



Midpeninsula Regional  
Open Space District

# Memorandum

DATE: March 21, 2015

MEMO TO: MROSD Board of Directors

THROUGH: Stephen E. Abbors, General Manager

FROM: Shelly Lewis, Public Affairs Manager

CC: Ana Ruiz, Assistant General Manager; Jane Mark, Planning Manager

SUBJECT: Legislative Support Letters and Comment Letters

---

This memorandum serves to inform the Board that the District has submitted support or comment letters for the following proposed legislation and other items of interest:

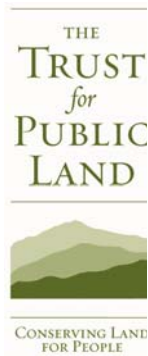
1. **AB 327 (Gordon D) – Public Works: volunteers.** This legislation would permanently make into law an exemption to allow volunteers to continue on a volunteer basis without an agency being subjected to pay a prevailing wage for duties performed. The General Manager co-signed a letter with partner agencies. The letter was reviewed by the Legislative, Funding, and Public Affairs Committee (LFPAC) at their regular meeting on 3/18/2015. (ATTACHMENT 1)
2. **AB 495 (Gordon D) – Regional park and open-space districts: general manager: powers.** This legislation would increase the purchasing authority of the general managers of MROSD and East Bay Regional Park District (EBRPD), with district board approval, from \$25,000 to \$50,000. The District co-sponsored this bill with EBRPD. Assembly Member Rich Gordon authored the legislation. A letter of thanks to Assembly Member Gordon was approved by LFPAC on 3/18/2015 and was sent on 3/20/15 (ATTACHMENT 2). The District also co-wrote a support letter for AB 495 with EBRPD, which was signed by both board presidents (ATTACHMENT 3). The letter was hand delivered to Assembly Member Brian Maienschein, Chair, Assembly Local Governments Committee, on 3/20/15. General Manager Abbors and Board President Siemens are scheduled to attend the Committee hearing for AB 495 on 4/8/15 in Sacramento.
3. **SB 317 (De Leon D) – The Safe Neighborhood Parks, Rivers, and Coastal Protection Bond Act of 2016.** Last year, Senator Kevin de Leon (D-Los Angeles) introduced the Safe Neighborhood Parks, Rivers and Coastal Protection Bond Act of 2014, SB 1086, as a

placeholder for a new state park bond. While it passed the Senate Appropriations Committee in May 2014, it stalled as the legislature debated the water bond. On 2/23/2015, Senator de Leon, now **Senate President pro Tempore**, introduced a similar bill for 2016. The details of the bill still need to be added. One specific issue of importance for the Bay Area, which may currently have less emphasis for the Pro Tempore, is per capita distribution of funds and the Bay Program of the Coastal Conservancy. The General Manager provided an update to LFPAC about the current status on a future state park bond. The General Manager signed a Support in Concept/Amendment Consideration Coalition letter on 3/20/15 with other partners (ATTACHMENT 4).

4. **UPDATE: Proposition 1: Water Quality, Supply, and Infrastructure Improvement Act of 2014.** California voters approved Prop 1 on November 4, 2014, a general obligation bond in the amount of \$7.545 billion. It includes funding for ecosystems and watershed protection and restoration, water supply infrastructure projects, including surface and groundwater storage, and drinking water protection. The bond allocates \$100.5 million to the State Coastal Conservancy to protect and restore California rivers, lakes, streams, and watersheds. The Coastal Conservancy anticipates availability of a portion of the \$100.5 million at the start of the 2015-16 fiscal year, at which time projects will be solicited following established guidelines and will be evaluated and taken to the Coastal Conservancy board for consideration. Planning Manager, Jane Mark, updated LFPAC on 3/18/2015 (ATTACHMENT 5). District Planning Department staff submitted comments on the proposed grant guidelines on 3/21/15 (ATTACHMENT 6).

**ATTACHMENTS:**

- 1) AB 327 (Gordon D) – Public Works: volunteers. SUPPORT LETTER
- 2) AB 495 (Gordon D) – Regional park and open-space districts: general manager: powers. APPRECIATION LETTER
- 3) AB 495 (Gordon D) – Regional park and open-space districts: general manager: powers. SUPPORT LETTER
- 4) SB 317 (De Leon D) – The Safe Neighborhood Parks, Rivers, and Coastal Protection Bond Act of 2016. SUPPORT IN CONCEPT WITH AMENDMENTS - COALITION LETTER
- 5) Overview of Proposition 1 Grant Program Guidelines for California Coastal Conservancy– PRESENTED TO LFPAC (3/18/15)
- 6) Proposition 1 Grant Program Guidelines (Draft February 2015) for Grants Funded by the 2014 Water Quality, Supply and Infrastructure Improvement Act through California Coastal Conservancy – DISTRICT COMMENT LETTER



March 17, 2015

The Honorable Rich Gordon  
California State Assembly  
State Capitol Building  
Sacramento, CA 95814

**RE: Assembly Bill 327 – SUPPORT**

Dear Assembly Member Gordon:

We are writing to express our enthusiastic support for Assembly Bill 327, which will permanently allow the continued reliance and use of California’s vast pool of volunteers to work on important community, environmental and conservation projects without being subject to the state’s prevailing wage laws.

As you well know, volunteerism is a critical component to maintaining vital, healthy and sustainable communities throughout California. Many Californians volunteer their valuable time on community environmental and natural resources projects designed to benefit their local communities and surroundings, such as restoring and enhancing wildlife habitat, building and repairing trails, creating neighbourhood parks, planting community gardens and trees, cleaning up beaches and other waterways, and restoring streams and wetlands. Most of these community projects would simply not occur without the time and dedication given by volunteers.

California's civic history has amply demonstrated time and time again that its residents are eager for volunteer opportunities for themselves and their children. In fact, volunteerism and civic duty has long been a deeply-held value ingrained in the lives of generations of Americans seeking to enrich their lives, their communities, and their environment. As such, it is important that California's lawmakers support state policies that foster, rather than inhibit or restrict, the ability of people to volunteer their time and energy on projects intended to enhance their communities and our natural landscapes.

In the more than ten years since the Legislature wisely enacted this volunteer exemption into state law, this statute has proven itself a vital tool in helping to keep Californians from all walks of life, young and old, urban and rural, connected to both their local community and our state's environment and natural resources in a meaningful, productive way. Moreover, these positive attributes have accrued without any evidence of examples of abuse having arisen from this statute's enactment into law. In other words, we now have more than a decade's worth of experience that conclusively shows that the volunteer exemption continues to work as originally intended and works remarkably well.

In closing, we strongly agree with you that the time has come to make this exemption for volunteers a permanent fixture in state law, thereby allowing California to continue to tap into one of our greatest, most robust and economical resources on behalf of community, environmental and conservation stewardship – the generosity of the human spirit.

We are pleased to support Assembly Bill 327 and thank you for carrying this critical measure for maintaining healthy natural and human communities.

Sincerely,

John Howell  
Arroyos & Foothill Conservancy

Lynnel Pollock  
Cache Creek Conservancy

Ann Muscat  
Catalina Island Conservancy

Catherine Koehler  
Lake County Land Trust

Terry Corwin  
Land Trust of Santa Cruz County

Tom Lisle  
McKinleyville Land Trust

Stephen E. Abbors  
Midpeninsula Regional Open  
Space District

Linus Eukel  
Muir Heritage Land Trust

Brian Stark  
Ojai Valley Land Conservancy

Andrea Vona  
Palos Verdes Peninsula Land  
Conservancy

Walter Moore  
Peninsula Open Space Trust

Jeff Darlington  
Placer Land Trust

Gail Egenes  
Riverside Land Conservancy

Dave Koehler  
San Joaquin River Parkway and  
Conservation Trust

Rob Brown  
Save Mount Diablo

Nicole Byrd  
Solano Land Trust

Rico Mastrodonato  
Trust for Public Land

Patrick Shea  
Wildlife Heritage Foundation

Regional  
OpenSpace

Midpeninsula Regional Open Space District

March 19, 2015

The Honorable Rich Gordon  
California State Assembly  
State Capitol Building  
Sacramento, CA 95814

RE: AB 495 (Gordon): Regional park and open space districts: general managers: powers

Dear Assembly Member Gordon:

On behalf of the Midpeninsula Regional Open Space District Board of Directors, I would like to thank you for authoring Bill AB 495, which would increase the District's general manager purchasing authority with District Board approval, from \$25,000 to as high as \$50,000.

As you know, the \$25,000 limit has not been changed since 2002, while inflation and local project costs have increased substantially. The District prides itself on adhering to a long standing practice of fiscal responsibility, including efficient administrative processes. This increase in purchasing authority would enable us to save hundreds of hours of staff time and thousands of dollars each year by limiting the time it takes in preparing Board approval reports, while continuing to maintain competitive public contracting procedures in compliance with law and District policy. This time and cost savings means we can dedicate more resources to opening preserves, trails, and other amenities to the public at a much faster pace, offering many more new opportunities for outdoor recreation close to home.

We appreciate your leadership in the California State Assembly and your dedication to and understanding of the need for government agencies to serve the public efficiently. We also thank you for your long standing support to open space and regional parks and trails, adding to the quality of life to the constituents of District 24 and neighboring Districts.

Sincerely,

Pete Siemens  
Board President



March 17, 2015

The Honorable Brian Maienschein  
Chair, Assembly Local Government Committee  
California State Capitol  
Sacramento, CA 95814

RE: Sponsor/Support AB 495 (Gordon) - Sponsor/Support: Regional park and open space districts:  
general managers: powers

Dear Assembly Member Maienschein,

On behalf of the East Bay Regional Park District (EBRPD) and Midpeninsula Regional Open Space District (MROSD), we are writing to respectfully request your favorable consideration of the above referenced letter. As you may know this bill would increase the purchasing authority of the general managers of EBRPD and MROSD, with the respective boards of director approval, from \$25,000 to \$50,000.

EBRPD and MROSD serve a combined 3.3 million constituents and are among the largest special park districts in the nation. The \$25,000 purchasing authority limit has not been increased since 2002, while inflation and project costs have increased substantially. Authorizing this increase would allow both districts to alleviate redundant report writing and process review time, saving considerable taxpayer dollars.

Improving administrative efficiencies are important to fulfilling our organizations' missions related to protecting natural resources and offering enjoyable outdoor healthy recreation opportunities. Changes to the authority limit will make both districts more effective for our common park and open space objectives. We therefore strongly support AB 495 and respectfully urge your aye vote.

Sincerely,

A handwritten signature in black ink, appearing to read "Whitney Dotson".

Whitney Dotson  
President  
EBRPD Board of Directors

A handwritten signature in black ink, appearing to read "Pete Siemens".

Pete Siemens  
President  
MROSD Board of Directors

cc: Members of the Assembly Local Government Committee and Consultants The Honorable Richard Gordon

## SUPPORT IN CONCEPT – SB 317 Park Bond (de León)



March 20, 2015

The Honorable Kevin de León, President pro Tem  
California State Senate  
State Capitol Building  
Sacramento, CA 95814

RE: SB 317 - Support in Concept/Amendment Consideration: "Investing in Public Access, Communities of Diversity, and Local Park Improvements"

Dear President pro Tem de León:

As you know, it has been thirteen years since the passage of a "true park bond". Proposition 84 (2006) contained elements such as the Statewide Park Program (AB 31) and funding for state parks. In contrast to Proposition 84, both Propositions 12 and 40 called for significant investments in park infrastructure at

the local level. Our agencies, comprised of both state and local park professionals, look forward to working with you, your office, and your legislative colleagues to infuse much needed financial resources into all neighborhood, regional, and state parks.

As California recovers from the recession, there is an urgent need to fix, repair, and maintain the infrastructure we already have. Nowhere is that more profound than in park and recreation departments which have backlogs of major maintenance projects that add up to billions of dollars. In order to reconcile infrastructure need, create greater public access, and balance this need with the demand for new park space in underserved urban areas, we recommend the following program expenditures for SB 317:

1. Per Capita Program (\$600 Million)
  - Both Propositions 12 and 40 contained nearly \$600 million in discretionary funds to local agencies (Per Capita and Roberti-Z'berg-Harris grants).
  - Recent polling suggests that fair and equitable distributions statewide are strongly supported by registered voters.
  - Allows for statewide equitable distributions since it is based on population and permits agencies to address individual needs (new parks, expansion, rehabilitation, acquisition)
  - Establishes reasonable minimums for entities (\$250,000 for cities and districts/\$500,000 for counties, authorities and regional park districts).
  
2. Heavily Urbanized Per Capita Program (\$150 Million)
  - Polling results from Propositions 84, 40, and 12 revealed that voters from heavily urbanized jurisdictions (Los Angeles, San Diego, Silicon Valley, East Bay, and San Francisco) strongly favor park/resources bonds when compared to the state's more suburban and rural areas.
  - Propositions 12 and 40 contained \$200 million for the Roberti-Z'berg-Harris Program, a Per Capita program that favored larger urbanized and heavily urbanized jurisdictions. Also, Proposition 40 contained a specific set-aside of \$20 million and \$10 million for Los Angeles county and city respectively.
  - Create a program that allocates funds to those cities and districts with a population greater than 100,000 and counties and regional park districts and authorities of 500,000 or more.
  
3. Statewide Park Program (AB 31, de León) (\$650 Million)
  - Program encourages the creation of new parks in disadvantaged communities statewide with particular emphasis on urban areas.
  - There is a general correlation between high rates of childhood obesity/diabetes and inadequate recreational facilities and green space which this program seeks to address.
  - Locating parks near population clusters reduces "Vehicle Miles Traveled" (VMTs) and the state's reliance on auto related transport thus reducing greenhouse gas emissions.
  - During its two grant cycle rounds, program funding demand exceeded the availability of funds nine fold.



4. Planning and Capacity Building Grant Program (\$50 Million)
  - Provide funding for qualified disadvantaged communities and NGOs in California to mobilize community resources.
  - Identify and leverage local, state, and federal funds to develop community based solutions and models to improve recreational access, amenities, and programming.
5. County and Regional Park and Open Space District and Authorities Program (\$100 Million)
  - There was reference to this program in previous iterations of park bond vehicles (SB 783 and SB 1086)
  - This would serve as a compliment to aforementioned AB 31. Of the \$362 million available for competitive grants through this program, less than \$8 million was awarded to county and regional park entities.
6. Self-Help County/City/District/Authority Match Program (\$100 Million)
  - Voters within many counties and open-space agencies (Marin County Open Space, Midpeninsula Regional Open Space District, San Francisco Park and Recreation, and Santa Clara County Open Space Authority) have recently approved measures by super-majority to locally underwrite park improvements throughout their jurisdiction. Other entities including Los Angeles County, the East Bay Regional Park District, and Sonoma County are contemplating the placement of measures on the 2016 ballot for park improvements.
  - This scenario presents opportunities and possible conflicts for a statewide park measure in 2016. A program designed in this manner can incent voters of future election cycles including 2016 to approve both state and local measures by providing for a state share of funds to leverage local resources and, in addition, reward those entities that have already gone to the local electorate to enhance or maintain service levels.
7. Recreation Trails Program (Non-Motorized) (\$50 Million)
  - Trail use is the number one form of outdoor recreation in the state. Accounting for billions of dollars in economic activity in California.
  - Funding for the Recreation Trails Program (RTP) has been severely curtailed over the years by virtue of reductions in federal awards and the reversion of RTP funds to the Active Transportation Program (ATP).
  - It is estimated that only \$2 million to \$3 million is available annually through competitive grants for trail improvements in the state.
8. State Parks Operated by Local Agencies (\$30 Million)
  - There are more than 30 units of the state park system that are operated by agencies such as Los Angeles County, East Bay Regional Park District, and others entirely at local taxpayer expense.
  - Proposition 12 contained \$18 million to assist these entities in funding improvements at the associated units.
  - Although there was funding in both Propositions 40 and 84 for state park improvements, very little of the combined \$650 million were expended at units operated by locals.
  - Funding for this program would demonstrate and reinforce the importance of local/state cooperative partnerships.

9. Renovation/Restoration and Repair (“RRR”) Program (\$100 million).

- Much of California’s local park infrastructure was developed back in the 1960-1970s and is “aging out.” During the recent recession, many communities in response to lagging tax receipts had few alternatives but to reduce maintenance schedules and close public park assets.
- In survey after survey conducted by the California Park & Recreation Society of its 400 park agency membership, existing park facility restoration consistently ranks as the highest funding priority.
- A grant program designed to address the most critical of deficiencies in existing local park infrastructure is needed.

Thank you for your consideration of this request and we look forward to working with you, your staff, and your legislative colleagues in advancing this important measure.

For more information, please contact Doug Houston at (916) 447-9884.

Sincerely,



Stephanie Stephens  
Executive Director, California Park & Recreation Society (CPRS)



Robert E. Doyle  
General Manager, East Bay Regional Park District



Rue Mapp  
Founder & Chief Executive Officer, OutDoor Afro



Rick Sloan  
President, California Association of Recreation and Park Districts (CARPD)



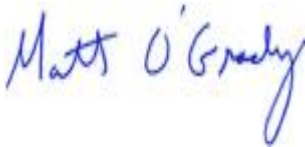
José G. González  
Founder, Latino Outdoors



Douglas D. Houston  
Executive Director, State Park Partners Coalition (SPPC)



Caryl Hart, Ph.D.  
Director, Sonoma County Regional Parks



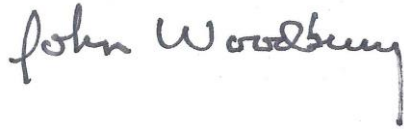
Matthew O'Grady  
Chief Executive Officer, San Francisco Parks Alliance



Stephen E. Abbors  
General Manager, Midpeninsula Regional Open Space District



Andrea Mackenzie  
General Manager, Santa Clara Valley Open Space Authority



John Woodbury  
General Manager, Napa County Regional Park and Open Space District



Laura R. Cohen, J.D.  
Director, Western Region, Rails-to-Trails Conservancy



Steve Hoagland  
President, California Association of Park & Recreation Commissioners & Board Members



Phil Ginsburg  
General Manager, San Francisco Recreation and Park District



Mark Stanley  
Executive Director, Watershed Conservation Authority

cc: Honorable Members of the Senate Natural Resources and Water Committee  
Mr. Bill Craven, Senate Natural Resources and Water Committee  
Mr. Kip Lipper, Office of Senate President pro Tem Kevin de León

**Overview of Proposition 1 Grant Program Guidelines for the  
Legislative, Funding and Public Affairs Committee (LFPAC)  
March 17, 2015 Committee Meeting**

Proposition 1, approved in November 2014, will provide \$100.5 million to the California Coastal Conservancy to fund multi-benefit water quality, water supply, watershed protection and restoration projects over the course of a decade.

- Proposition 1 requires the Conservancy administer competitive grants in an open and transparent process.
- The Conservancy has developed draft Proposition 1 Grant Program Guidelines to detail that process.
- The Coastal Conservancy has set the dates and locations for three public meetings to receive comments on its draft Proposition 1 grant guidelines:
  - March 11th in Sacramento, 901 P street, from 9-11am;
  - March 19th in Oakland, 1330 Broadway 11th floor, from 2-4pm; and
  - March 20th in Los Angeles, 320 West 4th Street, 7th floor conference room, from 10am-12pm

Assistant General Manager Ana Ruiz, Planning Manager Jane Mark and Senior Planner Tina Hugg will be attending the March 19<sup>th</sup> public meeting to submit comments and receive additional information on the grant program.

The deadline for written comments is **March 20th**, so that comments can be compiled and presented to the Conservancy Board for their March 26th meeting in Napa.

Proposition 1 directs the Conservancy to prioritize projects that benefit disadvantaged communities, achieve multiple benefits, and result in quantifiable outcomes. Proposition 1 defines a disadvantaged community as “a community with an annual median household income that is less than 80 percent of the statewide annual median household income.” Proposition 1 does not require a specific portion of funding go to disadvantaged communities. However, the Conservancy will strive to ensure that a significant portion of its Proposition 1 funding benefit these communities.

In addition, the Conservancy has identified four priorities for Proposition 1 expenditures based on the priority issues within our jurisdiction, reviewing existing state plans, and screening for projects that achieve multiple benefits, serve disadvantaged communities, and result in quantifiable outcome. These four priorities include:

- Water Sustainability
- Anadromous Fish

- Wetland Restoration
- Urban Greening

The grant application will be evaluated on a number of criteria, which include achieving at least one of the Conservancy's 13 specific purposes for allocation of the funds, including but not limited to:

- Protection and restoration of aquatic, wetland, and migratory bird ecosystems including fish and wildlife corridors
- Removal of barriers to fish passage
- Implementation of fuel treatment projects to reduce wildfire risks, protection of watershed tributary to water storage facilities and promotion of watershed health, and many other purposes for these funds,
- And other purposes identified in their Program guidelines.

Proposition 1 funds must be spent consistent with the General Obligation Bond law which means projects must entail the construction or acquisition of capital assets and/or activities that are incidentally but directly related to construction or acquisition, such as planning, design and engineering.

The grant application will be evaluated and scored against 11 criteria and weighted with different points system.

In addition to the Coastal Conservancy administering Proposition 1 grant funds, there are other state agencies administering the grant funds, such as:

- California Department of Fish and Wildlife will administer Proposition 1 grants for coastal wetland and watershed restoration,
- Wildlife Conservation Board will administer grants to secure in stream flows and
- Dept of Water Resources will administer grants related to water sustainability.



March 20, 2015

California State Coastal Conservancy  
 1330 Broadway #1300  
 Oakland, CA 94612

**SUBJECT:** Proposition 1 Grant Program Guidelines (Draft February 2015) for  
 Grants Funded by the 2014 Water Quality, Supply and Infrastructure Improvement Act

Dear Coastal Conservancy:

The Midpeninsula Regional Open Space District (District) appreciates the opportunity to review the Coastal Conservancy's (Conservancy's) draft guidelines for the Proposition 1 Grant Program and submits the following comments.

The District has been fortunate to be a grantee of Conservancy administered grants and has appreciated the efficiency and expediency of the Conservancy's process in granting and administering these funds. We truly hope that additional future grant requirements and process elements will remain streamlined to avoid negatively impacting funding opportunities and delaying or precluding an agency's ability to implement new projects that benefit the public.

Related to the regional planning work that the Association of Bay Area Governments (ABAG) is implementing with Plan Bay Area and Priority Conservation Areas (PCA), the District recommends that the Conservancy consider the use of PCA designations as one of the project selection criteria, in one or more of the following ways:

- For the criterion addressing "whether the project is consistent with best available science," PCAs are based on best available science for long-term conservation planning and can be weighted with 3-4 points out of this 8-point criterion.
- Assign additional bonus points for projects that are located within a PCA designation approved by ABAG.
- Include the PCA program as a regional planning program that is similar to the objectives related to Chapter 6 of Proposition 1. The Conservancy's update of the Strategic Plan should include the objectives of the PCA program which Proposition 1 funded projects would also be able to achieve.

Please find below specific comments related to various sections of the Program guidelines.

#### **B. Conservancy Required Project Selection Criteria**

For the eight (8) Project Selection Criteria included in Appendix C, the Conservancy should acknowledge that not all worthy projects would be located within areas vulnerable to future sea level rise, such that

this criterion may or may not apply to all projects and should be qualified as such. Would a project have to meet ALL eight of these criteria to be eligible for the grant funding? We strongly urge that projects not be required to meet this criterion to be considered eligible for funding as this criterion would eliminate many beneficial projects that meet the intent and goals of Proposition 1, and would thus potentially eliminate or delay many beneficial public projects from being completed to improve the quality of life for current and future Californians.

## **F. Project Eligibility**

On page 5, under the second paragraph, the guidelines state, “all projects funded by Proposition 1 must be consistent with the Porter-Cologne Water Quality Control Act and the State’s five-year infrastructure plan prepared pursuant to Government Code section 13100.” What year is the State’s five-year infrastructure plan and how frequently is this infrastructure updated? How can local projects be added to this infrastructure plan? It appears that this requirement may be overly burdensome for local public agencies and small organizations, particularly those with limited staff and funding. This requirement may result in the disparate distribution of funding, where only those agencies and organizations that possess the resources to complete these additional requirements will be able to benefit from the grant program.

## **III. Grant Application Process and Timeline**

### **B. Project Solicitation Periods**

The November 1 – December 31 project solicitation period is shortened by at least two business days, as this transpires over two holidays. Moreover, this is a time period when many people tend to take long, extended vacations and leaves due to the holidays, religious affiliations, and school scheduled. We strongly urge this period to be extended to mid-January for this reason to ensure sufficient time.

### **C. Application Review and Evaluation**

1. When and how would the Conservancy notify a grantee that the grantee’s application is incomplete and needs additional work to complete and resubmit? How much time would be allowed for re-submittals? Under Screening, the guidelines state, “The Conservancy has discretion to either return the application or assist the applicant with gathering additional information and modifying the proposal to enable the application to pass the screening process.” How would the Conservancy notify the grantee that the Conservancy has decided to gather additional info and modify the proposal or not?
2. If there is a discrepancy in scoring by the three initial reviewers, will there be a set number of reviewers added? An average can be affected by a higher number of reviewers.

### **D. Grant Award**

Please allow additional time for the Grantee Agency’s elected officials (boards, councils, etc.) to adopt a resolution accepting the grant funds as part of the agency’s revenues. The scheduling of new Agenda Items onto board and council Agendas can require multiple months to allow sufficient time for report production, review, and finalization for inclusion in a future Board/Council Agenda packet.

### **E. Board Meetings**

Would the Grantee be required to attend the Conservancy Board meeting during which the Conservancy Board would approve the grant? If the meeting is being held a significant distance away, is it possible to attend the meeting via videoconference or teleconference to save travel time and associated costs.



## **IV. Grant Evaluation and Scoring**

### **B. Evaluation Scoring Criteria**

For the excerpted criterion below, what percentage of the local matching funds could include in-kind labor (e.g. Construction Crew, Project Management time, CCC hours) in lieu of or in addition to matching monetary funds?

For the excerpted criterion below, how would this method or metric for measuring/reporting project effectiveness be evaluated consistently for all the project applications since each project is different and can be measured differently?

*“The extent to which the applicant demonstrates a clear and reasonable method for measuring and reporting the effectiveness of the project.”*

For the excerpted criterion below, how would this criterion be measured when there is continually new technology that is made available? Can this criterion include innovative use or development of new geographic data and analysis?

*“The extent to which the project employs new or innovative technology or practices.”*

For the excerpted criterion below, would the application require an Operations and Management (O&M) Plan and funds to demonstrate long-term sustainability? Or would the project need to demonstrate how similar projects have proven their long-term viability? It may be difficult to demonstrate the effectiveness of long-term outcomes, if the project were the first of its kind and pioneering new outcomes. Also, we urge against requiring an O&M Plan and set aside O&M funds, as these become additional burdens for project applicants. Moreover, it would also become overly burdensome for the grantor to review, monitor, and enforce such requirements. Furthermore, the required Resolution from the board/council should be sufficient to explicitly state the grantee’s commitment to maintain and operate the grant-funded project in the long-term.

*“The extent to which the project will deliver sustainable outcomes in the long-term.”*

### **BONUS POINTS**

The guidelines state, “Projects that have >100% matching funds from private, federal, or local funding sources will receive 5 bonus points.” Please clarify that non-profit funding from foundations and etc., would be included as a matching fund, and that in-kind labor (e.g. construction crew time, project management time, etc.) would be allowed as a local funding source. Please also clarify that for multi-phased projects, initial planning and design funding can also qualify as matching funds for projects that are seeking construction grant support.

It also states that “Projects that use the California Conservation Corps for project implementation will receive 5 points.” If other local Conservation Corps were used, such as San Jose Conservation Corps or American Conservation Experience, would there be additional bonus points assigned as well, even if the San Jose Conservation Corps may not be state-funded?

## **V. Additional Information**

1. What is the maximum and minimum requested amount for a grant application?
2. Is there a limit to the number of applications that can submitted by an agency at any one time?

### **C. Grant Provisions**

Regarding these provisions, the guidelines state that, “the grant agreement must be signed by the grantee before funds will be disbursed.” Since the grant reimbursement is paid in arrears, then the grantee agency must have funds to cover the initial implementation costs and submit for reimbursement. Recognizing that many agencies will seek grant funds because of insufficient capital funding to otherwise implement new project, we urge that the grant agreement be signed before funds are *incurred*, rather than disbursed.

### **D. Environmental Documents**

Would the Coastal Conservancy need to be cited as a Responsible Agency under CEQA for the environmental documents, since there will be state funding used for project implementation? Would the grant application require a Notice of Exemption (NOE) or Notice of Completion (NOC) associated with the project’s environmental compliance as part of the reimbursement submittals? Would the application require a Resolution of findings related to the adoption/certification of the environmental documents (e.g. Initial Study/Mitigated Negative Declaration and Environmental Impact Report)? When would these notices or resolutions need to be provided? Would the notices be required at the time of application, within a certain time of award of the grant funding, or at the time of grant reimbursement submittals?

### **E. Project Monitoring and Reporting**

The guidelines state, “*The grant application evaluation will assess the robustness of the proposed monitoring program.*” How would “robustness” be assessed for varying types of projects? Would there be a range of measures to evaluate a project for robustness? How frequent would reports need to be submitted? Please note that the more frequent and extended these requirements are, the greater the burden placed both on both the grantees and Coastal Conservancy staff who will need to review the information.

### **F. Leveraging Funds**

In order to demonstrate need, the project would need to show that there is insufficient funding for project implementation thereby needing this grant funding. For the matching funds, we urge the Conservancy to allow in-kind labor (e.g. construction crew time, project management time, volunteer hours, etc.) as well as early project funding (initial planning, design, CEQA compliance) as part of the matching funds. These are true, substantial, and necessary costs that an agency will bear to complete new projects and therefore demonstrate a real commitment to pursue and complete these projects.

Thank you for your consideration of these comments on the Draft Program Guidelines. If you have additional questions, please do not hesitate in contacting me at [Jmark@openspace.org](mailto:Jmark@openspace.org) or at (650) 691-1200.

Sincerely,



Jane Mark, AICP  
Planning Manager

CC: Ana Ruiz, AICP, Assistant General Manager  
Tina Hugg, Senior Planner