

Governor Signs New Park Measure

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Property owners trying to sell property to the State of California or conservation groups are frequently hampered by the State's claim that it would "like to pay the asking price," but it can't because of limited funds. Next year, that constraint may ease somewhat if voters adopt a new bond measure. But to participate, private landowners need to act fast. Savvy landowners are already initiating discussions with the State in the hope of securing funds if they become available.

Last month, Governor Gray Davis signed a new \$2.6 billion resources bond act known as the "Clean Water, Clean Air, Safe Neighborhood Parks and Coastal Protection Act of 2002." With the Governor's signature, the bond will appear on the March 5, 2002 ballot as Proposition 40. The bond act emerged from the California State Legislature at the last minute with little opposition.

If voters approve Proposition 40, it will be a significant source of funds to allow the State to purchase properties to (1) expand the state and local park system; (2) protect historical and cultural resources; and (3) effectuate land and water conservation. Proposition 12, which was approved by the voters in 2000, was the first parks bond measure in nearly a decade, but its \$2.2 billion allocation already has been committed to park and conservation projects around the State. Proposition 40 would allocate an additional \$1.2 billion for state and local park acquisition, nearly \$1.2 billion for land and water conservation and another \$500 million for historical and cultural resource preservation. It also includes \$450 million for beach cleanup and air pollution reduction.

Although Proposition 40 primarily allocates funds through block grants instead of line-item projects, the Department of State Parks and Recreation and other State agencies already are penciling in commitments to specific acquisitions around the State in anticipation that the bond measure will be adopted by the voters. Thus, while Proposition 40 presents a terrific opportunity for property owners who are interested in selling their property to the State, if the owner waits until the bond measure is actually adopted before approaching the State about a potential purchase, the Proposition 40 park acquisition funds are likely to be already committed to other projects. As a result, it is imperative for those property owners who are seeking State funds for the acquisition of property near an existing State park system or near the coastal protection zone to initiate discussions now instead of waiting until after Proposition 40 is adopted.

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