BAY AREA MONITOR

A Publication of the League of Women Voters of the Bay Area

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June 5, 2018 Primary Election Special Edition

It's That Time of Year...

The League of Women Voters has an undeniably strong reputation — when people have questions about elections or government, they turn to us. But while we enjoy solid name recognition, people often have trouble distinguishing between our separate geographic levels. The difference is significant, particularly during election season.

LWVBA board members Alex Starr and Sherry Smith welcomed attendees to the 2018 Bay Area League Day on February 3 in Oakland. photo by Alec MacDonald

Leading up to an election, the volunteers you see in your community conducting voter registration and outreach are acting on behalf of local Leagues. These local Leagues work within either single jurisdictions or clusters of them; in total, there are 20 such local Leagues in the nine-county Bay Area. This includes LWV Berkeley-Albany-Emeryville, whose president, Adena Ishii, is featured (wearing the red jacket) on the cover of this edition of the *Monitor* registering Berkeley High School students to vote at a recent campus drive. Contact information for her League and the others is listed on the next page; please reach out to them for your upcoming local voter service needs.

LWV Bay Area operates at a level in between these local Leagues and the state League (which helps produce Voter's Edge California, a valuable election-time resource also featured on the next page). Among our activities, the Bay Area League of course publishes the *Monitor*, and this election season we're joining the action with this special edition. Cecily O'Connor kicks it off with an article on Regional Measure 3, a nine-county ballot initiative focused on bridge tolls. Aleta George and Leslie Stewart follow with articles on a pair of state propositions that have ramifications for the Bay Area, and Robin Meadows wraps the edition with a look at a Napa County measure that has captured people's interest more broadly. As you read, please note that the League at the level of each measure in question has taken a position on it, but within these pages we're looking at the measures impartially — these articles do not represent positions of support or opposition.

Finally, while not election related, LWV Bay Area would like to mention that we recently hosted our annual Bay Area League Day (*see photo above*). For a change of pace this election season, please visit lwvbayarea.org/2018-league-day-regional-governance to see photos, videos, and documents from the event.

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...Get Ready to Vote on June 5

Contact your local League of Women Voters for voter services and other support this and every election season.

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LWV San Francisco's election season activities included this session to train volunteers in conducting voter registration. photo by Alec MacDonald

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The deadline to register to vote in California for the June 5 election is May 21. The Secretary of State provides online voter registration at www.registertovote.ca.gov and an official voter guide at voterguide.sos.ca.gov. Contact the SOS or your county's elections office if you have questions.

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The League of Women Voters of California Education Fund's *Easy Voter Guide*, a nonpartisan information source for new and busy voters, is available at easyvoterguide.org in English, Spanish, Chinese, Vietnamese, and Korean.

Easy Voter Guide

Voter's Edge California (www.votersedge.org/ca) is a nonpartisan online guide to federal, state, and local elections in California.

VOTER'S EDGE CALIFORNIA

It allows voters to view:

- **their personalized ballot;**
- **detailed descriptions about candidates and ballot measures; and**
- **information about their polling locations.**

Voter's Edge California is a joint project of the League of Women Voters of California Education Fund and MapLight.

Bridge Toll Ballot Measure Spans All Nine Bay Area Counties

By Cecily O'Connor

Bay Area voters will weigh a large investment in traffic congestion relief on June 5 as part of a $4.45 billion plan to clear bottlenecks and boost transportation options along the region's bridge corridors and approaches.

To pay for Regional Measure 3's (RM 3) nearly 40 projects, drivers will need to shell out $1 more starting in 2019 to cross one of the Bay Area's seven state-owned bridges. Subsequent $1 increases would follow in 2022 and 2025.

That means by 2025 it would cost $9 to cross the San Francisco-Oakland Bay Bridge, and $8 for the Antioch, Benicia-Martinez, Carquinez, Dumbarton, Richmond-San Rafael, and San Mateo-Hayward spans. The Golden Gate Bridge is independently owned and not included in RM 3.

The Richmond-San Rafael Bridge is one of seven state-owned Bay Area bridges that would be affected by RM 3. photo by Alec MacDonald

RM 3 is "important because none of the measures we have adopted so far have filled the gap between the cost of maintaining critical infrastructure in a state of good repair, and at the same time, providing the money needed to add infrastructure to meet the needs of the economy and population, which continue to grow," said Elizabeth Deakin, professor emerita of city and regional planning and urban design at UC Berkeley.

If the measure passes by receiving a majority of support from voters in all nine Bay Area counties, the new toll rate would go into effect January 1.

RM 3 proponents said the extra $3 is a worthwhile investment that provides long-term solutions to daily commute woes. Projects funded by the measure aim to clear traffic congestion, expand and upgrade public transit, and improve connections.

Even so, some residents and transportation advocates are frustrated about shouldering funding needs. They are questioning why higher tolls are necessary, how they'll be spent, and whether they're affordable.

Bay Area policymakers have already leaned heavily on voters to support transportation because state and federal funding sources are limited. During the November 2016 election, residents across the region approved big initiatives from cities, counties, and transit agencies seeking billions via sales taxes and bonds.

"The Time Is Right"

RM 3 was authorized under Senate Bill 595 (Beall), introduced in February 2017 out of concern the Bay Area's growth is taking a toll on transportation infrastructure. The region's population is expected to spike by 2.3 million by 2040, and jobs will jump up by 1.3 million.

For those who live far from transit hubs and drive to work, the commute is cumbersome. Highway and bridge congestion during weekday commutes continues to climb, hurting quality of life. Combined volumes on the region's state-owned toll bridges grew by 11 percent between 2010 and 2015, according to Metropolitan Transportation Commission (MTC) data.

"Traffic is at an all-time high," said Rebecca Long, MTC's government relations manager. "We don't see a lot of opportunity to generate significant funding for the bridge corridors from Sacramento or Washington, D.C. The time is right to ask the voters to make the types of investments that have been made by prior voters."

In 1988, voters approved Regional Measure 1, which instituted a $1 base toll on the region's seven state-owned bridges. Tolls were 40 cents to 75 cents before, with the exception of the Richmond-San Rafael Bridge, which already cost $1 to cross. The increased proceeds bankrolled bridge and highway projects, including $1.2 billion for the Benicia-Martinez Bridge.

Sixteen years later, voters approved Regional Measure 2 (RM 2). It raised tolls by $1 and — similar to RM 3 — established a regional traffic relief plan aimed at highway, transit, bike, and pedestrian projects in bridge corridors and approaches. A big RM 2 benefactor is the soon-to-open Transbay Transit Center. It has received $353 million, inclusive of RM 2 and other toll revenue, according to MTC data.

RM 3 outlines both regional and corridor-specific projects, totaling $1.55 billion and $2.9 billion, respectively. The most expensive regional capital expenditure item is $500 million for BART to purchase 300 new train cars.

The new BART vehicles, along with other system improvements already underway, are expected to boost the number of trains running through the Transbay Tube to 30 per hour (up from 23), and lengthen peak-hour trains to an average 10 cars (up from 8.9), said Alicia Trost, a BART spokesperson, in an email.

Corridor-specific lists include $780 million for Bay Bridge-adjacent projects, such as Caltrain's planned downtown extension. Heading south, about $985 million will be

siphoned into the corridors of the San Mateo-Hayward and Dumbarton bridges. More than $1.1 billion is allotted to the North Bay, including the Richmond-San Rafael, Benicia-Martinez, Carquinez, and Antioch bridge corridors.

Driving Factors

RM 3 opponents like David Schonbrunn, president of the Transportation Solutions Defense and Education Fund (TRANSDEF), acknowledge the need for traffic solutions. But he said the measure would encourage more solo driving, stymieing goals to reduce both traffic and greenhouse gas emissions. According to TRANSDEF's website, more than a dozen "highway" RM 3 projects — representing nearly $1.4 billion in funding — fit this characterization.

"In TRANSDEF's analysis, the primary problem is too many people driving alone. Period." said Schonbrunn, who urged greater emphasis on carpooling and coordinated transportation policy to increase lane usage.

About 12 percent of Bay Area residents rely on public transit during commute hours, compared to 60 percent who drive alone.

RM 3 would allocate $300 million toward express lane expansion, which would give solo drivers the option to use high-occupancy vehicle (HOV) lanes for a fee "when the time savings is worth it to them," according to RM 3's ballot description. Expansion is planned in Alameda, Contra Costa, San Mateo, San Francisco, Santa Clara, and Solano counties.

"Carpooling has stayed steady over the years and our goal is to maintain that percentage-wise as the population grows," said MTC's Long, noting a partnership MTC announced in January with carpool app Scoop to link drivers with commuters needing a ride.

Under RM 3, carpools still get the current 50 percent bridge toll discount during peak weekday travel. It also stipulates that residents paying tolls on two bridges during commute hours would get 50 percent off the second crossing within a one-day period.

Even with discounts, toll hikes may not be the most equitable approach, since Bay Area residents log varying bridge usage rates depending on their lifestyle and where they live. Several elected officials in Contra Costa County initially opposed SB 595, saying that a toll increase would disproportionately put the burden of financing transportation infrastructure investments on East Bay residents compared to areas where bridge usage is lower.

A recent MTC survey based on more than 4,100 interviews broke down what percentage of "frequent toll payers" (those crossing a bridge at least once a week) live in each Bay Area county. It found 28 percent reside in the Napa/Solano sub-region, 23 percent in Alameda, 21 percent in Contra Costa, 20 percent in San Francisco, 18 percent in the Marin/Sonoma sub-region, 14 percent in San Mateo, and 3 percent in Santa Clara.

"I personally will not be significantly impacted because I only occasionally cross one of the toll bridges involved," wrote Jack Gray, director of the Napa County Taxpayers Association, in a February 13 letter to the *Napa Valley Register*. "However, I believe anyone commuting to or from the San Francisco Bay Area would be severely impacted and many would be crossing two or more of the toll bridges daily."

Oversight Provisions

Seeking to reassure commuters about the sacrifice it's asking of them, RM 3 establishes a citizen oversight committee to make sure spending gels with the project expenditure list that's presented to voters this June.

Expenditure list changes are not very common, but they can occur when a project sponsor, for example, determines that factors related to cost or demand have changed. Environmental analysis also could reveal red flags, or new community concerns may arise that halt activity.

More than 90 percent of the entire RM 2 capital program voters approved in 2004 "was delivered," said Randy Rentschler, MTC's director of legislation and public affairs. But a portion of the $135 million earmarked for Dumbarton Bridge commuter rail service was later reassigned by MTC to other projects. The majority, approximately $91 million, was

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Bridge Toll (from page 5)

put into the BART-to-Warm Springs extension.

Rentschler said reassignment of Dumbarton rail funds was "a reasonable policy choice" in response to costs that increased beyond original projections. "The decision to fund BART had no material impact on the Dumbarton project in the sense that it wasn't deliverable anyway."

Meanwhile, transportation planners continue to set sights on the Dumbarton corridor. The San Mateo County Transit District has looked at several possibilities for the bridge. If RM 3 passes, about $130 million would fund early mobility improvements.

Policing this expenditure and others would be the responsibility of RM 3's citizen oversight committee. County supervisors in each of the nine Bay Area counties would appoint two representatives to the committee, whose job it would be to ensure consistent toll revenue spending. Its formation would be modeled on a similar fund management approach that local counties are taking after enacting sales tax measures.

"Voters ought to see this as something that protects their interests," Rentschler said.

RM 3 would also establish a BART Inspector General office, which would operate with a $1 million bridge toll revenue allocation. Generally speaking, the office would identify ways to improve BART operations and capital projects delivery. California's governor would appoint the Inspector General to a four-year term, selected from a three-person pool nominated by the BART board.

Commuters Consider the Choice

With two months to go until the election, cost remains a top-of-mind consideration for many residents. One commuter the *Bay Area Monitor* spoke with was unaware of RM 3, and upon learning about potential toll hikes, had a negative response.

"My initial reaction was 'No thank you,'" said Gunther, a Dumbarton Bridge commuter who declined to provide his last name during a March 7 phone interview. "I don't think that's going to help my situation. The commute is already expensive and it's really a tax on any type of movement in the Bay Area."

Another East Bay resident had a more pragmatic reaction.

"I understand the cost of living is high here, and I'm also someone concerned about the structural stability of bridges and highways," said Oakland resident Zeena Fakoury, who commutes to her job in Sausalito by car. "If the money is going to be used for enhancement of bridges and infrastructure, then I approve of it."

Cecily O'Connor covers transportation for the Monitor.

Empowered by Constituents

This family photo from 1998 shows Amanda Montez with her late father on a camping trip in the Sierra Nevadas. She credits her dad with inspiring her efforts to improve the Latino community's access to open space. photo courtesy Amanda Montez

By Aleta George

Amanda Montez grew up in Orange County, but her father liked to take her family on car-camping trips to Northern California. She recalled that they "always ended up exploring something green." When her dad died, she rethought her priorities and forged a career path that led to her current position as director of programs for the San Francisco Parks Alliance. "It was my dad's passion to be outdoors, and in his passing, I decided to pursue my own passions and ensure that more kids like me get out and have these experiences," she said.

By 'kids like her', she specifically meant Latinos — a community that has historically been neglected when policymakers tackle open space issues. Montez said that local park districts and open space agencies have begun doing a better job of reaching out to underserved communities like hers, but she believes that there's more to do.

Concerns such as hers are addressed by those who wrote Proposition 68, a $4.1 billion bond measure that will be on California's June 5 ballot. It is the largest park bond in state history, and the widest in scope. If passed by voters, it will provide $1.5 billion for habitat conservation, ecosystem improvement, and environmental resilience; $1.3 billion for parks and recreation projects; and $1.3 billion for various water-related projects.

Proposition 68 represents California's first park bond in several years, and it landed on the upcoming ballot by the will of the people, according to Montez. "Elected officials represent their constituency, and this proposition is a clear message that these environmental issues are a priority. It's

a need that's being responded to by the Latino Legislative Caucus. They felt confident to put it on the ballot because they were empowered by their constituents."

Polls show that Latinos are concerned about the environment and vote to protect it. A 2015 Earthjustice and GreenLatinos poll found that 78 to 85 percent of Latino voters support environmental measures that include clean energy sources, more water conservation, programs to reduce air pollution, and the protection of wildlife, public lands, and endangered species. And a 2014 survey from the Chicago Council on Global Affairs revealed that 54 percent of Latinos nationwide believe climate change is a critical threat to U.S. interests, whereas only 32 percent of non-Latinos think so. The survey also found that more Latinos than non-Latinos say the government is not doing enough to combat climate change (54 percent compared to 49 percent), and more are supportive of expanding funding for environmental protection (55 percent compared to 41 percent).

One possible reason for the difference in percentage points, according to analysis by the Pew Research Center, is that the median age of Latinos in America tends to be younger than the general population, and younger people as a whole tend to attribute climate change to human activity. Pew has also noted that Latinos could become a state majority by 2060.

"We cannot fall into the assumption that because California is becoming more brown that there will be a deterioration of parks and open space," said José González, founder of Latino Outdoors, a San Francisco nonprofit that connects Latino families and children to the outdoors and inspires Latino leadership. "For California to build on its conservation successes of the past, we must engage in equity work for natural resources."

California's past conservation successes include voter authorization of $27 billion in bonds supporting natural resources since 2000, with roughly $9 billion still available (primarily for water projects via 2014's Proposition 1). This is according to the nonpartisan Legislative Analyst's Office, which also notes that Proposition 68 would require the state to pay roughly $200 million every year for the next 40 years. That amount — paid from the state's general fund and equaling less than one-quarter of a percent of the current general fund budget — will cover the cost of repaying the bond as well as $3.8 billion due in interest.

The Latino Legislative Caucus has been advocating for equitable outdoor access since at least 2000, said Fred Keeley, a former state assemblymember who authored Proposition 12 in 2000 and Proposition 40 in 2002. Both those successful open space bond measures reflected shifts in equitable access because of the work of the caucus, Keeley said.

That work has had an even bigger influence on Proposition 68, according to González. "Latino legislative leaders were direct and nuanced about insisting that the proposition not be a traditional park bond or conservation measure," he said. In the past, González said a bond with an environmental agenda would be handed over to Latinos for a seal of approval and a vote. "Latinos vote for environmental protection and conservation, but there has been inequity in the impact. Communities finally see themselves reflected in the process and the impact," he said.

One particularly notable impact of Proposition 68 in that regard is $725 million for parks in underserved urban and rural communities — although the bulk of that funding would potentially go to Southern California and the Central Valley, because those parts of the state have the greatest need.

In any case, Proposition 68 stands to be "the largest investment ever in underserved communities in a natural resource bond," said Mary Creasman, California director of government affairs for The Trust for Public Land. "As the power shifts to reflect changing demographics, we are seeing real leadership in the protection of environmental resources that reflects our state, both in demographics and in need."

And as that shift continues — regardless of whether Proposition 68 passes or not — California will likely hear more voices from those underserved communities who have been living with a lack of parks and open spaces, and who in general desire greater environmental protections.

"Inclusion of more diverse voices doesn't devalue the process or the issues," said González. "It adds collective strength."

Aleta George covers open space for the Monitor.

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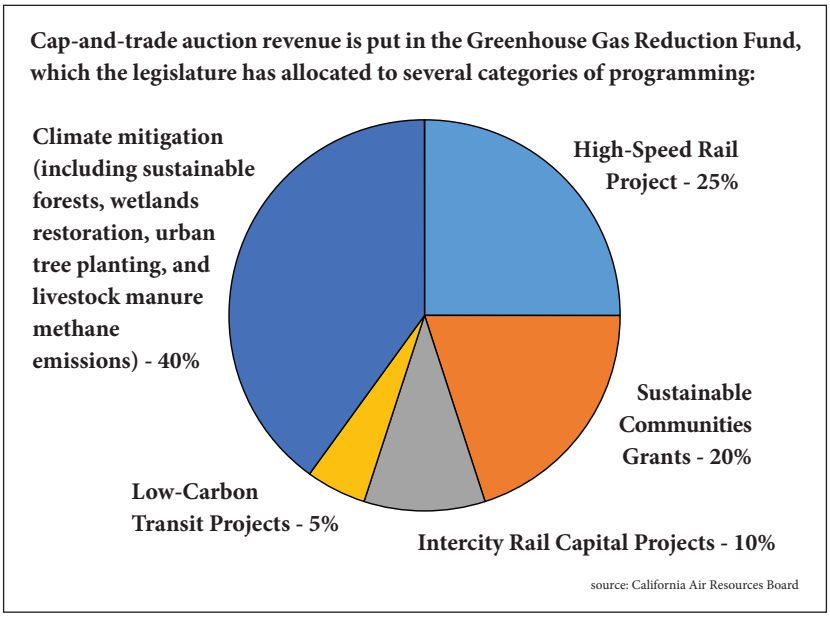
AC TRANSIT

Appropriate Appropriations? Amendment Aims at Allocations

By Leslie Stewart

Last July, California lawmakers reauthorized the state's cap-and-trade program until 2030. To complement that emissions reduction strategy, they also added a plan for community air monitoring via a companion bill. Both pieces of legislation made headlines, while a third bill that passed as part of the package received little attention. But now Assembly Constitutional Amendment 1 (Mayes) is grabbing its share of the spotlight, as it will be submitted to California voters in the form of Proposition 70 on the June 2018 ballot.

If passed, it wouldn't actually have any effect until 2024, when it would require a legislative supermajority to approve the spending of cap-and-trade funds on greenhouse gas reduction projects around the state. Some view this as a prudent review of spending; others see it as unnecessary and potentially harmful to achieving the program's goals.



Cap-and-trade revenue comes from emissions "credits" that greenhouse gas producers purchase from the state in quarterly auctions. The credits represent the difference between the state-mandated cap on greenhouse gas emissions for a facility, and that facility's actual emissions. As the cap is lowered and the price for credits rises, the facility has a greater incentive to reduce emissions. Initiated in 2013, the program is a key component of California's attempts to mitigate the effects of climate change.

Currently, revenue from the cap-and-trade auctions goes into the Greenhouse Gas Reduction Fund, and is allocated through the legislature's budget process. The legislature has decided that 60 percent of the funds — about $2.5 billion this year — will be continuously allocated without further approvals. This portion of revenue goes to high-speed rail, sustainable communities grants and affordable housing, intercity rail capital projects, and low-carbon transit projects. The other 40 percent — roughly $1.5 billion this year — funds a variety of programs that support sustainable forests, restore wetlands, promote urban tree planting, and reduce methane emissions from livestock manure. There are also requirements that a certain amount of the total funding must be devoted to the "disadvantaged communities" most impacted by pollution.

The state Department of Finance, consulting with the Air Resources Board, sets out a three-year plan for allocating cap-and-trade funds. Proposition 70 would interrupt the current allocations process with a budgeting checkpoint in 2024, approximately midway through the reauthorization period. Beginning that year, the revenues would go into a reserve fund. They could not be spent until the legislature, by a two-thirds vote of both houses, approved at least one appropriation from the money in the reserve fund. Once the two-thirds approval was achieved, all revenues would be budgeted as before, until the program expires in 2030.

Voters in June will need to consider whether this budget interruption — possibly for a considerable period of time — is desirable. How will they evaluate it, given its potential effect on a program they appear to strongly support? According to a July 2017 poll conducted by the Public Policy Institute of California (PPIC), "Majorities of Californians favor state policies to address global warming, including the law mandating statewide reduction of greenhouse gas emissions. Most adults and half of likely voters favor the state's cap-and-trade program."

"We have no idea what it's going to be like in 2024," said Loren Kaye, president of the California Foundation for Commerce and Education, a think tank affiliated with the California Chamber of Commerce, which favors the ballot measure. "We expect [cap-and-trade] will continue to be a popular program, but the Air Resources Board is basically given a whole lot of money to implement the program over a 10-year period," Kaye pointed out, suggesting that Proposition 70 could provide "an opportunity for the legislature to go back and revisit how the program has been

going — a mid-course spot check."

It's that "opportunity for the legislature" that concerns opponents like Bill Magavern, policy director for the Coalition for Clean Air. "It will give the minority party a magnified role and a disproportionate impact on the spending of the investments," he explained, harking back to the time when a mandated two-thirds vote on the state budget could delay its passage by months. "It could introduce a lot of mischief. It brings uncertainty into a program that's been working pretty well, and could get us into a real boondoggle," he added.

Although an extended stalemate may seem unlikely, the legislature did not specify what will happen to funds in the reserve account if the cap-and-trade program ends in 2030 without at least one authorization following the 2024 checkpoint. Magavern noted the Legislative Analyst's Office has concluded that a two-thirds vote on appropriating any of the money in the reserve fund would meet the measure's requirements to return to the usual budget process. "But a minority could still block a vote even on a minor project, to prevent release of the rest of the funds," he observed.

He is particularly concerned about the effect of funding interruptions on programs for disadvantaged communities, one of the cap-and-trade benefits which voters value the most, according to the July 2017 PPIC poll.

Magavern also believes that industries would like to steer funding to their expensive emissions reduction equipment. "These are rich companies — we think they should pay for their own equipment," he commented.

For a regulatory agency like the Bay Area Air Quality Management District, a significant delay in appropriating funds in 2024 could affect on-going programs to clean up the region's air quality. "We get Greenhouse Gas Reduction Fund funds for our grant programs. That's the biggest game in town by far for dirty engines — trucks, ships, and trains," according to the Air District's Tom Addison. He foresees a chilling effect on long-term projects if Proposition 70 passes, noting, "It introduces market uncertainty — we couldn't plan ahead for our programs."

Kaye acknowledges this possibility, but "we're not stressed about an agency not being assured of a continuing flow of money. There's an underlying skepticism or suspicion about how agencies will implement [cap-and-trade]. This shortens the leash."

In previous legislative debates, critics of cap-and-trade spending have targeted funding for affordable housing and sustainable communities, and for the high-speed rail project. These programs have indirect benefits to the environment — based on reducing vehicle travel — unlike programs for disproportionately impacted communities that are directly affected by the cap-and-trade facilities in the state. Some environmental groups have argued that cap-and-trade funds should pay for additional benefits to these impacted communities or the environment, while high-speed rail opponents don't think any funding should be available for that controversial capital infrastructure project. A recent announcement that the bullet train's estimated costs have increased again means it would surely be one of the sticking points for a two-thirds appropriation of cap-and-trade funds in 2024.

Proposition 70 can be seen as a reasonable checkpoint, or a potential tripwire. How it turns out depends initially on the electorate in June, but if the measure passes, its effect will also depend on the partisan makeup of the legislature in the future. Historically, a two-thirds supermajority has been difficult to achieve, particularly without major concessions from the majority party. However, as Democrats continue to hold a strong position in the state, a few years from now they may have that supermajority when the time comes to consider the mandated re-appropriations vote. Proponents of the proposition may win the June election battle and still lose the appropriations war in 2024.

Leslie Stewart covers air quality and energy for the Monitor.

Watershed and Woodlands Protection, or Attack on Agriculture?

By Robin Meadows

After years of trying to save the oak trees he loves in Napa County, Jim Wilson may be about to realize his dream. He's part of the team behind Napa's Measure C, an initiative on the June ballot with the twin goals of preserving oak woodlands and protecting water.

"Our hillsides are beautiful and also filter rain, keeping water clean as it replenishes aquifers," said Wilson, a retired Anheuser-Busch chemist who lives on a fifth-generation cattle ranch in Napa. "Ninety-five percent of oaks on the valley floor are gone and we want to do a better job reducing deforestation on hills."

Napa County's oak woodlands and vineyards are the focus of Measure C. photo courtesy pixabay.com

According to a 2006 report by the California Oak Foundation, oak woodlands cover about one-eighth of the state and are densest in Napa, covering some 167,000 acres, or one-third of the county. More than 90 percent of Napa's remaining oak woodlands are privately owned and about one-third are on soil that could be agriculturally productive, according to the 2010 Napa County Voluntary Oak Woodlands Management Plan.

Agriculture covers about one-fifth of the county, and today's oak woodland loss is primarily due to vineyard development. Napa vineyards covered nearly 50,000 acres in 2006, and the county's General Plan projects that they will cover another 10,000 acres by 2030. About 3,000 acres of this vineyard expansion is projected to replace woodlands.

Current oak woodland protections include requiring that two replacement oaks be planted or preserved for every mature oak felled. In addition, some oaks on private land are protected now — including those on slopes steeper than 35 percent and in riparian forests along streams — but many are not. So Wilson decided to take matters into his own hands, co-authoring the Napa County Watershed and Oak Woodland Protection Initiative. "Developers wield an awful lot of power," he said. "They are used to being able to say how we use our natural resources in Napa."

The initiative's key provisions include increasing the number of replacement oaks from two to three, and extending riparian protections to the ephemeral streams that are dry most of the year but channel rainfall during storms. Most controversially, beginning in 2030 the initiative would also limit oak removal to 795 acres. After that landowners would need a County permit to remove more oaks and even then could remove only 10 percent of the oak canopy cover on a given parcel.

Supporters of the initiative include the Sierra Club's Redwood Chapter and the Berkeley-based nonprofit Forests Forever, while opponents include the Napa Valley Vintners and the Napa County Farm Bureau — and there are local grape growers and vintners on both sides.

The local farm bureau objects most strongly to the initiative's limit on removing oaks. "Napa County has some of the most stringent oak woodland protections in the country," said Ryan Klobas, policy director for the Napa County Farm Bureau. "There is no scientific evidence to substantiate claims that the initiative is needed."

The bureau also believes that the initiative is anti-agriculture. "It narrowly targets vineyard development," Klobas said. "There are exceptions to the oak removal limit but agriculture is not one of them." Exceptions include oak removal to make room for affordable housing and other projects required by state or federal law.

Opponents also cite a legal analysis of the initiative commissioned by the County Board of Supervisors, which concluded that there is a "significant likelihood" of legal challenges. The analysis, conducted by real estate law firm Miller Starr Regalia, also said that "at least portions of [the initiative] would likely survive any legal challenge."

Another approach to protecting Napa's water from vineyard

development is already in the works. In 2017, the San Francisco Bay Regional Water Quality Control Board adopted a regulation to control pollutants from vineyards in the Napa River and Sonoma Creek watersheds. Potential pollutants include nutrients from fertilizer as well as pesticides, notably those that mimic estrogen and might have the unintended effect of feminizing salmon.

According to the Water Board regulation, vineyards are also "significant sources" of sediment, which can cause a host of problems in waterways such as clogging the loose gravel where salmon spawn. Moreover, converting forests to vineyards can "significantly increase" storm runoff and erosion. Under the new regulation, cutting down native trees above a certain size will require approval from the California Department of Fish and Wildlife, as well as planting three replacements for every tree that is cut. The regulation will be phased in over the next five years.

Of course, oak woodlands do far more than protect water quality. Oak canopies capture up to one-third more rainfall than grasslands, boosting groundwater supplies. In addition, oak woodlands are among the most diverse ecosystems in California, with more than 300 animal species, nearly 5,000 insect species, and more than 2,000 plant species, according to the San Francisco Estuary Institute. And many of these species depend on oaks.

Charles Slutzkin has what may be an unusual take on the initiative. "I find myself in the awkward position of opposing it, but supporting the preservation of oak woodlands and watersheds," said Slutzkin, a retired commercial developer who is a longtime Sierra Club member and served on the Napa County Resource Conservation District board for a decade.

He sees initiatives as a failure of governance. "You get them when the political process doesn't work," he said. "Supporters of the watershed and oak woodland initiative are well-meaning and the goal is good — but you can't write a perfect initiative."

Instead, Slutzkin favors an inclusive process like the one that culminated in Napa's Living River project, which combines flood control with environmental restoration. "I would like to see the County take leadership as it did with the Living River to create community consensus," he said.

While the initiative has divided Napa, Slutzkin noted that "there are no bad people on either side."

Robin Meadows covers water for the Monitor.

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