

COASTAL CONSERVANCY

Staff Recommendation

November 21, 2019

To: Members of the Coastal Conservancy

From: Sam Schuchat, Executive Officer
Mary Small, Deputy Executive Officer

CC: Oversight Legislators

Re: Adoption of Coastal Conservancy Proposition 68 Grant Program Guidelines

RECOMMENDED ACTION:

Adoption of State Coastal Conservancy Proposition 68 Grant Program Guidelines describing the process for solicitating, evaluating, and awarding of grants using the Proposition 68 funds.

EXHIBITS

- Exhibit 1: [Coastal Conservancy Proposition 68 Grant Program Guidelines](#)
 - Exhibit 2: [Public Comments on Draft Guidelines](#)
 - Exhibit 3: [Summary of Comments and Responses](#)
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RESOLUTION AND FINDINGS:

Staff recommends that the State Coastal Conservancy adopt the following resolution pursuant to Sections 31000 et seq. of the Public Resources Code:

“The State Coastal Conservancy hereby adopts the State Coastal Conservancy Proposition 68 Grant Program Guidelines as shown in Exhibit 1 to the accompanying staff recommendation.”

Staff further recommends that the Conservancy adopt the following findings:

“Based on the accompanying staff recommendation and its attached exhibits, the Conservancy hereby finds that:

1. The Proposition 68 Grant Program Guidelines as shown in Exhibit 1 to the accompanying staff report are consistent with Conservancy’s statutory responsibilities under Division 21 of the California Public Resources Code.
2. The Proposition 68 Grant Program Guidelines as shown in Exhibit 1 to the

PROPOSITION 68 GRANT PROGRAM GUIDELINES

accompanying staff report are consistent with Division 45 of the California Public Resources Code.”

STAFF RECOMMENDATION:

The California Drought, Water, Parks, Climate, Coastal Protection, and Outdoor Access For All Act of 2018 (“Prop 68”) was approved by voters in June 2018. Prop 68 is codified as Division 45 of the California Public Resources Code.

Prop 68 allocates a total of \$204.8 million to the Coastal Conservancy for the following purposes:

- Santa Ana River Conservancy Program \$16 million
- Santa Margarita River Parkway projects \$10 million
- San Francisco Bay Restoration Authority projects \$20 million
- Lower Cost Coastal Accommodations \$30 million
- All Coastal Conservancy Purposes \$85 million
- Coastal Forest Watersheds \$20 million
- Acquisition of parcels to protect and restore habitat associated with estuarine lagoons and designated wildlife areas \$5 million
- San Francisco Bay Area Conservancy – Climate Adaptation \$40 million
- West Coyote Hills \$4.8 million

These guidelines explain the process and criteria that the Conservancy will use to solicit applications, evaluate proposals, and award grants with Prop 68 funds under the Conservancy’s programs. The Prop 68 Guidelines identify the additional requirements and evaluation criteria applicable to Prop 68 funded grants. Funding available in Prop 68 will fund Conservancy contracts as well as grants.

The draft guidelines were submitted to the California Natural Resource Agency for approval prior to being posted for public comment. The draft guidelines were posted from October 10, 2018 until November 12, 2018. Seven comment letters or emails were received (Exhibit 2). Several comments requested clarification that has been added to the attached, revised guidelines. For example, we included a link to a mapping tool to identify severely disadvantaged communities and we expanded the description of projects benefitting severely disadvantaged communities. A summary of substantive comments and our responses is attached as Exhibit 3.

The proposed final guidelines are attached as Exhibit 1 and described briefly below.

Application Process

A Request for Proposals (RFP) to be funded with Prop 68 will be posted on the Conservancy’s website and may be updated periodically. For most Prop 68 grants, the Conservancy will use a pre-proposal process. Grant applicants will submit a short pre-proposal. Based on the review of the pre-proposal, applicants may be invited to submit full proposals. Pre-proposal applications will be accepted on a rolling basis.

PROPOSITION 68 GRANT PROGRAM GUIDELINES

Diversity, Equity and Inclusion

Prop 68 directs agencies receiving funding, to the extent practicable, to "consider a range of actions" that derive from the *Presidential Memorandum -Promoting Diversity and Inclusion in Our National Parks, National Forests, and Other Public Lands and Waters*, January 12, 2017. These actions direct agencies to expand outreach efforts, create new partnerships and improve programs to increase access by diverse populations.

Consistent with this guidance, the Conservancy will seek to undertake, and support grantees in undertaking, these actions:

- Conducting active outreach to diverse populations, particularly minority, low-income, and disabled populations and tribal communities, to increase awareness within those communities and the public generally about specific programs and opportunities.
- Mentoring new environmental, outdoor recreation, and conservation leaders to increase diverse representation across these areas.
- Creating new partnerships with state, local, tribal, private, and nonprofit organizations to expand access for diverse populations.
- Identifying and implementing improvements to existing programs to increase visitation and access by diverse populations, particularly minority, low-income, and disabled populations and tribal communities.
- Expanding the use of multilingual and culturally appropriate materials in public communications and educational strategies, including through social media strategies, as appropriate, that target diverse populations.
- Developing or expanding coordinated efforts to promote youth engagement and empowerment, including fostering new partnerships with diversity-serving and youth-serving organizations, urban areas, and programs.
- Identifying possible staff liaisons to diverse populations.

These actions are consistent with the Conservancy's Strategic Plan which identifies Environmental Equity and Justice as one of the global drivers of our work..

Community Access Grants and Explore the Coast

Prop 68 includes provisions that allow for up to 5% of funds be available for community access projects to the extent permissible under the State General Obligation Bond Law and with the concurrence of the Department of Finance. Community access projects include: transportation, physical activity programming, resource interpretation, education, multilingual translation, and communication related to water, parks, climate, coastal protection, and other outdoor pursuits.

To the extent permitted, the Conservancy will use 5% of the funds available for Lower Cost Coastal Accommodations to fund community access projects related to that program, and 5% of the \$85 million available for All Coastal Conservancy Purposes to fund community access projects via the Conservancy's existing annual Explore the Coast Grant Program.

PROPOSITION 68 GRANT PROGRAM GUIDELINES

Severely Disadvantaged Communities

Prop 68 requires that 15-20% of the funding in each chapter be spent on projects that serve severely disadvantaged communities, defined as a community with a median household income less than 60% of the statewide average. Expenditures on projects serving SDACs will be tracked in the state bond expenditure database.

For the purpose of Prop 68, the Conservancy will define “serving a severely disadvantaged community” to include projects located within 1 mile of an SDAC. The Conservancy will also define serving an SDAC to include projects that are not located in an SDAC but that provide other direct benefits to SDAC residents, including training and workforce education, job opportunities, recreational amenities, educational and recreation opportunities, increased resilience to climate change, reduced flooding, and reduced pollution burden. The Conservancy will prioritize its technical assistance for projects that serve disadvantaged communities.

Competitive Grant Rounds

Two allocations to the Conservancy - for San Francisco Bay Area Conservancy Program climate adaptation projects and for the West Coyote Hills - are required to be administered through competitive grant rounds. Prop 68 requires each state agency that receives funding for competitive grant rounds to develop and adopt project solicitation and evaluation guidelines; conduct three public meetings to consider public comments before finalizing the guidelines; and have the Secretary of Natural Resources Agency verify that the guidelines are consistent with applicable statutes and the purposes of Prop 68. The Conservancy will develop separate competitive grant round guidelines for these two programs over the next 6-8 months.

COMPLIANCE WITH CEQA

Under the California Environmental Quality Act (CEQA), a “project” consists of an action that can cause either a direct physical change or a reasonably foreseeable indirect change in the environment; and that is an activity directly undertaken or funded by a public agency, or an activity that involves the issuance of a permit or other entitlement. (Public Resources Code Section 21065). The CEQA Guidelines further define the term “project” and confirm that it does not include administrative activities of government that will not result in direct or indirect physical changes in the environment. (14 Cal Code Regs. Section 15378(b)(5)). Adoption of the proposed grant program guidelines is an administrative activity that does not have the potential to cause a physical change to the environment. Accordingly, adoption of the Prop 68 Guidelines does not constitute a project for purposes of CEQA.