

Green Infrastructure and Urban Greening Program
Enabling Statute as adopted in SB 859

Government Code

12802.10.

- (a) For purposes of this section, the following terms have the following meanings:
- (1) “Critically underserved community” has the same meaning as defined in Section 5642 of the Public Resources Code.
 - (2) “Disadvantaged community” means a community identified pursuant to Section 39711 of the Health and Safety Code or pursuant to Section 75005 of the Public Resources Code.
 - (3) “Multiple benefits” includes, but is not limited to, a decrease in air and water pollution or a reduction in the consumption of natural resources and energy, including, but not limited to, the establishment and enhancement of projects listed in subdivision (e).
 - (4) “Secretary” means the Secretary of the Natural Resources Agency.
- (b) To support the development of sustainable communities, the secretary shall manage and award financial assistance, for the preparation and implementation of green infrastructure projects that reduce greenhouse gas emissions and provide multiple benefits, to any of the following:
- (1) A city.
 - (2) A county.
 - (3) A special district.
 - (4) A nonprofit organization.
 - (5) An agency or entity formed pursuant to the Joint Exercise of Powers Act (Chapter 5 (commencing with Section 6500) of Division 7 of Title 1) if at least one of the parties to the joint powers agreement qualifies as an eligible applicant, notwithstanding the Joint Exercise of Powers Act.
- (c) Moneys from the Greenhouse Gas Reduction Fund, created pursuant to Section 16428.8, shall be available, upon appropriation by the Legislature, for allocation by the secretary pursuant to this section.
- (d) The secretary shall develop minimum requirements for awarding moneys for eligible projects pursuant to this section. Those requirements shall require a project, in addition to reducing greenhouse gas emissions, to do at least one of the following:
- (1) Acquire, create, enhance, or expand community parks and green spaces.
 - (2) Use natural systems or systems that mimic natural systems to achieve multiple benefits.
- (e) The multiple benefits of a project may include, but are not limited to, the establishment or enhancement of at least two of the following:
- (1) The greening of existing public lands and structures, including schools.
 - (2) Multiobjective stormwater projects, including the construction of permeable surfaces and collection basins and barriers.
 - (3) Green streets and alleys that integrate green infrastructure elements into the street or alley design, including permeable surfaces, bioswales, and trees.
 - (4) Urban heat island mitigation and energy conservation efforts through greening, including green roof projects.

- (5) Nonmotorized urban trails that provide safe routes for both recreation and travel between residences, workplaces, commercial centers, and schools.
 - (6) Tree canopy.
 - (7) Wetlands.
 - (8) Neighborhood, city, regional, or county parks and open space.
 - (9) Climate resilience and adaptation of urban areas that reduce vulnerability to climate impacts and improve the ability of natural systems to buffer the impacts of climate change.
 - (10) Economic, social, and health benefits, including, but not limited to, recreational opportunities, workforce education and training, contracting, and job opportunities for disadvantaged communities.
- (f) The secretary shall give additional consideration to awarding moneys for a project pursuant to this section that meets at least two of the following criteria:
- (1) Provides park or recreational benefits to a critically underserved community or disadvantaged community.
 - (2) Is proposed by a critically underserved community or disadvantaged community.
 - (3) Develops partnerships with local community organizations and businesses in order to strengthen outreach to disadvantaged communities, provides access to quality jobs for residents of disadvantaged communities, or provides access to workforce education and training.
 - (4) Uses interagency cooperation and integration.
 - (5) Uses existing public lands and facilitates the use of public resources and investments, including schools.
- (g) The secretary shall allocate at least 75 percent of the moneys available for the purposes of this section to projects that are located in, and that provide benefits to, disadvantaged communities.
- (h) In implementing this section, the secretary shall maximize the expenditure of funds made available pursuant to the Statewide Park Development and Community Revitalization Act of 2008 (Chapter 3.3 (commencing with Section 5640) of Division 5 of the Public Resources Code).
- (i) The secretary shall hold at least two public hearings to gather public input on program development before establishing the program guidelines and selection criteria. The Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1) does not apply to the development and adoption of guidelines and selection criteria adopted pursuant to this section.