods.

Objective 2.2

Identify locations with demand for active transportation users.

Objective 2.3

Develop a framework that could be used for monitoring bicycle and pedestrian activity.

District 9 – Goals & Objectives



Goal 3 – Improve bicycle/pedestrian infrastructure on highways that serve as ‘Main Street’

Objective 3.1

Identify beneficial bicycle and pedestrian improvements for ‘main street’ highways when feasible.

District 9 – Goals & Objectives



Accomplishing District 9 goals and objectives will:

- Improve Highway operation and safety for multimodal users.
- Provide justification for inclusion of Active Transportation assets in SHOPP projects.
- Provide justification for external funding applications.
- Provide equity for users of the transportation system who rely on bicycle, pedestrian, or transit modes.

District 9 Existing Conditions



Existing Conditions Data

Primary Data Sources

- District 9 Asset Inventory
- Caltrans Transportation System Network (TSN)
- 2016 Census Places Disadvantaged Communities
- Open Street Map
- California Statewide Travel Demand Model
- SWITRS, 2012-2017

My Survey

Sign Locations*

Find address or place

Lat: 37.57336 Lon: -118.738

Altitude (m)

Routes*

Select a highway.

395

Route Direction*

Select the direction of the highway. (If route is 395 then select either 'S', 'N', etc.)

West East North

South

County*

Select a county.

INY SAN YUB

Land Use Context



Urban

Highways within urban areas that don't function as main streets. This includes urban highways like SR 202 in Tehachapi and urban freeways like SR 14 in Rosamond.



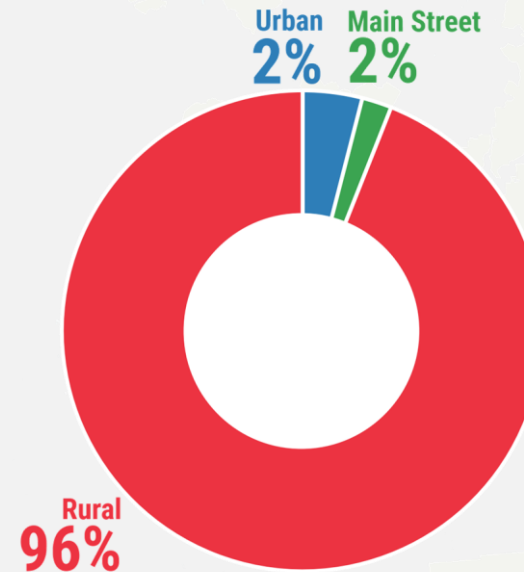
Main Street

Highways that provide direct access to commercial development, typically with frequent cross streets and on-street parking.



Rural

Highways with minimal access to homes or structures through predominantly undeveloped or agricultural lands.

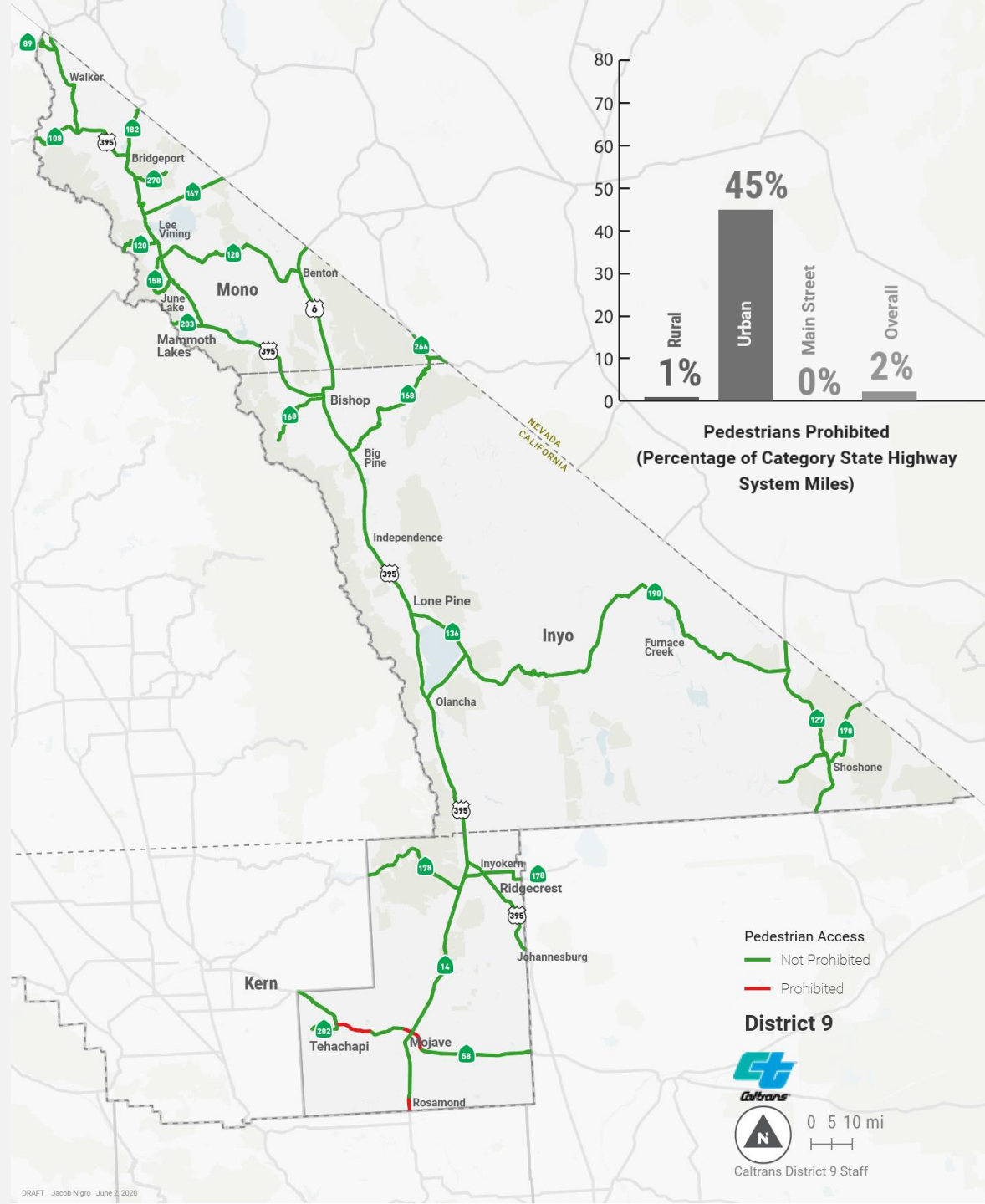


Percentage of State Highway System Mileage by Land Use

Land Use	Raw Data
	SHS Centerline Miles (mi)
Urban	20
Main Street	17
Rural	924
Total	961

Bicycle and Pedestrian Access

- Bicycles and Pedestrians are prohibited only 6% of the SHS in D9
- Only prohibited on some full access control freeways in Eastern Kern County.

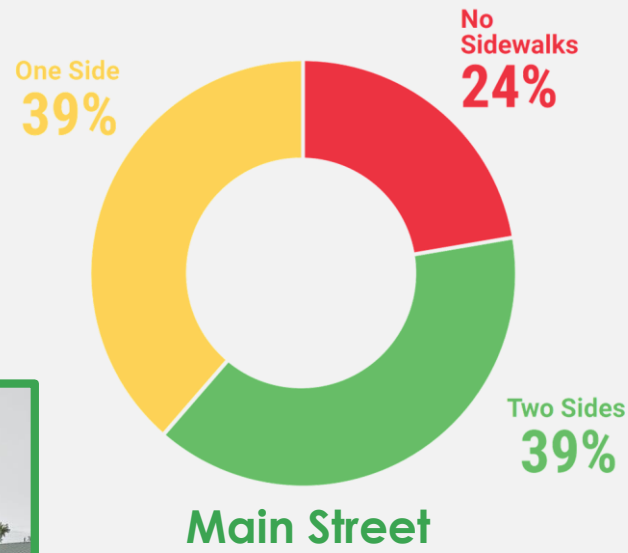


Bicycle & Pedestrian Access⁶¹

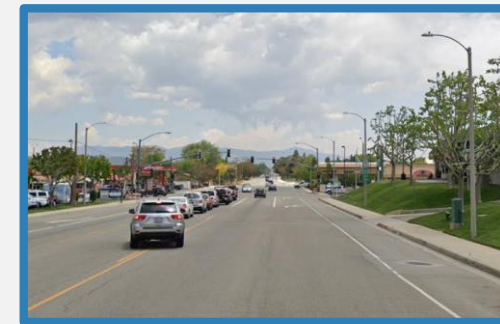
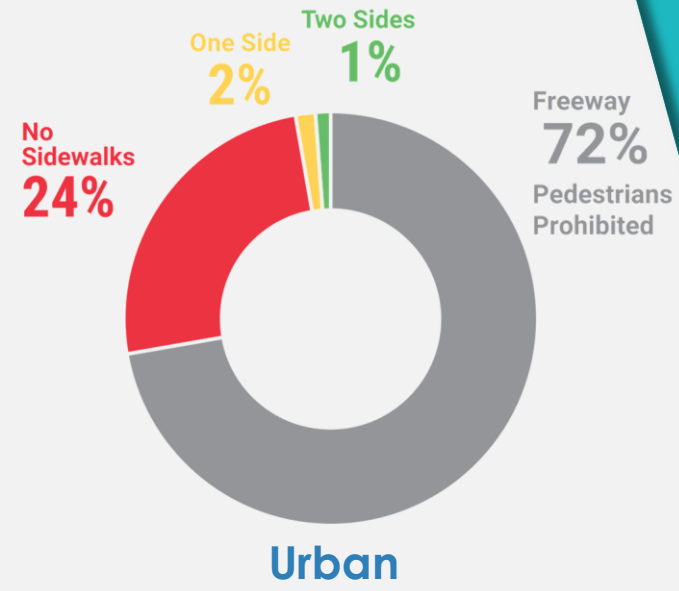
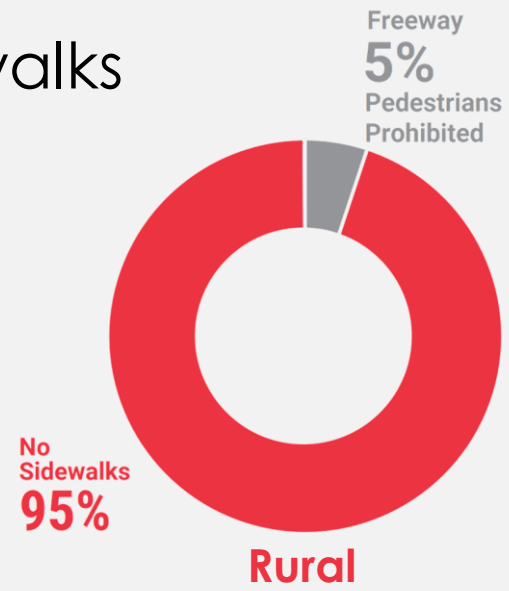
Pedestrian Facilities

Sidewalk Presence

- Main Street: 78% sidewalk on at least one side.

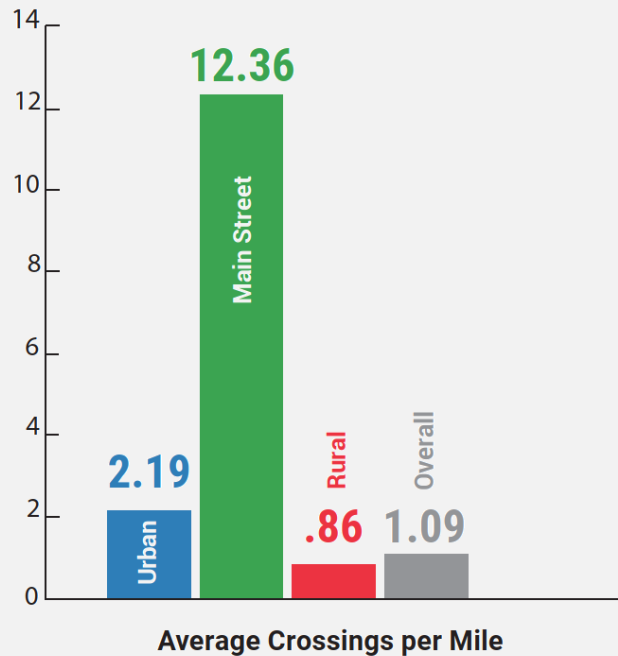


- Almost no Sidewalks in Rural Context



Intersection Density

- Few crossings in **Rural** context
- High frequency of crossing opportunities in **Main Street** context



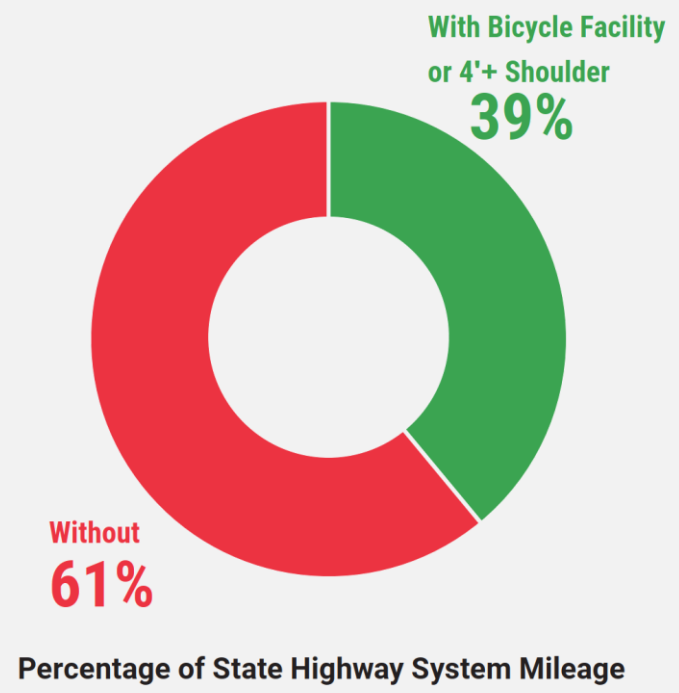
Bicycle Facilities

Bicycle Facilities

- Shoulders (4'+ width) are an important asset for D9. Per the HDM section 1002.3

“the development and maintenance of 4-foot paved roadway shoulders with a standard 4-inch edge line can significantly improve the safety and convenience for bicyclists and motorists”

- About 20% of Main Street SHS have Class II bike lanes.

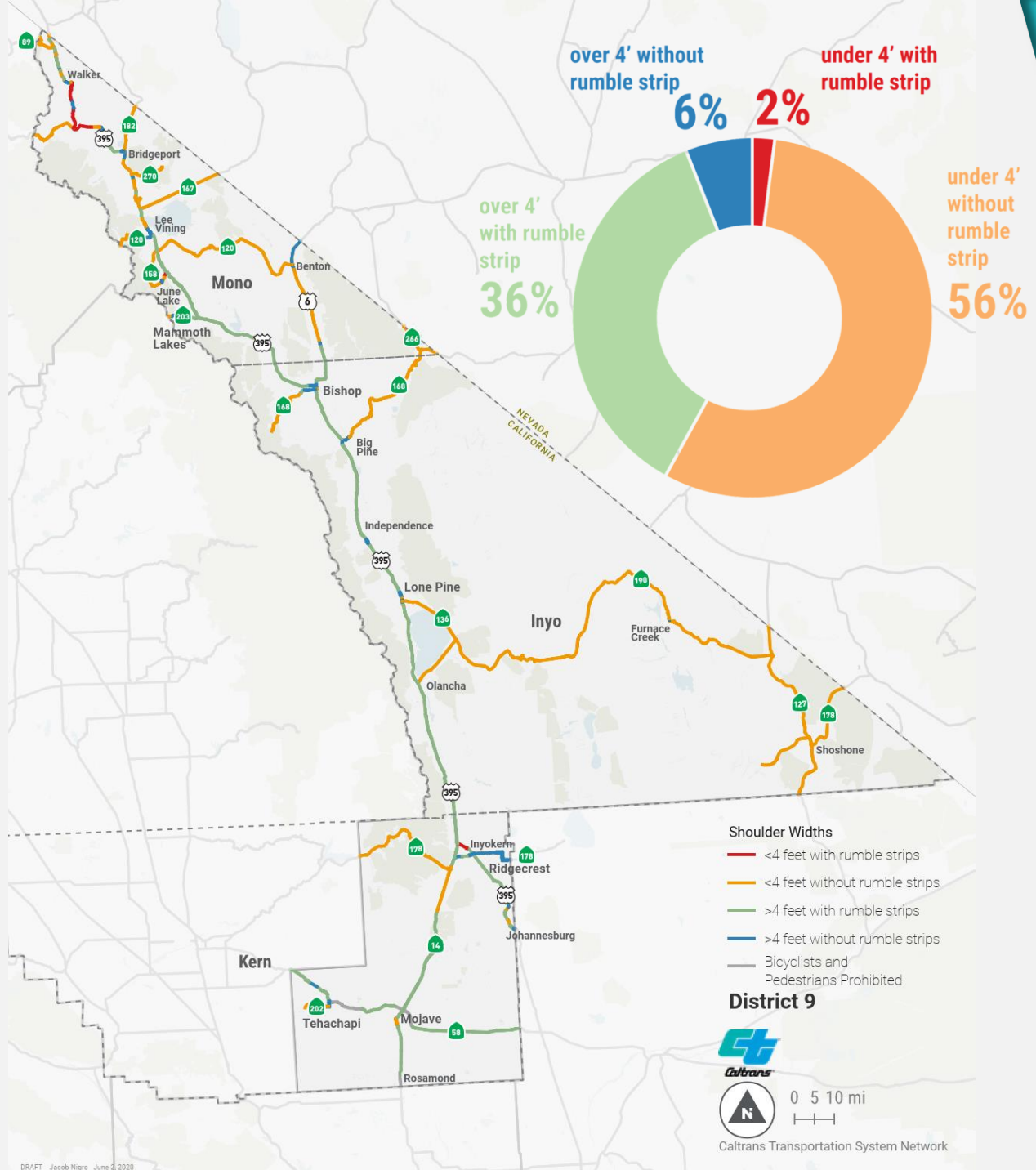


Land Use	Class I Multi-Use Path (mi)	Class II Bicycle Lanes (mi)	Class III Bicycle Routes (mi)	4'+ Shoulder (mi)	Total Designated Bikeways (mi)
Urban	0	0	1	9.8	10.5
Main Street	0	6.0	11.7	13.1	30.8
Rural	0	1.6	91.6	592.1	685.3
Total	0	7.6	104.0	615.0	726.6

Shoulder Widths

Shoulder Widths

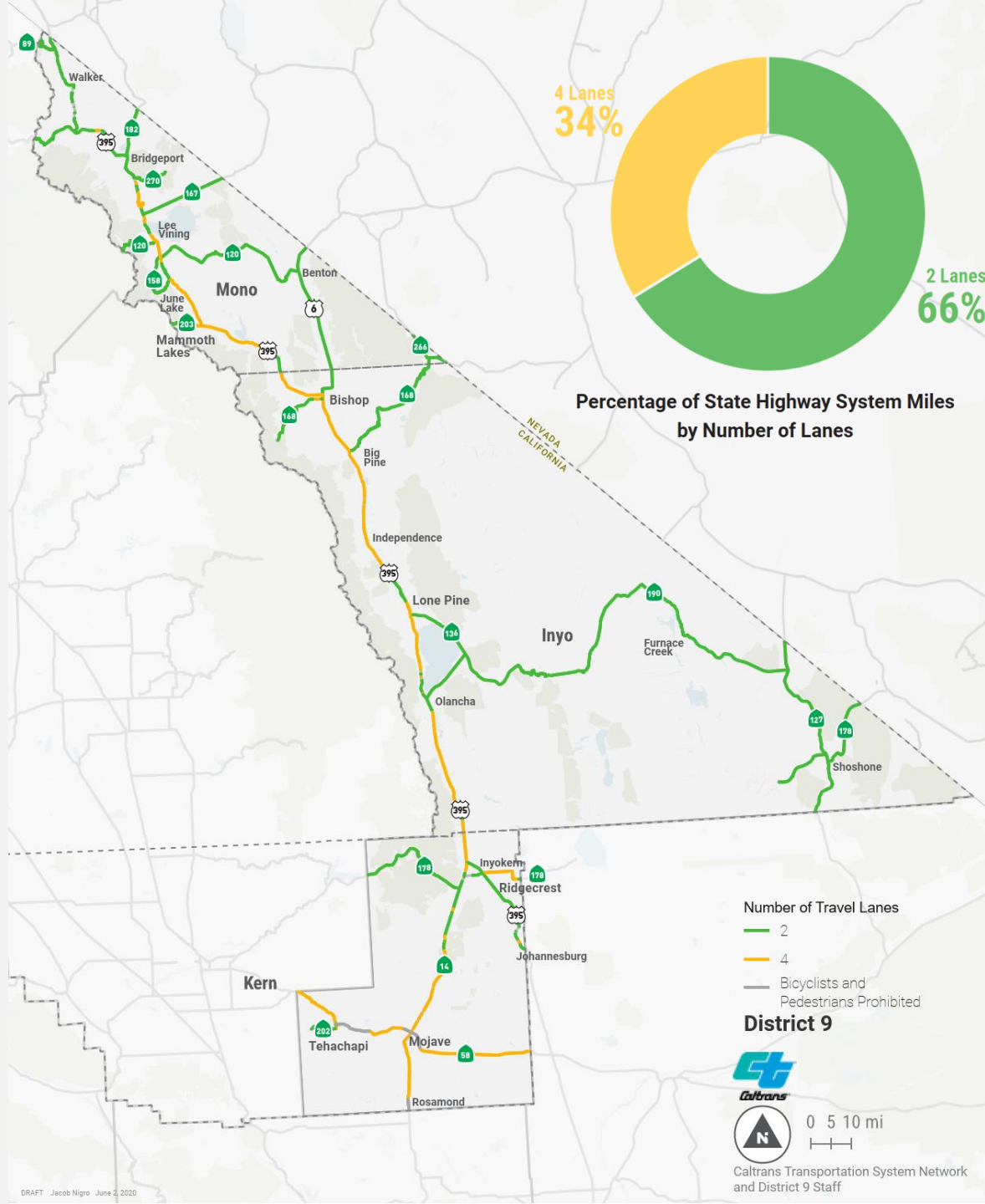
- Shoulders with width 4'+ can be used as by cyclists
- 38% of shoulders have rumble strips.
- D9 plans to eventually have bicycle-friendly skip rumble strips on all shoulders



Crossing Distance

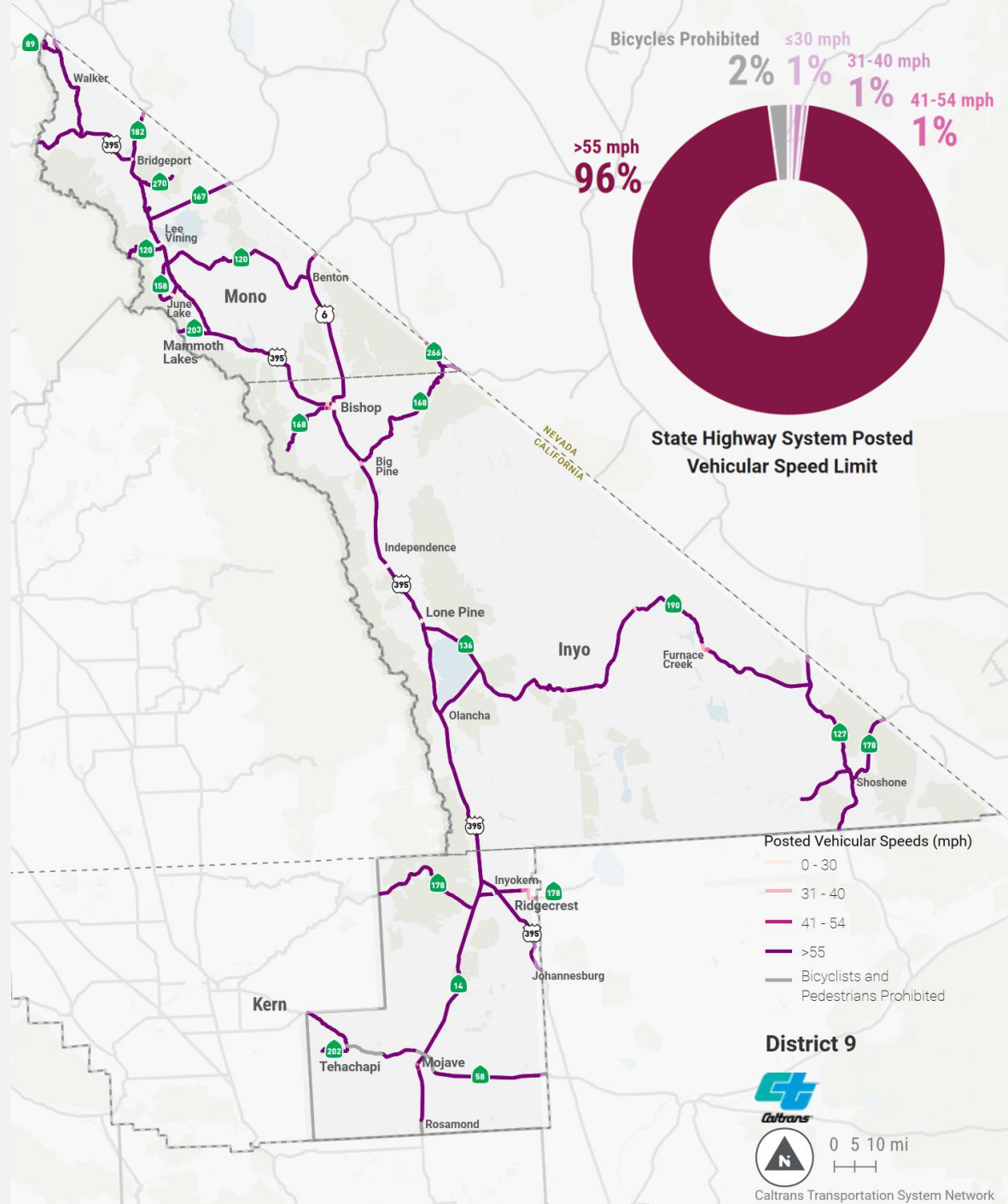
Crossing the SHS

- Level of Traffic Stress (LTS) increases with crossing width
- About 80% of the SHS in Urban and **Main Street** contexts have 4-5 lanes to cross.
- Almost 70% of mileage in the **Rural** context is 2-lane highway



Vehicular Speeds

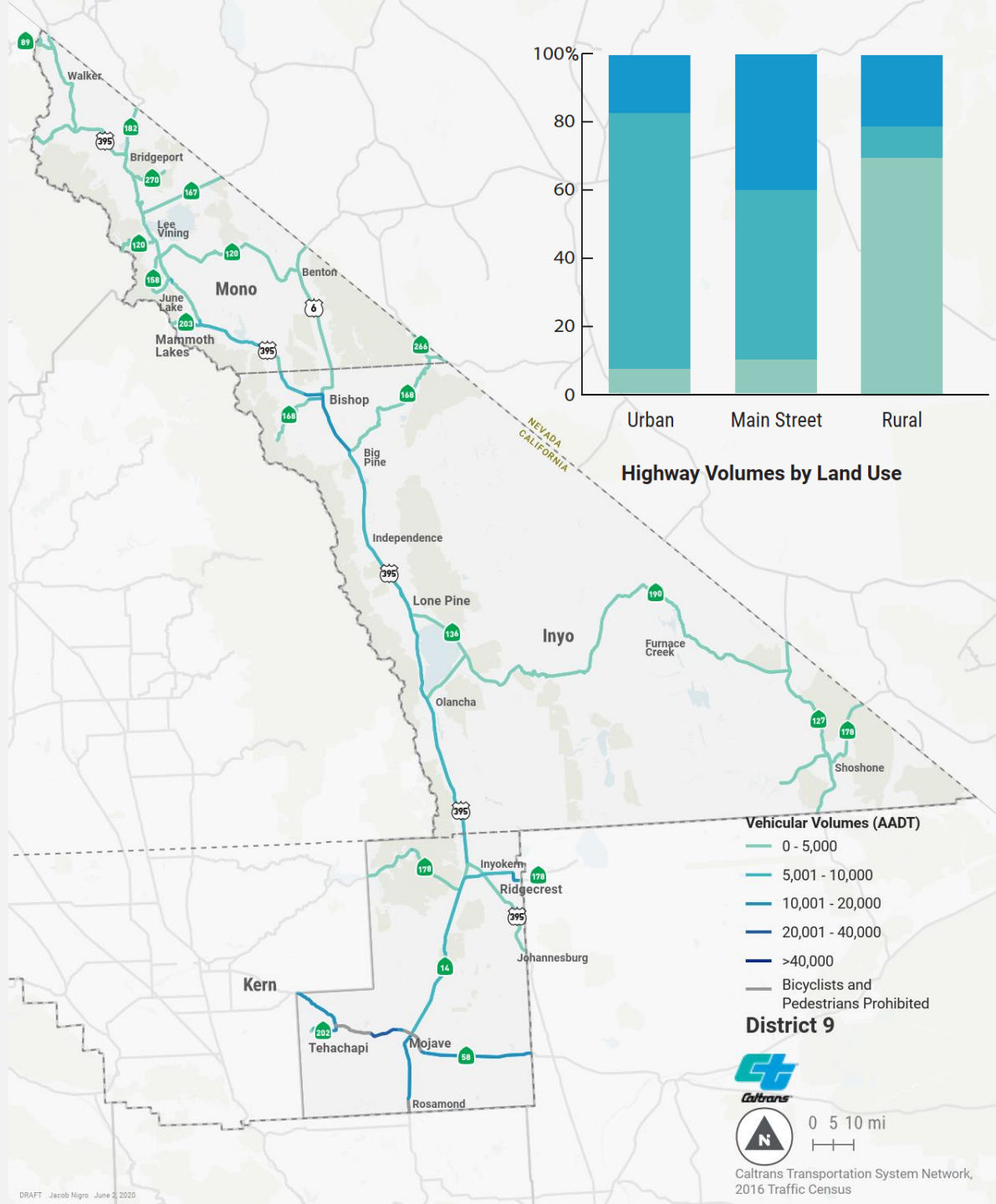
- The vast majority of the SHS has a 55 mph speed limit in D9.
- 70% of highways have speed limits of 40 mph or less in **Main Street** contexts.



Vehicular Speeds ⁶⁷

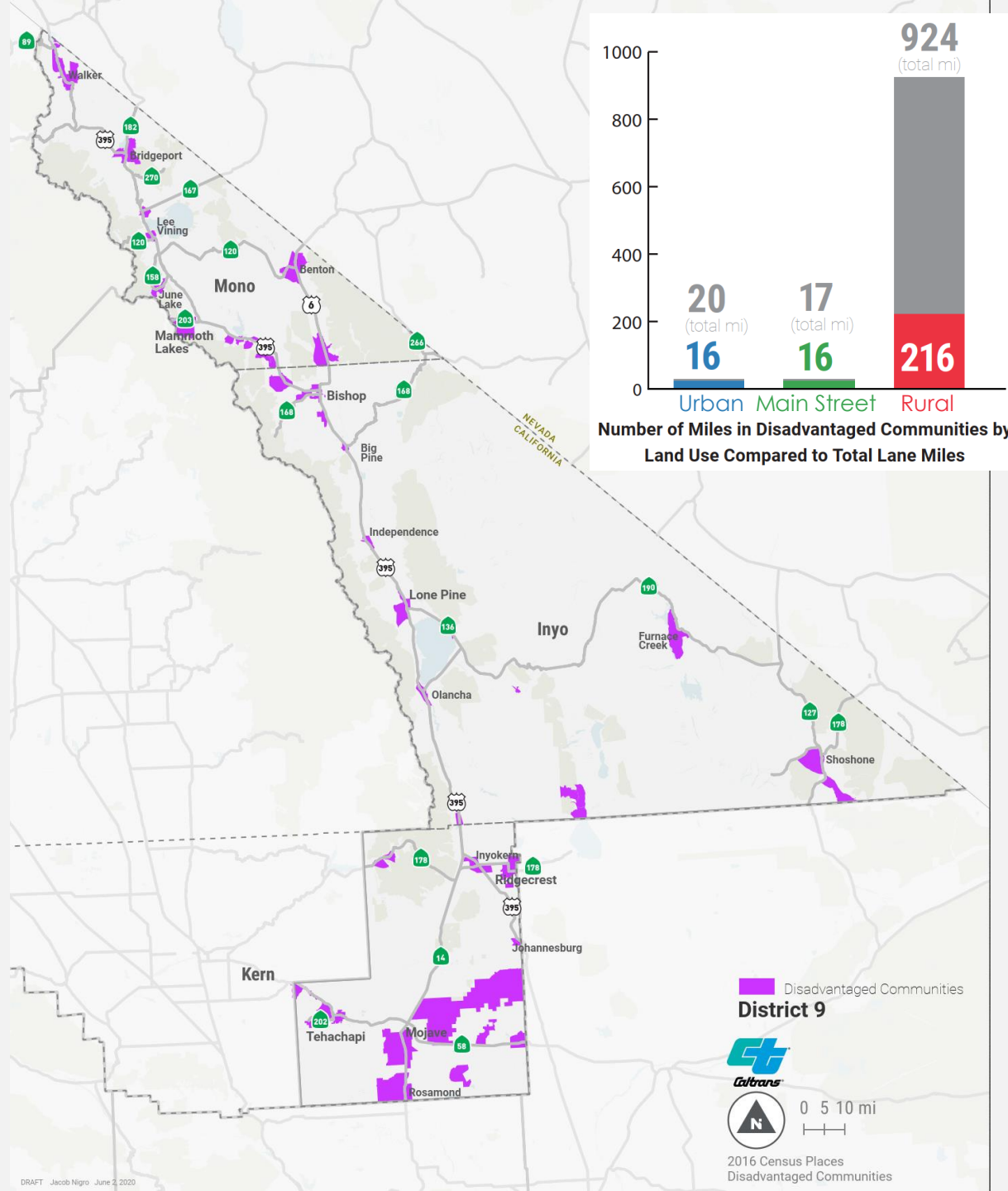
Vehicular Volumes

- Roughly 2/3 of the highways in D9 have 5,000 AADT or less.
- Traffic flow is in higher in town. 1/2 of Main Street miles have AADT over 10,000.
- The highest volume highway is SR 58 between Tehachapi and Mojave.



Disadvantaged Communities (DC)

- Based on 2016 Census Places Disadvantaged Communities
- About 25% of the SHS in D9 passes through DCs.
- Benton, Lone Pine, Mojave, Boron, and Ridgecrest had median incomes below \$40k in 2016.



Disadvantaged Communities ⁶⁹

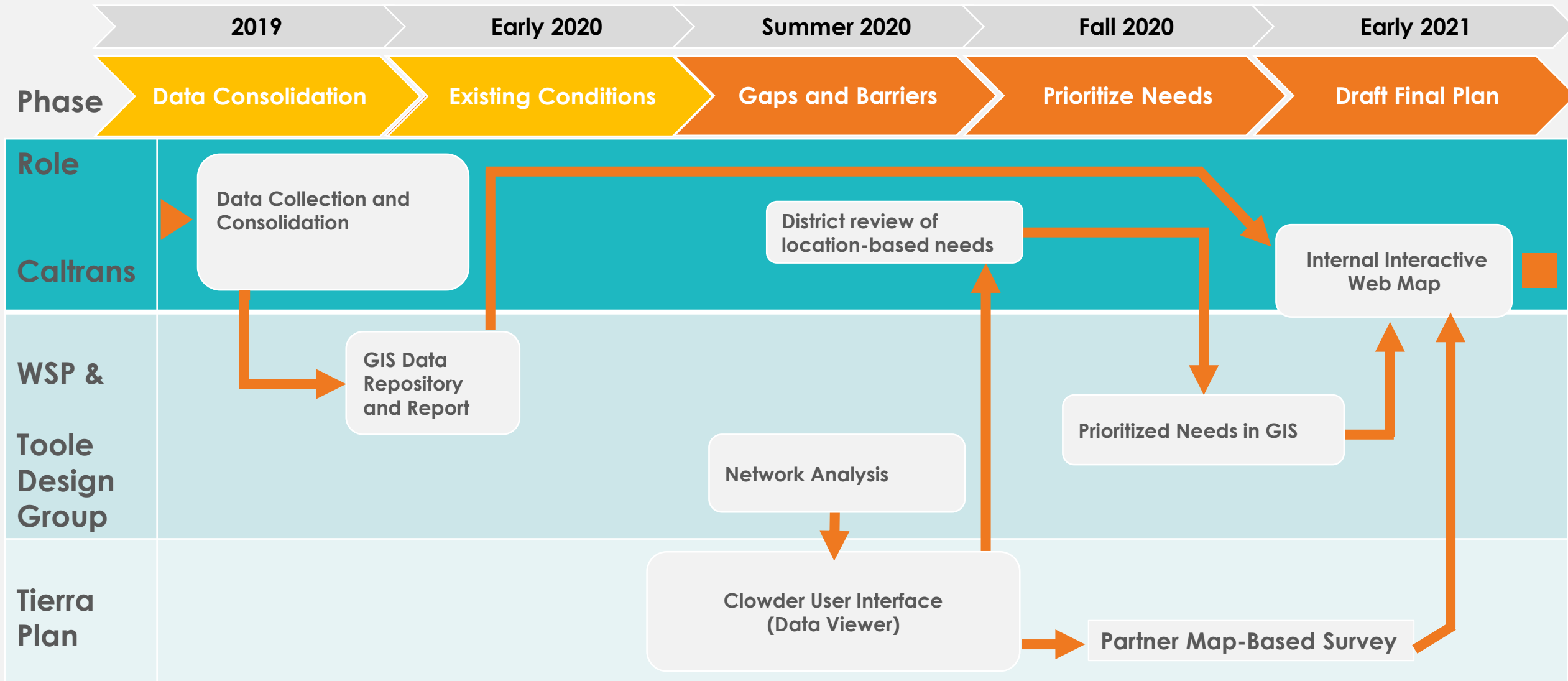


2016 Census Places Disadvantaged Communities

District 9 Next Steps



CAT Plans Schedule and Workflow



Network Analysis

- Bicycle Level of Traffic Stress
- Pedestrian Crossing Level of Traffic Stress
- Sidewalk Gaps
- Freeway Permeability
- Local Planned Facilities
- Public Engagement Identified Gaps/Barriers*



Informed by Existing
Conditions data

Questions



September 14, 2020

STAFF REPORT

Subject: State of Good Repair Program: 2020-21 Project List

Initiated by: Phil Moores, Executive Director – Eastern Sierra Transit

BACKGROUND:

The recently enacted SB-1 legislation will provide approximately \$105 million annually to transit operators in California for eligible transit maintenance, rehabilitation, and capital projects. This investment in public transit is referred to as the State of Good Repair (SGR) Program. The SGR Program is funded from a portion of a new Transportation Improvement Fee on vehicle registrations due on or after January 1, 2018. A portion of this fee will be transferred to the State Controller's Office (SCO) for the SGR Program, which will be managed and administered by the California Department of Transportation (Caltrans). These funds will be allocated under the State Transit Assistance (STA) Program formula to eligible agencies pursuant to Public Utilities Code (PUC) section 99312.1. Half of the funds are allocated according to population and half according to transit operator revenues.

ANALYSIS/DISCUSSION:

The goal of the SGR Program is to provide funding for capital assistance to rehabilitate and modernize California's existing local transit systems. Prior to receiving an apportionment of SGR funds in a given fiscal year, a potential recipient agency must submit a list of projects proposed to be funded to the Department. Each project proposal must include a description and location of the project, a proposed schedule for the project's completion, and an estimated useful life of the improvement. The Department will provide the SCO a list of all agencies that have submitted all required information and are eligible to receive an apportionment of funds. Each recipient agency is required to submit an Annual Expenditure Report on all activities completed with those funds to the Department. Each agency must also report the SGR revenues and expenditures in their annual Transportation Development Act Audit.

SGR funds are made available for capital projects that maintain the public transit system in a state of good repair. PUC section 99212.1 (c) lists the projects eligible for SGR funding, which are:

- Transit capital projects or services to maintain or repair a transit operator's existing transit vehicle fleet or transit facilities, including the rehabilitation or modernization of the existing vehicles or facilities.
- The design, acquisition and construction of new vehicles or facilities that improve existing transit services.

- Transit services that complement local efforts for repair and improvement of local transportation infrastructure.

Examples include, but are not limited to, the following:

- Replacement or rehabilitation of:
 - Rolling stock
 - Passenger stations and terminals
 - Security equipment and systems
 - Maintenance facilities and equipment
 - Ferry vessels
 - Rail
- Transit Preventative Maintenance
 - Preventative maintenance is only to maintain existing infrastructure and vehicles in a state of good repair, essentially repair and rehabilitation. Normal maintenance such as oil changes and other regularly scheduled vehicle maintenance are to be covered under normal operating costs and are not eligible for State of Good Repair funding.
 - Public and Staff Safety
 - New maintenance facilities or maintenance equipment if needed to maintain the existing transit service

The January 31, 2020 estimate of available Mono County SGR funds for FY 2020/21 identifies a total of \$48,124 in available SGR funding. Of this total, \$18,883 is PUC 99313 funds and \$29,241 PUC 99314. Of this amount, 30% or \$8,772.3 is due to Inyo County under the funding split provided under PUC 99314. The SGR funding will be used for Repair and Rehabilitation projects.

The initial Project List due date is September 1, 2020. In order to be able to receive funding for Fiscal Year 20120-21, eligible operators must submit an approved Project List to their Eligible Regional Entity by September 1, 2020. This Project, along with supporting documentation has been uploaded to CalSMART for Mono County LTC to submit to Caltrans upon approval. A resolution documenting this approval is also included.

RECOMMENDATION

The Commission is requested to approve Resolution R20-10, approving the State of Good Repair program Project List submitted by Eastern Sierra Transit Authority for FY 2020-21.

**RESOLUTION R20-10
AUTHORIZATION FOR THE EXECUTION OF THE
REGIONAL ENTITIES APPROVING PROJECT LIST
FOR THE CALIFORNIA STATE OF GOOD REPAIR PROGRAM**

WHEREAS, the *Mono County Local Transportation Commission* is an eligible recipient and may receive State Transit Assistance funding from the State of Good Repair Program (SGR) now or sometime in the future for transit capital projects; and

WHEREAS, the statutes related to state-funded transit capital projects require a local or regional implementing agency to abide by various regulations; and

WHEREAS, Senate Bill 1 (2017) named the Department of Transportation (Department) as the administrative agency for the SGR; and

WHEREAS, the Department has developed guidelines for the purpose of administering and distributing SGR funds to eligible recipients (local agencies); and

WHEREAS, the *Mono County Local Transportation Commission* approves the project list for the PUC 99313 apportionment.

WHEREAS, the *Mono County Local Transportation Commission* concurs and approves the project list from the operators for the PUC 99314 apportionment.

NOW, THEREFORE, BE IT RESOLVED that the *Mono County Local Transportation Commission* approves the region's State of Good Repair project list for **FY 20/21**.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the *Mono County Local Transportation Commission* that the fund recipient (Eastern Sierra Transit Authority) agrees to comply with all conditions and requirements set forth in the Certification and Assurances document and applicable statutes, regulations and guidelines for all SGR funded transit capital projects.

NOW THEREFORE, BE IT FURTHER RESOLVED that the *Co-Executive Director* be authorized to execute all required documents of the SGR program and any Amendments thereto with the California Department of Transportation.

By the following vote:

Ayes:

Noes:

Abstain:

Absent:

John Wentworth, Acting Chair,
Mono County Local Transportation Commission,
Chair

Attest: _____
Melissa Bell, Commission Secretary



(/)



(/)



PROPOSED PROJECT DETAIL

Program

State of Good Repair Program

Recipient (Operator)

Eastern Sierra Transit Authority

*Region(s)

Mono County Local Transportation Commission ▾

Submittal

SGR-C10-FY20/21-0725-001

Submittal Status

PENDING

Project Status

PENDING

*Project Title

Mono- Repair and Rehabilitation

Project ID (if any)

,

SGR Project ID (Caltrans use)

* Project Category

CA Maintenance

Logged in as: kbentley@estransit.com (/user/profile)

Logout

(/)* **Asset Type**



Rolling Stock/Fleet



* **Current Condition of Asset**

Fair

* **Estimated Useful Life**

3

Project Location

City

Mammoth Lakes

* **County**

Mono

Legislative Districts

* **State Senate**

8

* **State Assembly**

26

* **US Congressional**

8

* **Project Description**

Repair and Rehabilitation of Eastern Sierra Transit Authority's revenue vehicles in Mono County. The project is ongoing. Funding will offset repair and rehabilitation expenditures for several vehicles incurred from July 1, 2020 through June 30, 2021.

Project Schedule

* **Est Project Start**

07/01/2020



Est Completion Date

Logged in as: [kbentley@estransit.com \(/user/profile\)](#)

[Logout](#)

(/) 06/30/2021



(/) Funding



FY	Original Est Allocation		Actual Allocation		Expenditures as of Sept 30th	
	99313	99314	99313	99314	99313	99314
17/18	\$	\$	\$	\$	\$	\$
18/19	\$	\$	\$	\$	\$	\$
19/20	\$	\$	\$	\$	\$	\$
20/21	\$18,883.00	\$29,241.00	\$	\$	\$	\$
Future Years	\$	\$	\$	\$	\$	\$

Other Funding Allocation Amounts

Fund Type	Fund Source	Estimated Allocation Amount
<input type="text"/>	<input type="text"/>	\$ <input type="text"/>

[Edit](#)

[Duplicate \(/project/duplicate/14248\)](/project/duplicate/14248)

[Delete](#)

[Back \(/package/index?packageId=2321\)](/package/index?packageId=2321)

[Back to Top](#)

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A RESOLUTION OF THE MONO COUNTY LOCAL TRANSPORTATION COMMISSION RECOGNIZING GARRETT HIGERD FOR HIS YEARS OF SERVICE

WHEREAS, Garrett Higerd possesses a keen understanding of Mono County communities, geography, infrastructure, and systems reserved only for those born and raised in Mono County; and

WHEREAS, Garrett left the County to obtain education and experience as a Civil Engineer but soon returned to Mono County to benefit the region with his education and experience; and

WHEREAS, Garrett began his employment with Mono County in 2007 as an Associate Engineer in the Department of Public Works; and

WHEREAS, Garrett's calm demeanor and civility were good causes for him to be assigned many controversial projects, and his professional capabilities and attention to detail were good causes for him to be assigned most of the remaining projects; and

WHEREAS, Garrett over 13 years under County employment led many County transportation projects including the Bridgeport Streets Rehabilitation Project, Aspen Road Rehab, June Lakes Street Rehab, Lee Vining Streets Rehab, Upper Rock Creek Road, Convict Lake Road, Swall Meadow Rehab, Owens Gorge Road, Green Creek Bridge replacement, Chalfant Streets, and many, many others; and

WHEREAS, Garrett Established the County's 5-year Road Capital Improvement Program; and

WHEREAS, Garrett Provided support to the LTC on all thing's road and road infrastructure related; and

WHEREAS, Garrett participated in the planning, programming, and implementation of State Transportation Improvement Program funds on the County Road System; and

WHEREAS, Garrett has always been a collaborative and supportive LTC staff member in the effective and fair allocation (horse trading) of transportation funds between County and Town of Mammoth Lakes projects; and

WHEREAS, Garrett represented the County at the local and state level on a variety of issues, and played a supporting role in most other County projects that will remain to represent his efforts for decades to come; and

WHEREAS, Garrett was promoted several times over the course of his tenure, culminating in his role as County Engineer; and

WHEREAS, Garrett as a respected and trusted supervisor who is selfless, a great mentor, assisting junior colleagues to better themselves, always treating his employees as equals, whose contributions will be sorely missed by staff and Commissioners.

NOW, THEREFORE, that the Mono County Local Transportation Commission expresses sincere appreciation to Garrett Higerd for his service to the citizens of Mono County and wish him all the best in his professional career.

APPROVED AND ADOPTED this 14th day of September 2020, by the Mono County Local Transportation Commission.

Sandy Hogan

John Peters

Lynda Salcido

Fred Stump

John Wentworth

Jennifer Kreitz

County Counsel
Stacey Simon

Assistant County Counsels
Christian E. Milovich
Anne L. Frievault

Deputy County Counsel
Jason Canger

**OFFICE OF THE
COUNTY COUNSEL**

Mono County
South County Offices
P.O. BOX 2415
MAMMOTH LAKES, CALIFORNIA 93546

Telephone
760-924-1700

Facsimile
760-924-1701

Paralegal
Vacant

To: Mono County Local Transportation Commission (LTC)

From: Mono County Counsel, Stacey Simon

Date: September 14, 2020

Re: Membership of the LTC

Question Presented

Does it violate the Ralph M. Brown Act (the “Brown Act”) for three members (i.e., a quorum) of the Mono County Board of Supervisors to sit as members of the Mono County Local Transportation Commission (LTC), without the meetings of the LTC also being agendized as meetings of the Board of Supervisors?

Short Answer

No, it does not violate the Brown Act for three members of the Mono County Board of Supervisors to sit as members of the LTC, regardless of whether meetings of the LTC are also agendized as meetings of the Board of Supervisors.

Analysis

It is not uncommon in local government for the members of a single legislative body (hereafter referred to as the “First Body”) to simultaneously sit as (or as part of) the legislative body of another local government entity (hereafter referred to as the “Second Body”), including where meetings of the Second Body are agendized only for that Body. The following are examples of situations where this occurs: the Mono County Board of Supervisors also sits as the Board of Directors of the Mono County Economic Development Corporation; Boards of Supervisors across the State sit as Boards of Equalization for the purpose of hearing property tax appeals; before the redevelopment system was eliminated in California, City Councils sat as Boards of Directors for redevelopment agencies within their jurisdictions.¹

¹ See, e.g., 83 Ops.Cal.Atty.Gen 215 (2000) where it is noted that the City Council also sits as the Board of the Redevelopment Agency and of the Housing Authority. There are many more examples, but these are just a few.

In each of the above-described examples (and many more not listed here), a majority (or in some cases the entirety) of the First Body sits on the board of the Second Body. Of course, each Second Body is itself subject to the Brown Act and, as a result, compliance with the Act (including public notice, agenda, public participation, etc.) is provided through the Second Body as part of its regular operations.

This type of arrangement would appear to be recognized and sanctioned by the Brown Act as well. The Act provides that its requirements do not apply where a majority of the members of a legislative body (i.e., the First Body) attend an open and noticed meeting of another public agency (i.e., the Second Body):

“Nothing in this section shall impose the requirements of this chapter upon any of the following . . . the attendance of a majority of the members of a legislative body at an open and noticed meeting of another body of the local agency, or at an open and noticed meeting of a legislative body of another local agency, provided that a majority of the members do not discuss among themselves, other than as part of the scheduled meeting, business of a specific nature that is within the subject matter jurisdiction of the legislative body.” (Cal. Gov’t Code § 54952.2 (c)(4).)

Finally, I performed a quick internet search to determine whether the membership of any other Local Transportation Commission in California includes a quorum of the members of a Board of Supervisors. Scanning only quickly, I noted that in Alameda County, Alpine County, Amador County, Del Norte County and Plumas County LTCs, at least three members of each respective Board of Supervisors sit as members of the county transportation commissions (in Alameda, all five Board of Supervisors members sit on the commission).

In summary, I do not believe that meetings of the Mono County LTC violate the Brown Act due to the participation of three members of the County Board of Supervisors. However, if the Commission would like to pursue this matter further, this office could seek an opinion from the Attorney General’s office on the subject. However, I note that such a request is likely to cause some discomfort for the other LTCs around the state which are similarly comprised and for the myriad other types of legislative bodies whose membership includes a quorum of the members of another legislative body.

If you have any questions about this memo prior to your meeting, please do not hesitate to contact me by email at ssimon@mono.ca.gov, or by phone at 760-924-1704. Thank you.

Centering Planning in the Federal Surface Transportation Debate

JASON JORDAN SEPTEMBER 3, 2020

SPONSORED CONTENT FROM AMERICAN PLANNING ASSOCIATION

SPONSORED CONTENT POLICY



(Photo: Pyzata/Getty Images)

SPONSORED CONTENT

This month, the nation's surface transportation law — which funds the implementation of so much of planners' work — will expire.

About a month ago, the House of Representatives passed a sweeping \$1.5 trillion infrastructure bill with a transportation reauthorization at its heart. In the meantime, Congress has been at loggerheads over a new COVID-19 relief package and whether to provide further aid for fiscally strapped state and local governments. Another deadline looms with federal spending legislation also due at the end of September. Even on the doorstep of Election Day, Congress faces a busy and critical period with significant implications for planning and communities.

While it may be likely that Congress opts to extend the current transportation program until after the election, both sides on Capitol Hill see the need to tackle infrastructure this year as part of bolstering the economy, tackling longstanding problems, and setting the foundation for recovery. Democrats have

signaled in recent days that they may be willing to accept a slimmed down relief bill in hopes of a more expansive and infrastructure-led stimulus in a post-election lame duck session.

When the opportunity does arise to put a new surface transportation bill in place, it appears that Congress is ready to make some significant changes and much needed reforms. Based on action taken by the House and preliminary work completed by a key Senate committee, the next transportation bill is poised to take a planning-led approach to issues ranging from climate change and resilience to new mobility and social equity.

More than a year ago, the American Planning Association outlined four key priorities for transportation reauthorization:

- Provide sustainable and predictable funding
- Tacking climate change and resiliency
- Advance active transportation, safety and public transportation
- Focus on the future of mobility

Embedded in each of these principles is the idea of providing greater authority to regions and localities, advancing equity, and supporting a planning process to meet to meet today's toughest challenges. As we embark on this new and critical phase of action on the legislation, let's take a look at how the bills advanced so far stack up against these priorities.

The Hunt for Funding

Neither the House nor the Senate have come forward with a clear, credible plan to address funding. Election year politics and a deep COVID recession have made it treacherous to talk about the gas tax. Both sides have signaled a willingness to support a variety of finance tools which could provide part of the answer. And, both the House bill and the Senate committee bill advance efforts to move away from the gas tax and toward a vehicle miles traveled (VMT) levy, but a VMT solution still seems to be another reauthorization cycle away from being a likely solution.

There have been discussions about incorporating small patches to the existing revenue structures by taxing electric vehicles that currently do not pay into the system or raising user fees on heavy trucks and freight. Legislators are also looking at a range of 'one-off' funding sources that could be tapped to pay for the bill that both parties seem to want to write.

However, the revenue problem has only worsened. Before the COVID pandemic hit, government projections suggested that the gas tax funded highway trust fund would face insolvency by the end of 2021. The drop in travel and corresponding decline in gas tax revenues since COVID hit in the spring have only accelerated the problem. Furthermore, tax declines at the state and local levels are already contributing to delays in capital projects.

Congress may be able to find temporary fixes and resources to enact a bill in 2020, but the long-term challenges of sustainable and predictable funding must be addressed.

Landmark Action on Climate

An area of perhaps surprising agreement is that the next transportation bill has to address greenhouse gas emissions from the transportation sector, clean energy vehicles, and growing resiliency and hazard mitigation needs. When the Senate Environment and Public Works Committee advanced their bipartisan bill in 2019, the measure included the first ever section on climate change. The provisions largely centered on planning for electric vehicles and expanding resources for resiliency and congestion.

The House-passed legislation went even further with not only a range of new grant programs but also a greatly expanded focus on planning and environmental justice as part of climate policy. The bill would place new planning requirements to measure, mitigate, and reduce climate impacts and emissions. New vulnerability assessments would be mandated, and climate progress would be incorporated into performance measures. To help communities, regions, and states meet these requirements, set aside funding for planning would be expanded, carbon reduction would become an apportionment program, and metropolitan areas would see a slightly larger share of funding.

Both bills recognize the growing impacts of storms and extreme weather on transportation infrastructure with a series of provisions and programs aimed at resiliency. The House bill would invest \$6.25 billion in pre-disaster mitigation.

Key Reforms on Active Transportation and Safety

Another area of potential consensus is expanding support for active transportation and safety. Both bills make useful strides in these areas with expanded funding and some useful reforms. However, the House bill goes much further in making reforms that APA has endorsed in earlier legislation. While both bills increase funding for the Transportation Alternatives Program (TAP), the House bill actually expands the percentage set aside and increases suballocation to metro regions. The House version establishes a new grant program aimed at community connectivity that has a strong environmental justice focus. Other important advances in the House bill includes targeting safety dollars at vulnerable users using a planning assessment. Provisions for vision zero safety planning, maintenance of existing infrastructure, and micro-mobility are also incorporated.

While the Senate bill set an important foundation by expanding active transportation and safety programs, the differences in the two bills on these programs will likely be a key point of future negotiation making on-going advocacy critical.

The Senate Banking Committee has jurisdiction over public transportation programs, and that committee has yet to produce a bill. The House bill expands funding for transit and aims to address the fiscal crisis many transit agencies confront due to the pandemic. In addition to formula funding for transit, the House legislation expands efforts to better align transit, land use, and housing with a new transit supportive communities office and incorporation of housing into federal capital investment grants. The bill also makes more projects eligible for the streamlined “small starts” program.

Looking to the Future

Reauthorization legislation is an opportunity to reset the vision and mission of the federal program and to begin preparing communities and regions for the needs of the future. This preparation for the future requires a combination of planning, research, investment, and regulatory changes. The bills under discussion make some progress in these areas but still leave unanswered questions. Both bills aim to improve the use of data and modeling. Both invest in addressing new infrastructure needs related to clean energy mobility and connected infrastructure. The House approach goes further in positioning the

planning process to address issues of climate change, resilience, housing, and equity in the planning process.

While both the House and Senate acknowledge the need to pursue a replacement for the gas tax, the House version expands pilot programs more aggressively. The House also places a stronger emphasis on the role of metro areas, performance, and assessments in tackling critical issues. It remains to be seen whether emerging technologies in areas like autonomous vehicles and drones will be adequately addressed in the legislation.

Advocacy Needed

While there is the opportunity for vital funding and new approaches in the next transportation bill, there remains much work to be done. It is essential that **Congress hear directly from planners** and other community leaders about the importance of acting now. Even if programs are temporarily extended, Capitol Hill will be focused on both the role of infrastructure as a tool for economic recovery and the need to pivot the transportation program in new directions to tackle today's challenges. Looming over it all is to how to pay for it and how to empower regions and localities through better planning. Your voice is essential. Congress needs to hear the stories that show the real impact planning makes in leading recovery and the real needs that communities face. With deadlines looming, the coming weeks will make an enormous difference for the future.

A Moment for Action — Build Momentum for Planning Priorities From Home

Want to go deeper and build momentum on Capitol Hill to drive real change on federal transportation policy? Join APA from wherever you are for the **Policy and Advocacy Conference**, September 23-24, to both hear from experts on the ever-changing state of play on transportation and to ask congressional leaders to embrace APA's priorities for transportation reauthorization in the next bill.

NEXT CITY NEEDS YOUR SUPPORT TO RESPOND TO CORONAVIRUS

With the federal response slow, at best, cities once again must lead the way forward. Next City is covering cities' response, including ways to feed the hungry, house the homeless, protect minority small businesses, and more. We have so many stories to tell, but **we need your support to make that possible.**

YES! I WANT TO DONATE.

Jason Jordan is policy director at the American Planning Association.

TAGS: PUBLIC TRANSPORTATION, CLIMATE CHANGE, SPONSORED
