STATE CAPITOL
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Assembly
California Legislature

ASSEMBLY COMMITTEE ON
ENVIRONMENTAL SAFETY AND TOXIC MATERIALS

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California Coastal Conservancy
Proposition 1: Water Quality, Supply, and
Infrastructure Improvement Act of 2014

Draft Project Solicitation and Evaluation Guidelines

Statement by
Assemblymember Luis Alejo

I thank the Conservancy members for allowing me to offer some thoughts and comments on the overall plan for the State Coastal Conservancy to implement their share of Proposition 1, the Water Bond approved by the voters last fall.

Today I wanted to make a few brief comments about the Water Bond in general and the Proposed Guidelines.

The Legislature saw the need to strengthen the ability of the Coastal Conservancy to protect our coastal waters and waterways.

As the Legislature was considering the Water Bond on August 13, we acted to add 20 million dollars to the State Coastal Conservancy and to single out a number of watersheds and to specifically identify the central coast region.

I was pleased to help make the point to the Governor and to members of the Assembly that our coastal resources, and particularly the Central Coast, was not benefiting from much of this historic water bond.

The Central Coast with its unique water needs has not traditionally benefited from the large north-south water transfer programs. Likewise, the resources provided to protect the state's Delta has not helped the central coast.

I have four points:

1) I mentioned the unique nature of the central Coast. From Santa Barbara to Santa Cruz – this is a huge geographic area that stretches resources. The Legislature recognized this need, and it was reflected in the langue of the Water Bond Act.

2) The Conservancy needs to maintain its tradition of cooperation and assistance. If we are to have multi-party projects, then the Conservancy can coordinate to make these projects possible. The Salinas River is an example of the work that needs to be done to bring federal, state, local, and private property owners together.

3) The Commitment to our disadvantaged communities must be a high priority. While we battle to provide safe drinking water, the other water needs must be addressed. Again, to assist our poorest communities, it requires development resources, organization, and governance at the local level. These communities may not have

shovel-ready projects because of the basic lack of planning and resources.

4) Finally, I would be delinquent in my duties if I did not specially mention the short-term and long-term needs of the people living along the Salinas River. The Conservancy has begun to understand the needs of this river and the need for the funding for managing the river and protecting water quality.

I look forward to working with the Conservancy and the Administration as we see the benefits of Proposition 1. The Guidelines and the process of developing projects will take all our efforts. I look forward to seeing more great work from the Conservancy.

Thank you for your time and consideration.

Amigos de Bolsa Chica
P.O. Box 1563
Huntington Beach, CA 92647

California Coastal Conservancy
1220 Broadway #1300
Oakland, CA 94612

Dear California Coastal Conservancy Grants Administrator:

I am writing on behalf of the Amigos de Bolsa Chica who have had a 40 year history working to save, restore and maintain the Bolsa Chica Wetlands. We have been successful in meeting our mission statement and now must make sure that these wetlands are saved for future generations. The Bolsa Chica Wetland is managed by the State of California and a Steering Committee made up of State and Federal Agencies.

We have reviewed the Draft Project Solicitation and Evaluation Guidelines Proposition 1, Watershed Restoration and Delta Water Quality and Ecosystem Restoration Grant Programs which is being prepared by the California Coastal Conservancy. We believe that those wetlands being managed by public agencies should be a priority when grant funding augmentation is determined. The Amigos who fought for 40 years to save the Bolsa Chica believe that the State should make it a priority to preserve our wetlands with no "net loss" of California wetlands,

Approximately 1200 acres of wetlands have been restored at Bolsa Chica, but there are approximately 400 acres which still must be restored. The "miracle" of the Bolsa Chica is that for many years, Bolsa Chica was the second largest oil field in California, and thus restoration has been a miracle of perseverance and determination. Now we must make sure that the Bolsa Chica continues to flourish and be enhanced. As we all know funding additional restoration may become a problem because of state and federal budget uncertainties. We feel that it is critical that those wetlands that have been restored continue to function as was intended in the restoration process. There are so many areas of concern including tidal circulation, tidal inlet closures, invasive species and predator controls. All of these concerns present a danger to the success of a project that has received international attention. We welcome guests from many nations who are interested in preserving their own endangered wetlands.

We must do all we can to make sure that our system of coastal wetlands are protected. Many people spent a lifetime in saving these natural resources, to lose even an acre because of neglect is something that cannot be tolerated. Therefore, we support the comments supplied by the State Lands Commission in their letter of March 16,2015 and March 19,2015 regarding Project Solicitation and Evaluation Guidelines relative to Proposition 1 project funding.

We thank you for taking the time to consider our position.

Sincerely,

Jerry Donohue, President

President, Amigos de Bolsa Chica.

RICHARDSON BAY Audubon
CENTER & SANCTUARY

March 20, 2015

Samuel Schuchat
Executive Officer
State of California Coastal Conservancy
1330 Broadway Street #1300
Oakland, CA 94612

Dear Mr. Schuchat:

On behalf of Audubon California's coastal and statewide membership, we are writing with comments on the draft guidelines for expenditure of State of California Coastal Conservancy Proposition 1 funding.

We applaud the Conservancy for developing and supporting multi-benefit projects that encourage broad habitat protection and restoration goals. As an organization devoted to birds and wildlife, we especially support your wildlife habitat and climate change adaptation goals.

Regarding the expenditure of Proposition 1 funding, we support the following requests of the San Francisco Bay Joint Venture:

- Allocate a majority of wetlands-specific funding to the San Francisco Bay Area, as identified in the geographic sub-regions of the SF Bay Joint Venture Implementation Plan and Baylands Ecosystem Habitat Goals
- Prioritize projects that meet the goals of the SF Bay Joint Venture, Central Valley Joint Venture, Southern California Wetlands Recovery Program, and other local plans
- Continuously appropriate funds with quarterly requests for proposals
- Resolve ways to provide funding to deliver habitat on state-owned lands

In addition, we request that you offer Proposition 1 funding opportunities in the form of smaller grants for local projects. This would allow local, volunteer-run organizations to apply for funding and implementation of habitat restoration and enhancement projects in their communities, and would be consistent with the Conservancy's enabling legislation and stated goals. There are many local Audubon chapters and other organizations that have streams, bays, wetlands, and marshes in their neighborhoods that could be restored or enhanced if funding could be identified, and these groups have a proven track record of stretching small grants to create impactful projects. We think that Proposition 1, supported by the electorate, is a terrific source of funds for such projects.

Finally, there is a need for improvements in all of our coastal habitats, including subtidal, upland, tidal marsh, and wetlands. For instance, the eelgrass beds in Richardson Bay, which are a cornerstone of the elaborate estuary food chain, are heavily damaged and disturbed by human intrusion. We now know that Richardson Bay supports the largest Pacific herring spawning biomass on the west coast of North America south of Puget Sound, and the importance of the eelgrass cannot be overstated in this system.

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376 Greenwood Beach Road / Tiburon, CA 94920 / Phone: (415) 388-2524 / richardsonbay.audubon.org

San Francisco Bay's wintering waterbirds rely on the calories from herring and roe in order to build strength for migration and breeding, and many other species are equally dependent on this food source. In order to support future successful herring spawning in San Francisco Bay, the eelgrass beds must be studied, protected, and where appropriate, restored. In addition to supporting funding for wetlands restoration projects, we encourage you to fund projects that improve water quality, water supply, and watershed protection by applying funding to all coastal habitat types.

Thank you for considering our comments, and for your commitment to protecting California's coastal resources.

Sincerely,

Jordan Wellwood
Center Director & San Francisco Bay Program Director
Richardson Bay Audubon Center & Sanctuary, Audubon California

Cc: Beth Huning

Batiquitos Lagoon Foundation

Preserve, Protect, and Enhance

March 22, 2015

Mary P. Small
Deputy Executive Officer
California State Coastal Conservancy
1330 Broadway, 13th Floor
Oakland, CA 94612-2512

Subject: Comments on the Draft *Proposition 1 Grant Program Guidelines* of February 2015

Dear Ms. Small:

The Batiquitos Lagoon Foundation (BLF) appreciates the opportunity to provide comments on the Draft *Proposition 1 Grant Program Guidelines*, funded by the Water Quality, Supply, and Infrastructure Improvement Act of 2014. We commend the California Coastal Conservancy (CCC) staff for hosting the recent series of three forums to gain public comment on the process and roadmap for administering the allocation of $100.5 million in public funding for approved projects. As a non-profit that has benefited over many years with our relationship with the CCC, we really appreciate the dedication and hard work by your staff to reach this point!

Our comments are provided below, and we hope they might help in fine-tuning your draft.

1. As a general comment, the prime focus of Proposition 1 was centered on water quality, supply and improvements to the supporting infrastructure. It received strong support from the various state, regional, local water boards and other related organizations, including many non-profits. The public responded with their approval. We feel that perhaps more emphasis on the overall purpose of the Prop 1 and that the evaluation criteria language should reflect how projects support this focus. Submitted projects demonstrating strong relationships with approved federal, state and local strategic plans might be considered for extra credit during the evaluation process.

2. Page 7, Grant Evaluation and Scoring, summarizes the evaluation scoring criteria and associated maximum points to be awarded. We feel that more detail should be included within each criterion to guide those writing proposals and the evaluation committee during assigning values. This would make the evaluation process more transparent and help to document how projects were evaluated. Consideration could be to include a few examples that would lead to higher points for each category. While we recognize that this is a complex process, we feel that in doing

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so, it would enable the CCC to receive more relevant and significant project proposals.

3. Especially for non-profits who are considering submitting projects, it would be helpful to emphasize that grants are *reimbursable*, that 10% of the awarded amount will be withheld from each payment invoice to be refunded upon successful project completion (including a final project report), and that those submitting projects should carefully consider project cash flow and recognize that the reimbursement process will take time.

4. Non-profit organizations rely on volunteer *in-kind* services included in matching funds support. We would like to see the guidelines recognize *in-kind support* and how that should be included in the proposed project budget. Reference to accepted volunteer hour rates for various categories of project workers would be helpful.

5. We recommend that information concerning how indirect costs (e.g., administrative, overhead) can be included. This is especially important for non-profit organizations. Reference to how non-profit organizations justify their indirect rates would help.

6. It would be helpful to have some information included relating to those organizations that are already included in the Southern California Wetlands Recovery Work Plan and can leverage their inclusion. Perhaps extra evaluation credit would be appropriate.

7. We would recommend giving extra evaluation points to partnering with one or more organizations, including state agencies (e.g., California Department of Fish and Wildlife, a local city, another non-profit). We feel that this might lead to more significant and balanced project proposals and increase the probability of success.

8. The draft process includes multiple project submission opportunities each year. Consider adding language to indicate that if a project is evaluated as a good project but did not make the cut due to available funds for one period, the project could be considered in a subsequent period without having to be resubmitted each time.

9. Consider an optional two-step process where organizations can submit a project proposal and then work with the CCC staff to improve it. Then when it is formally submitted, it should be more competitive. This would also give the CCC more advance information as to what organizations are considering for projects.

10. We would recommend including more emphasis and detail on climate change (e.g., sea level rise, higher temperatures, worsening of our drought levels, greenhouse gas rise, CO2 rise) be included. The effects on our wetlands, the associated science and existing best management practices, reductions in our potable water supply, our infrastructure (e.g., having to heighten coastal bridges over our lagoons to prevent flooding), and local economic impacts should be key project considerations. Many of our existing scientific models and *best management* practices need to be reviewed, updated and may not be deemed appropriate in the future (e.g., our current lagoon dredging, sand transport, erosion, and beach

replenishment process needs to be confirmed and, perhaps changed). Projects having strong climate change components and innovative scientific and engineering solutions might be considered for bonus points during evaluation.

As a final comment, I and my BLF Vice President attended the third regional public meeting in Los Angeles. We were concerned that some attendees used the forum for what appeared to be a political opportunity to advance their agendas that were outside the intent of the meeting. While they have the right to address such issues, we felt it very inappropriate to take time to address their issues that were outside trying to get comments on the draft guidelines document. They also appeared to demean the CCC and their many successful projects that you have funded over the years. We felt that this was unfair to you and the CCC, and did not reflect the outstanding work that you have done and are doing! You and your forum staff did a great job in trying to manage the distraction in a very professional manner. I hope my comments during the meeting helped to support the CCC and mitigate their unfair comments and the way they presented them.

In summary, we appreciate the opportunity to provide our comments. We also recognize the complexities associated with this effort and again thank the CCC staff for their hard work.

Feel free to contact me at (760) 918-2408 or email me at president@batiquitosfoundation.org if you have any questions or additional information.

Sincerely,

Fred C. Sandquist
President

BAY AREA | OPEN SPACE COUNCIL

March 12, 2015

Mr. Sam Schuchat
Executive Director
California Coastal Conservancy
1330 Broadway, 13th Floor
Oakland, CA 94612

RE: State Coastal Conservancy Proposition 1 Grant Program Guidelines

Dear Mr. Schuchat:

Thank you for the opportunity to comment on the Coastal Conservancy's Proposition 1 Grant Program Guidelines. The guidelines establish the process and criteria to be used to solicit applications, evaluate proposals and award grants. We believe the guidelines are clear and consistent with the Coastal Conservancy's best practices. While we support the guidelines, this letter outlines a few important suggestions for the Board's consideration based on the goals of Proposition 1.

First, the Coastal Conservancy has expertly facilitated the completion of critical and transformative projects in the Bay Area because of its local knowledge and ability to be nimble and flexible when faced with the unique circumstances of each project. The Coastal Conservancy has a history of understanding the needs and circumstances of the communities it serves. Agency flexibility is a powerful tool and should be embraced and maintained within the framework of this competitive grant program.

As one example, we support the staggered projects solicitations. Quarterly solicitiations will help ensure ongoing funding is available to "ready to go" projects, ground-truthing projects, and delivery of timely project outcomes.

Second, we strongly encourage the Coastal Conservancy to include land conservation as an eligible activity in any future solicitations. The permanent protection of critical lands is an essential tool to implement the "multibenefit ecosystem and watershed protection and restoration projects" outlined in Water Code Section 79731(j).

Importantly, in the Bay Area we have established conservation planning tools that can inform the grant process. For example, the Conservation Lands Network (bayarealands.org) provides a greater level of detail than state planning documents while supporting their goals and objectives, providing guidance to Bay Area conservation organizations as they develop projects. Coastal Conservancy staff have been expert participants in developing these regional tools. Use of these detailed, regional science-based tools and knowledge will help the Conservancy meet Proposition 1 outcomes.

BAY AREA | OPEN SPACE COUNCIL

We very much appreciate the Coastal Conservancy's leadership in protecting, restoring, and enhancing natural resources in the San Francisco Bay Area. We believe that neither the grantor, nor the grantee, nor the state will wins in a black box approach to grant making. Regional staff consultation has resulted in significant outcomes in the Bay Area. We strongly suggest adding in a staff technical assistance step to help prospective applicants put the best projects forward.

The Bay Area Open Space Council collaborates with land trusts, public agencies and conservation organizations to set and execute a conservation vision for the San Francisco Bay Area. For the past 23 years, we have been working regionally to protect watersheds, connect people to land, and convene efforts to steward parks, trails, and agricultural lands. We look forward to continuing to work with you and a diverse group of agencies and organizations around the San Francisco Bay to meet the goals of Proposition 1. Please let me know if you have any questions.

Sincerely,

Jennifer Fox
Executive Director
www.openspacecouncil.org

BIG SUR
LAND TRUST

March 16, 2015

Mr. Samuel P. Schuchat
Executive Officer
The Coastal Conservancy
1330 Broadway #1300
Oakland, CA 94612

RE: Comments on California State Coastal Conservancy Proposition 1 Draft Guidelines January 2015

Dear Mr. Schuchat:

On behalf of The Big Sur Land Trust (BSLT), I am pleased to submit the following comments on the State Coastal Conservancy's (Conservancy) Proposition 1 Grant Program Guidelines - Draft January 2015.

III. Grant Application and Timeline

A. Project Selection
"The Conservancy may elect to solicit targeted proposals for a specific type of project for some of the solicitation periods"

Comment: The wording of this provision suggests that at any point during the life of the granting program, the Conservancy may decide to make one or more of the proposed four annual solicitation periods eligible for applications that support a specific type of project only. The Conservancy's desire to adapt the funding program as needed is understandable. In order to avoid confusion, please consider assigning a specific grant solicitation period each year to solicit targeted proposals. This will enable potential applicants to plan accordingly and submit their projects in the most effective manner. In addition, examples of the types of projects the Conservancy has in mind, if any, for these targeted proposal solicitation periods would be helpful.

B. Project Solicitation Periods
"There will be four project solicitation periods each year..."

Comment: BSLT strongly supports the Conservancy's choice to offer four project solicitation periods each year. This frequency is especially important for projects where permit approvals must be in place prior to grant solicitation. Permit approvals are a moving target and four options to submit grant applications throughout the year increase the probability of effective project implementation.

P. O. Box 4071, Monterey, CA 93942 t:831-625-5523 f:831-658-0716 mail@bigsurlandtrust.org www.bigsurlandtrust.org

C. Application Review and Evaluation
"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."

Comment: BSLT strongly supports the Conservancy's goal to assist applicants with proposal modifications that result in a stronger project. In our experience, the Coastal Conservancy staff have consistently served as highly effective strategic planning partners for project development and implementation. Feedback from Conservancy staff leads to stronger and more viable projects that offer greater benefit to both applicant and the Conservancy.

IV. Grant Evaluation and Scoring

B. Evaluation Scoring Criteria

Comment: More details regarding how the "extent to which" is measured would be helpful in understanding if a project meets a particular criterion.

Bonus Points for Matching Funds

Comment: BSLT strongly supports the provision of awarding bonus points for matching funds. We also suggest clarification on the concept of greater than 100% match. In addition, BSLT strongly advocates for the opportunity to count other state funding as match.

V. Additional Information

A. Available Funding
"The Conservancy expects to grant approximately $10 million each year for about ten years"

Comment: BSLT is concerned about the intention to spend Prop 1 funding over 10 years, As stated in Section F. Project Eligibility of the Conservancy Guidelines: *Proposition 1 contains provisions that may make some projects ineligible, these include: All projects must be consistent with the State's five-year infrastructure plan prepared pursuant to Government Code section 13100.*

Given the consistency requirement of Proposition 1 with the five-year infrastructure plan, we respectfully suggest the Conservancy Board to consider moving the money out over a five year timeframe. This timeframe also offers the opportunity to complete larger scale watershed protection and restoration work along the coast as construction and acquisition costs tend to be much higher along the California coast than the rest of the state.

Other General Comments:
Grant Agreement Contract Terms

Comment: In order to elevate the effectiveness of project implementation, providing applicants with standard contract terms/language prior to application submission would be helpful. Project

scope of work, budget and timeline would be much better informed with prior knowledge of detailed contractual, signage, labor, reporting, and invoicing requirements.

BSLT greatly appreciates the opportunity to comment on these draft guidelines. The Coastal Conservancy has been a critical funding and strategic partner for our organization over the past three decades. We look forward to achieving important conservation outcomes in partnership with the Conservancy for many years to come.

Please contact Rachel Saunders, BSLT's Associate Director of Conservation (831-625-5523 x109; rsaunders@bigsurlandtrust.org) or me (831-625-5523 x100; jtuitele@bigsurlandtrust.org) with any questions. We appreciate the opportunity to comment.

Sincerely,

Jeannette Tuitele-Lewis
President/CEO
Big Sur Land Trust

Recommended Guidelines for Proposition 1 – Chapter 6 – Corps Requirement

California State Coastal Conservancy
1330 Broadway, 13th Floor
Oakland, CA 94612-2530

March 2, 2015

Dear California State Coastal Conservancy,

Thank you for your work to implement Proposition 1.

The California Association of Local Conservation Corps (CALCC) proposes the following language be inserted into guidelines for Proposition 1 restoration and ecosystem protection projects, consistent with Section 79734 that pertains to the required involvement of conservation corps. This language is identical to that proposed by the California Conservation Corps.

Thank you for your consideration; for any questions or more information about these recommendations or conservation corps please contact Crystal Muhlenkamp at crystal@caleec.com.

Sincerely,

Alan Lessik
President
California Association of Local Conservation Corps

Attachment 1: Recommended Guidelines
Attachment 2: Corps Consultation Review Document

Attachment 1

Recommended Guidelines
Chapter 6, Protecting Rivers, Lakes, Streams, Coastal Waters and Watersheds

Division 26.7 of the Water Code, Chapter 6, Section 79734 requires that: "For restoration and ecosystem protection projects funded pursuant to this chapter, the services of the California Conservation Corps or a local conservation corps certified by the California Conservation Corps *shall* be used whenever feasible."

Because of the mandatory nature of the foregoing provision, applicants for funds to complete restoration and ecosystem protection projects shall consult with representatives of the California Conservation Corps (CCC) AND the California Association of Local Conservation Corps (CALCC) (the entity representing certified community conservation corps) (collectively, "the Corps") to determine the feasibility of the Corps participation. Unless otherwise exempted, applicants that fail to engage in such consultation should not be eligible to receive Chapter 6 funds. Therefore, to ensure that entities allocating Prop 1 funds do so in compliance with Chapter 6's Corps participation language, the CCC and CALCC have developed the following consultation process for inclusion in Prop 1 – Chapter 6 project and/or grant program guidelines:

Step 1: Prior to submittal of an application or project plan to the Funder, Applicant prepares the following information for submission to both the California Conservation Corps (CCC) and CALCC (who represents the certified community conservation corps):

- Project Title
- Project Description (identifying key project activities and deliverables)
- Project Map (showing project location)
- Project Implementation estimated start and end dates

Step 2: Applicant submits the forgoing information via email concurrently to the CCC and CALCC representatives:

California Conservation Corps representative:
Name: CCC Prop 1 Coordinator Email: Prop1@ccc.ca.gov
Phone: (916) 341-3100

California Association of Local Conservation Corps representative:
Name: Crystal Muhlenkamp Email: inquiry@prop1communitycorps.org
Phone: 916-426-9170 ext. 0

Step 3: Within five (5) business days of receiving the project information, the CCC and CALCC representatives will review the submitted information, contact the applicant if necessary, and respond to the applicant with a Corps Consultation Review Document (template attached) informing them:

(1) It is NOT feasible for CCC and/or certified community conservation corps services to be used on the project; or

It is feasible for the CCC and/or certified community conservation corps services to be used on the project and identifying the aspects of the project that can be accomplished with Corps services.

Note: While the Corps will take up to 5 days to review projects, applicants are encouraged to contact the CCC/CALCC representatives to discuss feasibility early in the project development process.

The Corps cannot guarantee a compliant review process for applicants who submit project information fewer than 5 business days before a deadline.

Step 4: Applicant submits application to Funder that includes Corps Consultation Review Document.

Step 5: Funder reviews applications. Applications that do not include documentation demonstrating that the Corps have been consulted will be deemed "noncompliant" and will not be considered for funding.

NOTES:

1. The Corps already have determined that it is not feasible to use their services on restoration and ecosystem protection projects that *solely* involve either planning or acquisition. Therefore, applicants seeking funds for such projects are exempt from the consultation requirement and should check the appropriate box on the Consultation Review Document.

2. An applicant that has been awarded funds to undertake a project where it has been determined that Corps services can be used must thereafter work with either the CCC or CALCC to develop a scope of work and enter into a contract with the appropriate Corps. Unless otherwise excused, failure to utilize a Corps on such a project will result in Funding Entities assessing a scoring penalty on the applicant's future applications for Chapter 6 Funds.

Attachment 2

Corps Consultation Review Document
Chapter 6, Protecting Rivers, Lakes, Streams, Coastal Waters and Watersheds

Unless an exempted project, this Corps Consultation Review Document must be completed by California Conservation Corps and Community Conservation Corps staff and accompany applications for projects or grants seeking funds through Proposition 1, Chapter 6, Protecting Rivers, Lakes, Streams, Coastal Waters and Watersheds. Non-exempt applications that do not include this document demonstrating that the Corps have been consulted will be deemed "noncompliant" and will not be considered for funding.

1. Name of Applicant: Project Title:

To be completed by Applicant:
Is this application solely for planning or acquisition?

Yes (application is exempt from the requirement to consult with the Corps)
No (proceed to #2)

To be completed by Corps:
This Consultation Review Document is being prepared by:

The California Conservation Corps (CCC)
California Association of Local Conservation Corps (CALCC)

2. Applicant has submitted the required information by email to the California Conservation Corps (CCC) and California Association of Local Conservation Corps (CALCC):

Yes (applicant has submitted all necessary information to CCC and CALCC)

No (applicant has not submitted all information or did not submit information to both Corps – application is deemed non-compliant)

3. After consulting with the project applicant, the CCC and CALCC has determined the following:

It is NOT feasible for CCC and/or certified community conservation corps services to be used on the project (deemed compliant)

It is feasible for the CCC and/or certified community conservation corps services to be used on the project and the following aspects of the project can be accomplished with Corps services (deemed compliant).

_____

_____

CCC AND CALCC REPRESENTATIVES WILL RETURN THIS FORM AS DOCUMENTION OF CONSULTATION BY EMAIL TO APPLICANT WITHIN FIVE (5) BUSINESS OF RECEIPT AS VERIFICATION OF CONSULTATION. APPLICANT WILL INCLUDE COPY OF THIS DOCUMENT AS PART OF THE PROJECT APPLICATION.

Working Together.
Achieving Results.

California Water Association

March 20, 2015

Sam Schuchat, Executive Officer
The Coastal Conservancy
1330 Broadway #1300
Oakland, CA 94612

Re: Proposition 1: Water Quality, Supply, and Infrastructure Improvement Act of 2014 – Draft Project Solicitation and Evaluation Guidelines

Dear Mr. Schuchat:

On behalf of the California Water Association ("CWA"), I am writing to respectfully request an amendment to the Coastal Conservancy's Draft Proposition 1 Grant Program Guidelines to include public utilities regulated by the California Public Utilities Commission ("CPUC") as eligible grant recipients. Please note that eligibility for CPUC-regulated utilities was intended and is specified in Proposition 1.

CWA represents 113 regulated water utilities in California. Its members provide safe, reliable, high-quality water service to approximately 6 million Californians – almost 16 percent of the state's population. As public utilities defined as such under Section 216 of the Public Utilities Code, these regulated utilities have been eligible for statewide grant programs through other agencies.

CWA's efforts to work with the legislature and the administration to ensure that investor-owned water utilities regulated by the CPUC are eligible for the sale of general bond sales passed by voters date back to 2004. Most recently, CWA members were able to apply for and receive grant funds for water desalination projects under Proposition 50 and Integrated Water Resource Management under Proposition 84. CWA representatives were also very active in the drafting of Proposition 1 to ensure its members were specifically included as eligible grantees in the law.

Currently, the Coastal Conservancy's draft guidelines exclude the regulated public utilities as eligible grantees under Section IIE on Page 5 of the draft. The three types of eligible grantees listed in this section are described using the language in Proposition 1. However, the omission of these public utilities contradicts the same language in Section 79712(a) of Proposition 1, which specifies that public utilities are among the eligible applicants, and in Section 79712(b)(1), which further defines the standards of public utilities' eligibility.

Jack Hawks, Executive Director
California Water Association
601 Van Ness Avenue, Suite 2047
San Francisco, CA 94102-6316
415.561.9650
415.561.9652 fax
415.305.4393 cell
jhawks@calwaterassn.com
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Melissa Dixon, Administrative Director
California Water Association
1215 K Street, Suite 940
Sacramento, CA 95814
916.231.2147
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Lawrence Morales
East Pasadena Water Company

Keith Switzer
Golden State Water Company

Evan Jacobs
California American Water

CWA General Secretary and Treasurer
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Sacramento, CA 95814

CWA Mailing and Shipping Address
California Water Association
601 Van Ness Avenue, Suite 2047
Mail Code: #E3-608
San Francisco, CA 94102-3200

CWA simply requests that a fourth bullet be added to Section IIE on Page 5 stating that:

- Public utilities regulated by the Public Utilities Commission, or mutual water companies, as defined in Sec. 14300 of the Corporations Code, proposing projects that have clear and definite public purpose and that benefit the customers of the water system and not the investors.

This amendment is consistent with the Coastal Conservancy's intent to clarify simply for the public which entities are eligible grantees. Further, the amendment is consistent with the proposition language itself.

Please do not hesitate to contact me if you have any questions or need additional information.

Sincerely,

Jack Hawks

Jack Hawks

Cc: Honorable John Laird, Secretary for Natural Resources
Honorable Douglas Bosco, Chairman, Coastal Conservancy
Honorable Sara Ramirez, Public Member
Honorable Ann Notthoff, Public Member
Glenn Alex, Legal Counsel
Martha Guzman-Aceves, Office of the Governor

CALIFORNIA WATER PARTNERSHIP

March 23, 2015

Coastal Conservancy
1330 Broadway, 13th floor
Oakland, CA 94612

Re: Comments on Proposition 1 draft Grant Program guidelines

On behalf of the above-listed organizations, members of the California Water Partnership, we are writing to provide input into the development of the Conservancy's Grant Program Guidelines for Proposition 1. The California Water Partnership is dedicated to securing a sustainable and equitable water future for California. Our partnership advocates for adoption and implementation of the principles and practices of integrated water management. Our work ensures that water management practices benefit our public health, our environment and all Californians.

In order to evaluate the efficacy of the program in achieving these benefits, we looked for the following information in the draft guidelines:

- The extent to which state priorities are addressed;
- The identification and evaluation of multiple benefit projects;
- Specific measures to address the water-related needs of disadvantaged communities (DACs).

<u>Addressing state priorities</u>

While the guidelines appropriately recite the priorities included in the bond language, they do not include the overall directive, listed at the beginning of the chapter (Section 79730) to provide competitive grants for "multi-benefit ecosystem and watershed protection and restoration projects in accordance with statewide priorities."

The State's priorities can be found in the 2014 California Water Action Plan, for which an Implementation plan was released earlier this year. Two of the strategies in the implementation plan are appropriate for inclusion in this guidance:

- Incentivize the transformation of localized single-purpose water management projects into regionally-significant projects that provide multiple public benefits, such as ecosystem restoration, flood risk management, and water supply and water quality improvements.

- Restore native ecosystems to reduce unnecessary conflicts between water management decisions and our native fish and wildlife.

Recommendation: add to the screening process a directive to assess the project's adherence to the priorities and strategies included in the California Water Action Plan.

Assessment and measurement of multiple benefits

Proposition 1 clearly and repeatedly indicates that funds are to be used to achieve multiple benefits. The directive in section 79731, the section in which conservancy funds are distributed, reinforces and expands that statement, stating that funds are to be allocated to provide "multi-benefit water quality, water supply, and watershed protection and restoration projects for the watersheds of the state."

The California Water Action Plan includes as one of its priorities to "Increase regional self-reliance and integrated water management across all levels of government." Multiple benefit projects advance the goal of integrated water resource management. Successful projects are locally supported by multiple types of stakeholders, leverage complementary funding sources where possible, and integrate benefits across a spectrum of services, including water supply and quality, public health and safety, environmental protection, economic stability and employment opportunities in impacted communities. Critical to the success of multiple benefit projects is ensuring that the benefits promised are both quantifiable and lasting.

Unfortunately, the directive to fund multiple benefit projects is not defined in the draft guidelines, appearing only once as a one-line 5-point check-off in the Evaluation Scoring Criteria. There is no guidance for applicants, no real assessment of whether the projects are meeting this directive and almost no incentive for an applicant to take this requirement seriously. We believe that the Conservancy is missing an opportunity to improve the quality and efficacy of their projects by failing to explain and prioritize multiple benefit projects. Many potential conservancy projects already provide multiple benefits, or could do so if required.

There are many models for identifying and evaluating multiple benefits. In order to ensure that small NGOs can participate in the grant program, it might be appropriate to use a two-step process.

1) **Identifying multiple benefits**: The chart below was developed for the Los Angeles County Clean Water Clean Beaches funding initiative draft ordinance in 2013. It provides a guide to applicants to identify the benefits of proposed projects. It was designed to rate stormwater management projects, and so will require some adjustment for application to ecosystem restoration projects. Also, because it was a water quality measure, water quality benefits were quantified in a separate section and are not reflected below. However, this provides a template for assessing the many and diverse benefits of project proposals.

B. The proposed project provides multiple benefits	30 points maximum	The project delivers additional benefits beyond water quality.	Yes/No
	6 points	**B1.** Water supply	
	3 points	**B2.** Flood control	
	3 points	**B3.** Public health and recreation	
	3 points	**B4.** Disadvantaged communities	
	3 points	**B5.** Economic development/job creation	
	3 points	**B6.** Habitat protection and/or restoration	
	3 points	**B7.** Public education	
	3 points	**B8.** Demonstration project with replicability	
	3 points	**B9.** Leverages additional funds	
		Total Points Section B	

2) **Evaluating multiple benefits:** In addition to identifying multiple benefits, applicants must be able to quantify those benefits. The primary benefits – in this case, ecosystem restoration – must require quantifiable data. This could require ongoing monitoring of water supply, water quality and habitat benefits, and the Conservancy should ensure that a plan for funding monitoring is included in proposals. Social values could be measured by identifying an increase in visitors to a site, local community support, or demonstrating that new open space is located in an underserved area.

Recommendation: Include information about identifying and quantifying multiple benefits in the guidance.

<u>Specific measures to address the water-related needs of disadvantaged communities (DACs)</u>

State law requires that Integrated Regional Water Management Plans identify the water-related needs of disadvantaged communities. At the State level, state agencies are required to implement the Human Right to Water when revising, adopting, or establishing policies, regulations, and grant criteria.

We think the model of awarding bonus points for projects located in communities identified in Cal-Enviro Screen as having high pollution burdens is a good one but does not specifically address the prioritization of projects that benefit DACs within coastal areas. We recommend utilizing a combination of the Cal-Enviro Screen and the Department of Water Resources DAC map as an appropriate approach to evaluating and allocating bonus points for communities. Over and above that, we think that it is important that the project application identify how it will benefit those communities and also have a significant benefit to coastal resources. Those benefits could include flood control, open space and recreation benefits, and providing local employment opportunities through resources protection and enhancement activities.

Recommendation: Provide multiple options for identifying disadvantaged communities; require that projects that identify DAC benefits specify what those benefits are. Establish a process for prioritizing projects that provide DAC benefits

General Criteria recommendations

We recommend changes to the evaluation scoring criteria. Specifically, we urge the Coastal Conservancy to include additional detail to the criteria to help clarify how applicants can acquire points. An example of this is included above for quantifying multiple benefits. A similar approach could be used for attributing points for adherence to Prop 1 purposes and California Water Action Plan goals, for example.

We also recommend a phased proposal process. It is important that the conservancies assess how their priorities can serve other water management and community needs. As such, we recommend that flexibility be incorporated into the guidelines, so that Coastal Conservancy staff have the ability to work with prospective applicants and partners during the screening and application process to assess community needs and inform project scoping to best achieve broad multi-benefits. To that end, rather than having a single proposal solicitation, we recommend splitting the proposal process into two steps and/or explicitly providing the opportunity for consultation with Coastal Conservancy staff prior to the submittal of a final proposal. This recommended approach would help optimize resources and the Coastal Conservancy's ability to meet their strategic goals. This approach would provide applicants, particularly DACs and smaller organizations with limited resources,

onservancy staff for project readiness and overall
ces on more extensive proposal applications. This
ilize the expertise of Coastal Conservancy staff early in
nsure that projects funded by the Conservancy achieve

ent on this program. We look forward to working with
nd restore California's valuable coastal habitat.

350 Frank Ogawa Plaza, Ste. 200
Oakland, CA 94612
O: (415) 369-9171
jclary@cleanwater.org

THE CITY OF BENICIA CALIFORNIA
A SESQUICENTENNIAL CITY 1847 • 1997

CITY HALL • 250 EAST L STREET • BENICIA, CA 94510 • (707) 746-4200 • FAX (707) 747-8120

March 23, 2015

Mary Small, Deputy Director
California State Coastal Conservancy
1330 Broadway Street, 13th Floor
Oakland, CA 94612

RE: Comments on the February 2015 Draft Proposition 1 Grant Program Guidelines

Dear Ms. Small:

Thank you for the opportunity to comment on the draft guidelines. We are pleased to see this new funding available to reduce the impacts of climate change, protect and restore coastal watersheds, and improve watershed storage and stormwater resource management. The draft guidelines are well written and the program purposes and grant application process were readily understandable. We have just a few comments for your consideration as you finalize the Proposition 1 Grant Program Guidelines, focused primarily on Grant Evaluation and Scoring:

Comment 1: *IV. B. Evaluation Scoring Criteria, first criteria*
Will points be awarded on a sliding scale? Will the total points awarded be tied to the number of distinct purposes of Chapter 6 of Prop 1 achieved? Or, can 20 points be awarded if a proposal achieves one Chapter 6 purpose well?

Comment 2: *IV. B. Evaluation Scoring Criteria, second criteria*
Will specific criteria be added to clarify what "*reasonable and well thought out*" means?

Comment 3: *IV. B. Evaluation Scoring Criteria, third criteria*
We recommend considering assigning points for implementing a Sustainable Community Strategy, among the other plans recognized.

Comment 4: *IV. B. Evaluation Scoring Criteria, sixth criteria*
Will you define the phrase '*best available science*'? For example, are there Sea-Level Rise models that you prefer applicants utilize?

Comment 5: *IV. B. Evaluation Scoring Criteria, eleventh criteria*
Please define '*sustainable outcomes*' or refer applicants to a state adopted or Conservancy adopted plan or policy that contains a definition or suitable guidance.

ELIZABETH PATTERSON, *Mayor*
Members of the City Council
MARK C. HUGHES, *Vice Mayor* . ALAN M. SCHWARTZMAN . TOM CAMPBELL . CHRISTINA STRAWBRIDGE

BRAD KILGER, *City Manager*
KENNETH C. PAULK, *City Treasurer*
LISA WOLFE, *City Clerk*

Recycled Paper

Comment 6: *IV. B. Evaluation Scoring Criteria, Bonus Points*

Please clarify whether the bonus points are based on pollution or population scores, or the collective CalEnviroScreen score. For example, Benicia has high pollution scores, but is not in the top 25% for overall CalEnviroScreen scores.

Comment 7: *IV. B. Evaluation Scoring Criteria, Bonus Points*

Please clarify the California Conservation Corps application process. Do the Corps members needs to be assigned to the project at the time the application is submitted for Prop 1 funds?

For example, the Active Transportation Program grant guidelines include this language:

> *Use of the California Conservation Corps or a qualified community conservation corps, as defined in Section 14507.5 of the Public Resources Code, as partners to undertake or construct applicable projects in accordance with Section 1524 of Public Law 112-141. Points will be deducted if an applicant does not seek corps participation or if an applicant intends not to utilize a corps in a project in which the corps can participate. (0* **or** *to -5 points)*
>
> *The California Conservation Corps can be contacted at ccc.ca.gov or at atp@ccc.ca.gov.*
>
> *Direct contracting with the California Conservation Corps or a qualified community conservation corps without bidding is permissible provided that the implementing agency demonstrates cost effectiveness per 23 CFR 635.204 and obtains approval from Caltrans. A copy of the agreement between the implementing agency and the proposed conservation corps must be included in the project application as supporting documentation provided to the Department.*

This level of specificity can be helpful for applicants. Likewise, guidance to an appropriate CCC contact can be helpful for local agencies that do not have active partnerships or prior experience working with CCC.

Comment 8: *V. D. Environmental Documents*

Please clarify whether CEQA costs eligible for Prop 1 grant funding.

We appreciate the Conservancy's efficiency in drafting these guidelines, and look forward to the opportunity to discuss prospective proposals with Conservancy staff after the guidelines are finalized. We hope you find these comments helpful.

Sincerely,

Alex Porteshawver
Consulting CAP Coordinator

Cc:
Vic Randall, Parks & Community Services, Management Analyst
Brad Kilger, City Manager

MONTEREY COUNTY
RESOURCE MANAGEMENT AGENCY

Carl P. Holm, AICP, Acting Director

Michael Novo, AICP, Director of Planning
Robert K. Murdoch, P.E., Director of Public Works

168 W. Alisal Street, 2nd Floor
Salinas, CA 93901
www.co.monterey.ca.us/rma

March 19, 2015

State of California
Coastal Conservancy
Coastal Commission Members and Staff

Submitted Via Email

Regarding: Comments on California State Coastal Conservancy's Proposition 1 Grant Program Draft Guidelines

Dear Coastal Commission Members and Staff,

On behalf of the County of Monterey's Resource Management Agency, we appreciate the opportunity to submit comments regarding the California State Coastal Conservancy's Proposition 1 Grant Program draft guidelines.

The Resource Management Agency (RMA) brings together a range of functions, including Building Services, Planning, and Public Works to ensure safe building construction, plan for the future needs of the County, manage infrastructure and county facilities, and protect natural resources. The vision of the RMA is to enhance the quality of life and economic health of the community by providing responsive, efficient, and high quality public services and to promote good stewardship of natural and man-made resources.

After careful review of the draft Proposition 1 guidelines, we would like the Coastal Conservancy to consider the follow comments:

1. The RMA believes under section "II. B. Conservancy Required Project Selection Criteria," there should be an additional criteria added related to repetitive flood damage.

2. The RMA seeks clarification under section "II. F. Project Eligibility." The guidelines state "Prop 1 funds may only be used for projects that will provide benefits or improvements that are greater than required applicable environmental mitigation measures or compliance obligations." The RMA would like to know if the intent of this language is that eligible projects are only mitigation projects related to an environmental document **OR** any proposed project must go above and beyond any related environmental document if applicable.

3. The RMA seeks clarification under section "III. B. Project Solicitation Periods." Does the Conservancy envision splitting the funding equally between all four project solicitation periods within a year? **OR** Does the Conservancy plan on front-loading the funding in the first solicitation of the year and decreasing the funds available as the solicitation period continues?

4. The RMA strongly believes that projects with multiple benefits should be prioritized by the State for funding. Therefore, the RMA requests that under section "IV. B. Evaluation Scoring Criteria" the points associated with "the extent to which the project provides multiple benefits" is increased from 5 points to 8 points.

We appreciate the Coastal Conservancy's consideration of our comments, and look forward to working with the Conservancy on many projects that enhance our region's ecosystem and watershed.

Sincerely,

for Carl P. Holm, AICP
Acting Director
Monterey County Resource Management Agency

From:	Zsutty, Yves
To:	SCC Comments Email
Cc:	Fleming, Sarah
Subject:	Comments: Proposition 1 Grant Program Guidelines
Date:	Thursday, March 19, 2015 10:02:39 AM

Dear Coastal Conservancy staff,
Thank you for notifying us of the draft grant program guidelines and providing an opportunity for input.

We wish to offer the following comments.

- We seek a more clear statement about funding support for riparian corridor trails. This would be consistent with the Conservancy's following goals; protecting the natural and scenic beauty of the coast, and helping people get to and enjoy beaches and parklands. Trails increase access to natural areas within the watersheds that lead to the coast. They also provide a venue for regular visitors to monitor the condition and quality of the waterway. Public access along well-defined trails creates stakeholders that can report encampments, pollution and other factors that are detrimental to the corridors.
- The use of CalEnviroScreen is a good tool to target investment to areas that suffer from multiple sources of pollution. However, this type of targeted investment can inadvertently lead to development of incomplete and under-utilized trail segments with associated negative environmental impacts due to vagrancy, dumping and graffiti. The requirement for use of CalEnviroScreen for scoring should be adjusted to support scoring of trail reaches that close a gap or extend a trail to / from an area suffering from pollution. This approach ensures longer distance trails that will enjoy greater usage, and lead to more stakeholders for a cleaner environment.
- The Guidelines should offer a more clear statement regarding the support and funding of riparian trail projects. We propose that scoring should favor trails that meet Caltrans Highway Design Manual's Class I Bikeway standards.
- The scoring methodology should support agencies that have master planned their trail projects to support long-distance recreation and bike travel. Scoring might favor agencies with a General Plan references that support bike/trail development, a master plan for the specific trail system, or other guiding documents that demonstrates an agency's broader view of trail development.
- Section IV E establishes a Project Monitoring and Reporting component. But it does not explain how performance is to be measures. If funding a trail project, agencies should be scored on their approach to data collection of trail usage, and a documented history of counting that insures that they can accurately predict and confirm the successful usage of a trail improvement project.

Thank you for considering our input.

Please don't hesitate to contact me if you have any questions.

- Yves

Yves Zsutty, Trail Manager

City of San Jose - Trail Program
Parks Recreation and Neighborhood Services
200 East Santa Clara Street, 9th Floor
San Jose, CA 95113
408 793 5561, fax 408 292 6416

Trail Program homepage
Twitter SanJoseTrails
Park/Trail Concerns email

From: Johnson, George
To: SCC Comments Email
Subject: Costal Conservancy Draft Proposition 1
Date: Monday, March 09, 2015 11:19:52 AM

Hello,

The City of Santa Barbara would like to provide the following comment regarding the Coastal Conservancy draft project solicitation and evaluation guidelines for the Proposition 1 water bond,

1) Project Solicitation Periods (page 6): We believe an annual application cycle (as opposed to the proposed quarterly application cycle) would be more efficient for both Coastal Conservancy staff and applicants.

Thank You,

George Johnson
Creeks Supervisor
City of Santa Barbara
(805) 897-1958

From: Bruce Campbell
To: SCC Comments Email
Subject: CSCC Prop. 1 Grant Program Guidelines Draft February 2015 Comments
Date: Monday, March 23, 2015 3:59:37 PM

March 23, 2015

Bruce Campbell
3520 Overland Ave. # A 149
L.A., CA 90034

To whom it may concern:

I hope that there is a clearly transparent process in selecting those who will review applications to get funding under Prop. 1. Let the public comment on this process as well.

In consideration of funding projects in lower watercourses and coastal wetland areas, carefully assess through the NEPA / CEQA process that if cement levees along lower watercourses are removed, how will urban populations and property fare if an El Nino or other major storm caused severe flooding along the lower watercourse. Please also evaluate how “inviting the ocean in” in some coastal wetland areas flies in the face of common sense in this era of global climate change and ocean elevation rise.

Thanks for your consideration.

Sincerely yours,

Bruce Campbell

From:	Lopez, Patricia Ext.8998
To:	SCC Comments Email
Cc:	Carranza, Ogarita x5174
Subject:	MBSST - Moss Landing Bicycle/Bridge Trail Project
Date:	Thursday, February 19, 2015 1:06:27 PM
Attachments:	MBSST Project Alignment.pdf

The County of Monterey is working on a project in North Monterey County in the Community of Moss Landing (see attached map). The Project is approximately .86 miles long. It extends from the North Harbor (northwest side of the existing State Highway 1 Bridge) to Moss Landing Road (South Harbor). It includes the construction of a 10 foot paved bicycle path with 2 foot wide decomposed granite shoulders on either side of the path and a 386 foot bridge over the Elkhorn Slough. The project provide safe community coastal access and connects the North and South harbors.

We have completed 80% design, 100% NEPA and 90% CEQA, and right-of-way is underway. The project is funded through right-of-way and construction is partially funded. The total estimated project cost is $10.3M.

In reviewing the draft Coastal Conservancy Prop 1 guidelines it appears this project would not qualify for Prop 1 funding. However, I wanted to check-in and get the grantors opinion.

Thank you

Patricia A. Lopez

Management Analyst III / Project Manager

County of Monterey
Department of Public Works
168 West Alisal Street / 2nd Floor
Salinas, CA 93901-2438
P: 831.755.8998
F: 831.755-4958
E: lopezp@co.monterey.ca.us

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From:	Breaux, Terrell
To:	SCC Comments Email
Subject:	Pro 1 Grant Program Guidelines - Comments
Date:	Friday, March 20, 2015 11:34:31 AM
Attachments:	image002.png image004.png image005.png

The City of San Diego Public Utilities Department is very interested in the California State Coastal Conservancy's Grants Funded by the Water Quality, Supply, and Infrastructure Improvement Act of 2014 and welcomes the opportunity to provide comments on the Proposition 1 Grant Program Guidelines. As such, the following comments are provided for your consideration.

II. Programs Purposes, Required Criteria and Eligibility (pg. 3)

C. Purposes of Proposition 1, Chapter 6 (pg. 4)

C8 page 4, An explanation of fuel treatment projects would be appreciated.

C11 page 5, A statement that projects that remediate mercury contamination ***not*** from legacy mines, will be eligible.

E. Eligible Grantees (pg. 5)

Tribes are listed as eligible grantees, however under F. Project Eligibility; projects must be consistent with the Porter-Cologne Water Quality Control Act and CEQA. Tribes are exempt from the Porter-Cologne Water Quality Control Act and CEQA. Unless this is amended to exclude tribes, there is little chance tribes will be willing to participate.

III. Grant Evaluation and Scoring (pg. 7)

B. Evaluation and Scoring Criteria:

Bonus Points (pg 8)

Comment: If a project has >100% of matching funds, I don't see why they would be applying for a grant.

Again, the City of San Diego Public Utilities Department commends your efforts and appreciates the opportunity to review and comment on the funding criteria. If you have questions regarding the content of this letter, please feel free to contact Terrell Breaux, Grants Administrator, at (858) 292-6469 or tbreaux@sandiego.gov.

Sincerely,

Lee Ann Jones-Santos
Public Utilities Deputy Director

Terrell D. Breaux | Senior Management Analyst
Public Utilities Department
Finance and Information Technology Division (FIT)

Grants & Loans Section
858-292-6469 Office
MS 901A

Quality, Value, Reliability - In Every Drop!

From: Nancy Schaefer
To: SCC Comments Email
Subject: Prop 1 grant guideline comments
Date: Friday, March 20, 2015 3:20:23 PM

On behalf of the California Rangeland Trust, I am providing comments on the Coastal Conservancy's draft Proposition 1 Grant Program Guidelines. We support the types of projects described in the guidelines, but want to encourage the Conservancy to fund rangeland conservation easements that protect watersheds, water supply, water quality, groundwater recharge along with numerous other ecosystem benefits.

Thank you for the opportunity to comment and we look forward to working with you on Prop 1 projects.

Nancy Schaefer
Bay Area Program Manager
California Rangeland Trust

****

Nancy Schaefer
California Rangeland Trust
Bay Area Program Manager
2048 Lost Lake Place
Martinez, CA 94553
925.969.1954
c. 925.890.4800

From:	Leslie Schenk
To:	SCC Comments Email
Cc:	Emiko Thompson
Subject:	Proposition 1 Draft Guidelines Comments
Date:	Thursday, March 19, 2015 4:55:44 PM

Good afternoon,

The County of Los Angeles Department of Public Works has the following comments on the draft Proposition 1 guidelines:

IV. Grant Evaluation and Scoring

B. Evaluation Scoring Criteria:

Comment- Further break down points in the Evaluation Scoring Criteria to:

- Include points for sediment management in water bodies which would protect and restore coastal watersheds and river parkways.
- Include points for rehabilitation, upgrades, or replacement of aging infrastructure (e.g., storm drain outlets to the ocean)
- Include points for projects that improve water quality

Thank you,

Leslie Schenk
Government Relations Group
Department of Public Works
p. 626-458-5946
Follow us on Twitter @LAPublicWorks, @LACoGoModal
Website: http://dpw.lacounty.gov/

From: Joyce Dillard
To: SCC Comments Email
Subject: Comments Coastal Conservancy Draft Prop 1 Guidelines due 3.20.2015
Date: Friday, March 20, 2015 4:29:58 PM

We see no language as how to monitor and measure the results of the criteria.

With the following language:

> *Prop 1 funds may only be used for projects that will provide benefits or improvements that are greater than required applicable environmental mitigation measures or compliance obligations.*

Only provision is required, not measurable results. There is no direction of how to quantify *greater than required.* Environmental mitigation measures or compliance obligations should have a reporting mechanism. Other than by a permit, is mitigation or compliance actually achieved.

Eligible Grantees states:

> *Any private, nonprofit organization that qualifies under Section 501(c)(3) of the United States Internal Revenue Code, and whose purposes are consistent with the Conservancy's enabling legislation (Division 21 of the Public Resources Code).*

We disagree. There is no accountability to the public for grant funding spent nor is there justification of overhead. The public should be reassured that public funding is spent with accountability.

This set-up is a privatization with no accountability. Contracting is an issue and the allowance allows for contracting without bids and possible collusion.

Non-profit does not mean no profit. Assets can appreciate in that environment.

Auditing, public records access and record retention are not addressed in these guidelines.

Joyce Dillard
P.O. Box 31377
Los Angeles, CA 90031

From: Kellyx Nelson
To: SCC Comments Email
Subject: Comments on Coastal Conservancy Draft Proposition 1
Date: Tuesday, February 03, 2015 10:13:37 PM

Thank you for the opportunity to comment on the draft project solicitation and evaluation guidelines for the Coastal Conservancy's implementation of the Proposition 1 water bond. Following are two recommendations that I would like to offer:

- pp.7 and 9, regarding the Grant Agreement: Applicants would benefit from knowing standard contract terms ahead of time (perhaps including the boilerplate contract as an attachment to the solicitation notice) to ensure that the proposed work and budget can sufficiently meet detailed contractual requirements, such as contractor bonding requirements, specific signage requirements, labor policies or requirements, reporting requirements, whether or not a percent of the grant is retained until the project is completed, etcetera.

- p.8, regarding demonstration of community support: Please broaden the score for community support to include support for the project goals/ type of project. For example, the community may be largely unaware of a specific project to improve water use efficiency on a private farm, yet there is strong community support for water conservation generally.

Thank you for your time and consideration of these comments.

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Kellyx Nelson
Executive Director
San Mateo County Resource Conservation District
625 Miramontes Street Suite 103
Half Moon Bay, CA 94019
phone: 650.712.7765 x102
fax: 650.726.0494
www.sanmateorcd.org

From: Small, Mary@SCC [mailto:Mary.Small@scc.ca.gov]
Sent: Monday, February 02, 2015 3:37 PM
Subject: Coastal Conservancy Draft Proposition 1

The Coastal Conservancy has developed draft project solicitation and evaluation guidelines for implementation of the Proposition 1 water bond. The public is encouraged to review and comment on these draft guidelines (www.scc.ca.gov).

From: Marianne Tyler
To: SCC Comments Email
Cc: MTyler00 MTyler00
Subject: Comments on CSCC Proposition 1 Grant Program Guidelines (Draft - February 2015)
Date: Monday, March 23, 2015 5:45:25 PM

COMMENTS on CSCC PROPOSITION 1 GRANT PROGRAM GUIDELINES (DRAFT of FEBRUARY 2015)

Thank you for providing this opportunity for public input via email on the California State Coastal Conservancy's Draft Proposition 1 Grant Program Guidelines (Draft — February 2015). I was unable to attend the Conservancy's hearing re: this draft in Los Angeles on Friday, March 20, 2015, or travel to the hearings in other parts of the state, so I am extremely grateful for the opportunity to provide comments now. I feel that it is extremely important that citizen input be solicited, heard and taken into serious consideration by the Conservancy through the entire grant and project process from evaluation to funding and all the way through to completion. Given this, as you will see, most of my comments focus on transparency and the opportunity for community comment and input.

1. **Grant Application Process & Timeline, Application Review & Evaluation, Scoring.**

I am concerned as to how the reviewers will be selected and vetted. While it is important that reviewers be required to self-disclose conflicts of interest in reviewing proposals, I believe it would be much better to also include an open period for potential reviewers to be named and open to public comment prior to being confirmed. This would allow for review and submission of citizens' concerns regarding possible conflicts of interest that the reviewers themselves did not consider or disclose. It would also help to ensure diversity of opinion and background and the respect of the reviewer's peers. The composition of the reviewers selected will have an extremely significant impact on the type of proposals selected for funding, and, therefore, should be an open and transparent process. This is particularly important in the case of controversial projects where the reviewers must be absolutely above reproach from either side for the process to be seen as fair.

2. **Program Purposes, Required Criteria and Eligibility, Conservancy Required Project Selection Criteria.**

The criteria provided are excellent, and very important. I am concerned, however, as to how you plan to confirm "Support from the public." This is related to the comment below regarding timing and location of public feedback sessions. Also, if public support is a required criterion, how will it be measured and ensured? If there is substantial negative public feedback, a grant proposal should not be funded until, and unless, community support has been achieved. I am deeply concerned that the short period for public review and the potential for open meetings that are up to

eight hours distant from the location of the project in question may blind the board to the controversial nature and, especially, the public's strong opposition to a project.

3) **Grant Application Process & Timeline, Board Meetings.**

As I understand it, the CSCC is planning to share a staff report describing each project 10 days prior to its consideration for funding at a Conservancy Board meeting. Such board meetings will continue to rotate around the state. This is an unnecessarily short period for review and comment on what may be a rather large number of proposals. In fairness, the public should have as much time as the staff and reviewers have had to consider proposed projects. Furthermore, the actual proposals should be subject to review by the public, not just a staff report on such proposals. All proposals submitted should be posted on the CSCC site for public review, in addition to the subsequent staff reports provided on those that meet the initial evaluation criteria. Public comments and concerns regarding each proposal should be allowed in order to provide the CSCC with the required indication of public support for or opposition to the proposed grant's activities. Further, any project with substantial community impact in size or duration should be heard in the region where the project will be executed so that those impacted by the project may address their concerns to the board in person.

Sincerely,
Marianne Tyler
7820 West 81st St.
Playa del Rey, CA 90293
Telephone: 310-306-7198

From: Birosik, Shirley@Waterboards
To: SCC Comments Email
Subject: comments on draft Prop 1 guidelines
Date: Tuesday, February 03, 2015 9:25:08 AM

A couple of things struck me after doing a quick run-through. One, it's not perfectly clear whether land acquisition is allowed. There a couple of places mentioning land acquisition but the first mention is in reference to not allowing eminent domain and only later is there reference to a tax credit potential for acquisition projects. Second, it's not clear how "coastal" is being defined. There's mention of river parkways and even the Central Valley.

Shirley A. Birosik, Watershed Coordinator
California Regional Water Quality Control Board, Los Angeles Region
320 W. 4th St., Suite 200
Los Angeles, CA 90013
213-576-6679 (phone)
213-576-6686 (fax)
Shirley.Birosik@waterboards.ca.gov

From:	Wendy Trowbridge
To:	SCC Comments Email
Subject:	Comments on Prop 1 draft guidelines
Date:	Friday, March 20, 2015 2:04:38 PM

I would like to make two brief comments:

1. A short pre proposal process could save time and resources for both potential applicants and the Coastal Conservancy staff by weeding out ineligible or inappropriate projects.

2. I appreciate the attempt to create an objective and transparent scoring system but grant applications are not easily compared and no scoring system can substitute for the experienced judgement of your staff members.

Thank you,

Wendy
--
Dr. Wendy Trowbridge
Director of Restoration and Conservation Science Programs
Laguna de Santa Rosa Foundation
900 Sanford Road, Santa Rosa, CA 95401
P (707) 527-9277, xt. 108
F (707) 527-5075
www.lagunafoundation.org

From: Ben Harwood
To: SCC Comments Email
Subject: Comments re draft (2/15) Proposition 1 Grant Program Guidelines
Date: Thursday, March 12, 2015 2:28:43 PM

The draft guidelines clearly outline the process and criteria for the Prop 1 Grant Program. The availability of these voter approved water bond funds is a testament to the public's appreciation for the essential value of these vital resources. The $100.5 million the Prop 1 funds anticipated for the administration of the State Coastal Conservancy will deliver multiple public benefits for years to come.

The SCC's strategic and philanthropic partnerships with the Golden Gate National Parks Conservancy and our National Park Service and Presidio Trust partners have helped ensure the success of numerous outstanding projects in the parks. These include the transformational restoration of the wetland, dune and shoreline habitat at Crissy Field and the construction of the Crissy Field Center (which now serves over 20,000 diverse urban children and youth each year in environmental education programs), and numerous other landmark coastal habitat restoration, trails and visitor access enhancement projects including Lands End and the California Coastal Trail in the Presidio (San Francisco), Mori Point (San Mateo), and Redwood Creek at Muir Beach (Marin), among others.

We have no doubt that our future collaborations with SCC will further strengthen our organizational capacity to move our park projects from vision to reality. The Golden Gate National Parks are thrilled that with the passage of Prop 1, the Coastal Conservancy can continue its mission, which, in turn supports our shared goals to protect and enhance coastal habitat and parklands, and aligns with our commitment to improve public access and welcome underserved audiences.

Benjamin Harwood
Director, Foundation Support
Golden Gate National Parks Conservancy
(415) 561-3036

From: Marc Saltzberg
To: SCC Comments Email
Subject: Comments regarding 2015 DRAFT Proposition 1 Grant Program Guidelines
Date: Monday, March 23, 2015 4:32:51 PM

Comments regarding 2015 DRAFT Proposition 1 Grant Program Guidelines

3/23/15

According to the Draft Guidelines:

III.C. States:

> No grant shall be awarded unless the Conservancy Board has approved the grant at a public meeting. The Conservancy typically holds five public meetings per calendar year. The meeting schedule will be published on the Conservancy's website. The agenda for each public meeting will be published on the Conservancy's website ten days in advance of the meeting. Conservancy staff will prepare a report for each proposed grant presented to the Conservancy Board at a public meeting. The staff report will describe the project and explain how the project is consistent with the Conservancy's enabling legislation, the Conservancy Program Guidelines, the Conservancy's Strategic Plan and the evaluation criteria in these Prop 1 Grant Program Guidelines.

Comments:

1. Public meetings at which comment may be made on a project are held in various locations around the state. The process of collecting public comment is therefore dependent on the public's ability to attend the meeting. It makes little sense to consider projects that will impact Los Angeles County at a meeting in Eureka – the community that will be impacted by the project will be effectively excluded from the meeting by the geography.
2. It is implied is that the staff report for a project will be available to the public 10 days prior to the Board Meeting at which the project is to be considered. Unstated is when the project application will be made available to the public (if at all).

> This seems an unreasonably short time for the public to respond to a project. I respect the reviewers need to score projects without public pressure and staff's need to release all projects at the same time to insure fairness of consideration. But there is clearly significant lead time prior to the availability of the staff report to the public that could be used by the public to familiarize itself with the proposed projects prior to the Board Meeting. I suggest that the project application be made available to the public at the time it is sent to reviewers to allow the public to come to its own conclusions about a project. If this is unfeasible, the project application should be made public at least at the same time it is made available to staff f after the review process.

IV.C. States:

> Up to 8 points shall be awarded to projects where the applicant demonstrates community support.

Comments:

1. Item II.B. of the guidelines lists 8 required selection criteria for funding and that public support must be one of the criteria. To me it seems that 8 points is insufficient weight for one of these eight criteria; simple math would suggests that each would be worth 12~13 points.

2. The process does not specify how community support shall be determined. I believe this should

be spelled out; does the Conservancy look at petitions? Are public meeting to be conducted by applicants and comments gathered?

3. How will points be awarded in projects where public support is split, with some part of the community in favor of the project ans some part of the community against the project? It would be unfair to award points in such a circumstance; in fact, if the public is actively opposed to a project, perhaps point should be taken away…

Thank You,

Marc Saltzberg
Vice President, Venice Neighborhood Council (title is for ID purposes only)

From:	Kathy Knight
To:	SCC Comments Email
Subject:	Draft Prop 1 Guidelines
Date:	Sunday, March 22, 2015 4:18:50 PM

RE: http://scc.ca.gov/files/2015/02/SCC-Prop-1-Guidelines-Draft-Feb-2015.pdf

I want to see total transparency and easy public accessibility to any and all information regarding these grants - who they go to, how much, and a report on exactly how the money is spent.

I want this so that we the public do not have to spend so much time and energy trying to understand how public funds are spent, especially if it is through a private 501 c3 organization., such as the Bay Foundation.

Thank you very much,
Kathy Knight
Ballona Ecosystem Education Project
(310) 613-1175

DUCKS UNLIMITED

Western Regional Office
3074 Gold Canal Drive
Rancho Cordova, CA 95670-6116
(916) 852-2000 fax (916) 852-2200
www.ducks.org

March 18, 2015

Sam Schuchat
Executive Director State Coastal Conservancy
1330 Broadway, 13th Floor
Oakland, CA 94612

RE: Ducks Unlimited (DU) Comments on Prop. 1 Draft Guidelines

Dear ~~Mr. Schuchat~~ SAM:

I am writing to provide comments on the California State Coastal Conservancy (SCC)'s draft guidelines for Proposition 1 funding. Ducks Unlimited supports the adoption of the guidelines and release of funds to support habitat as specified under Proposition 1. DU appreciates SCC's regional leadership in habitat planning and project management, and believes that SCC's draft guidelines are reflective of SCC's existing grant making strategies, which will help ensure effective rollout of the Proposition 1 funds. Ducks Unlimited would like to acknowledge the leadership SCC has taken in collaboration with DU, the Joint Ventures (JV), and JV partners in delivering successful wetland habitat protection and restoration projects. We would like to offer the following specific comments that will ensure that projects of mutual interest can be funded under Proposition 1 in a timely way.

1. *Fund non-profits and other entities to manage and construct projects on state lands, as well as private and federal lands*. There are vast acreages in State ownership (e.g. Bel Marin Keys, Eden Landing, Moss Landing) that require restoration. DU encourages creative solutions to applying Proposition 1 funds to wetland restoration on state lands, by partnerships between the various state agencies and with nongovernmental organizations. DU believes that the multiple habitat benefits, such as water quality improvements, increase in ecosystem functions and services, improved flood protection, and increased conservation benefits, that could be achieved through funding otherwise competitive projects are more important than land ownership.

2. *Both continuously appropriate funding (4 X per year) and include a need based element to funding availability for high scoring projects* – for instance if a particular project opportunity exists, don't discount funding (full or partial) based on a preset funding schedule. Quarterly RFP's will help ensure ongoing funding is available to those projects that are 'ready to go" and ensure that projects can be delivered in a timely way, as well as provide important "match" for other funding sources.

3. *Include the Joint Venture Implementation Plans and/or adopted projects among the planning documents referenced in the Strategic Plan.* We recognize Conservancies are critical partners in conservation and have participated closely in and led regional planning efforts (e.g. Baylands

Ecosystem Habitat Goals Update and Subtidal Habitat Goals), in addition to actively participating in Joint Ventures. There are two Joint Ventures (San Francisco Bay and Pacific Birds Habitat), the Delta focal region of the Central Valley Joint Venture, and the Southern California Wetlands Recovery Program (SCWRP) within the jurisdiction of the Conservancy. Inclusion of their respective implementation plans among the planning documents referenced in the Strategic Plan to enable the Conservancy to select vetted projects prioritized by the JV's, and as a result, project partners can help Conservancies demonstrate success by delivering conservation in a strategic and thoughtful way.

4. *Prioritize funding for restoration of San Francisco Bay Area wetlands.* As the largest estuary on the West Coast, as critically important habitat for numerous species, as the wintering grounds for over ½ of the Pacific Flyway diving duck population, and with a number of well-planned, thoroughly vetted, large scale restoration efforts currently underway, there are clear and compelling reasons to devote a large portion of restoration funds to San Francisco Bay Area. Climate change and associated sea level rise lends particular urgency to restoring San Francisco Bay Area tidal marshes and associated habitats to maximize habitat resiliency , protect migration areas, and provide biotic integrity, and is among the leading recommendations of the Baylands Ecosystem Habitat Goals Update, which urges restoration of Bay Area tidal marshes by 2030.

Thank you again for the opportunity to provide input into SCC's Proposition 1 guidelines. We look forward to continuing our collaboration with the Conservancy to deliver wetland habitat conservation projects that will demonstrate the success of Prop. 1.

Sincerely,

Mark E. Biddlecomb
Director of Operations

earth LAW CENTER
AWAKENING TO EARTH RIGHTS

P.O. Box 3283 Fremont, CA 94539
tel (510) 490-1690
www.earthlawcenter.org

March 19, 2015

Samuel P. Schuchat, Executive Officer
The Coastal Conservancy
1330 Broadway #1300
Oakland, CA 94612
VIA ELECTRONIC MAIL: comments@scc.ca.gov

Re: Comments on Proposition 1 Grant Program Guidelines (Draft, Feb. 2015)

Dear Executive Officer Schuchat:

Earth Law Center (ELC) welcomes the opportunity comment on the State Coastal Conservancy's (SCC) Draft Proposition 1 Grant Program Guidelines.[1] With the passage of Proposition 1[2] in November 2014, the state has a significant, new opportunity to ensure much-needed funding for multibenefit ecosystem and watershed protection and restoration projects. ELC is writing to urge the SCC to add to its draft Guidelines language specifically calling for greater inter-agency collaboration and activity in order to maximize the potential benefits of overlapping Proposition 1 funding and mandates. In particular, we request two things: first, that the following criterion be added to Section IV of the draft Grant Program Guidelines:

- The extent to which the project integrates in the related Proposition 1 funding resources and activities of other state agencies.

And second, we ask that as the proposal solicitation and review process commences, the SCC affirmatively reach out to other state agencies with related Proposition 1 funding sources and activities to establish, as appropriate, shared and/or jointly funded efforts (*e.g.*, through joint proposal solicitations) that "produce the greatest public benefit" from Proposition 1's limited funds. Support for these requests is provides below.

PROPOSITION 1 EMPHASIZES COORDINATED, LEVERAGED AGENCY ACTION TOWARD IMPLEMENTATION OF MULTIBENEFIT PROJECTS

Proposition 1 emphasizes the importance of both collaboration and leveraging of funds in ensuring successful implementation of multibenefit projects.[3] At the February 10th Assembly Water, Parks and Wildlife hearing on Proposition 1,[4] agency Secretaries and Department heads repeatedly noted

[1] http://scc.ca.gov/files/2015/02/SCC-Prop-1-Guidelines-Draft-Feb-2015.pdf.
[2] Water Quality, Supply, and Infrastructure Improvement Act of 2014, available at: http://bondaccountability.resources.ca.gov/PDF/Prop1/PROPOSITION_1_text.pdf.
[3] *See, e.g.*, Water Code §§ 79707, 79730-31.
[4] http://awpw.assembly.ca.gov/currentsessionoversighthearings; *see also* summaries at: http://mavensnotebook.com/2015/02/24/proposition-1-oversight-hearing-part-1-background-on-the-water-bond-and-principles-for-moving-forward/, http://mavensnotebook.com/2015/02/25/prop-1-oversight-hearing-part-2-first-out-of-

the importance and value of leveraging different sources of funds through collaboration. For example, Secretary Laird highlighted that the California Water Action Plan is to be the framework for Proposition 1 bond expenditures and noted that the Plan describes "[c]ollaboration between federal, state, local and tribal governments" as "not only important," but "essential" to success. (Emphasis added.) California Department of Fish and Wildlife (CDFW) Director Chuck Bonham added at the hearing that a critical element of the Water Action Plan is "integration," noting that the Plan appropriately forces dialogue among CDFW and other agencies toward "greater gain through our integrated efforts across departments."[5] This is consistent with Proposition 1's statement of intent that funding be prioritized toward projects that "produce the greatest public benefit."[6]

A related point emphasized in Proposition 1 and at the February 10th Water, Parks and Wildlife hearing is the need to support integrated, *multibenefit* projects. Proposition 1, Chapter 6 highlights multibenefit projects in both Water Code Sections 79730 ("multibenefit ecosystem and watershed protection and restoration projects") and 79731 ("multibenefit water quality, water supply, and watershed protection and restoration projects for the watersheds of the state"). The California Water Action Plan similarly "[e]ncourage(s) state focus on projects with multiple benefits," and adds that "the commitment to emphasize multiple benefit projects will be applied to most of the actions in this plan." Former DWR Director Lester Snow further testified at the February 10th hearing that an effective integrated approach to Proposition 1 implementation would maximize spending impacts through integration of funding toward a shared goal.

A number of agencies have released draft Proposition 1 guidelines that relate closely to the type of watershed protection and restoration work supported within the SCC. For example, the Governor's January budget allocates $38.9 million to the Wildlife Conservation Board (WCB) for enhanced stream flow projects, and $36.5 million to CDFW, $30 million to the Ocean Protection Council (OPC), and $83.5 million to the state Conservancies for watershed-related projects. In light of Proposition 1's mandates for accountability and coordination, agencies should seek mutually beneficial partnerships that allow them to achieve the collaborative, leveraged, multibenefit results emphasized by the Governor and his administrative agency leadership.

The Natural Resources Agency must "verify that the guidelines are consistent with applicable statutes and for all the purposes enumerated in this division" – including the repeated emphasis on collaboratively leveraged funding toward multibenefit projects.[7] Clear processes for collaboration and integration of effort with other agencies would enhance the likelihood of approval by the Agency. As the first agency to release Proposition 1 draft guidelines, the SCC can set the tone for the others by adopting language that encourages such collaborative, multibenefit actions.

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the-gate-state-entities-with-proposed-water-bond-funding/ and http://mavensnotebook.com/2015/02/26/prop-1-oversight-hearing-part-3-looking-ahead-stakeholder-recommendations-for-maximizing-public-benefits/.

[5] http://mavensnotebook.com/2015/02/25/prop-1-oversight-hearing-part-2-first-out-of-the-gate-state-entities-with-proposed-water-bond-funding/ (emphasis added).

[6] Water Code § 79707(b).

[7] Water Code § 79708(d).

The SCC Guidelines Can and Should Encourage Appropriate Inter-Agency Coordination and Leveraged Funding toward Implementation of Multibenefit Projects

Chapter 6 of Proposition 1 allocates $100.5 million to the Conservancy for competitive grants for multibenefit ecosystem and watershed protection and restoration projects.[8] The draft Proposition 1 funding guidelines state that all Proposition 1 grants funded by the SCC must achieve at least one of the Chapter 6 purposes articulated in Water Code Section 79732(a). The SCC's proposed Proposition 1 funding guidelines include the following recommended scoring criteria (among others) relevant in some fashion to enhanced cooperation and collaboration among agencies:

- The extent to which the project achieves one or more of the purposes of Chapter 6.
- The extent to which the project promotes and implements the California Water Action Plan, other state and plans and policies, and relevant regional water plans.
- The extent to which the project leverages the resources of private, federal or local funding sources.
- The extent to which the project provides multiple benefits.
- The extent to which the project employs new or innovative technology or practices.
- The extent to which the project will deliver sustainable outcomes in the long-term.

This range of metrics specifically reflects the language of Proposition 1 and the California Water Action Plan calling for leveraged, multibenefit projects. However, it does not as directly reflect the call by agency and department heads at the February 10th hearing for integration and collaboration. We believe the end results of collaborative, inter-agency projects would be more substantial (*i.e.*, of greater public benefit) and longer lasting. More specific funding criteria relative to agency collaboration and associated inter-agency efforts would help promote such integrated efforts.

Accordingly, we ask the SCC to add the following criterion to Section IV (Grant Evaluation and Scoring) of the draft Grant Program Guidelines:

- <u>The extent to which the project integrates in the related Proposition 1 funding resources and activities of other state agencies.</u>

We also ask that, as the proposal solicitation and review process commences, that the SCC affirmatively reach out to agencies with related Proposition 1 funding sources and activities to establish, as appropriate, shared and/or jointly funded efforts that "produce the greatest public benefit" from Proposition 1's limited funds (*e.g.*, through joint proposal solicitations). Examples include but are not limited to the OPC/Coastal Commission jointly funded Local Coastal Program grants application effort,[9] and the OPC/CDFW Joint Work Plan for the implementation of the Marine Life Protection Act and Marine Life Management Act.[10]

* * *

[8] Water Code §79731(j).
[9] http://www.opc.ca.gov/category/funding-opportunities/.
[10] http://www.opc.ca.gov/2010/08/opc-dfg-joint-work-plan/.

The SCC is in the unique and important position of being “first out of the gate” with its Proposition 1 draft guidelines. We urge the SCC to set the stage for the agencies to follow by incorporating the letter and spirit of Proposition 1 and the California Water Action Plan into its guidelines, through adoption of the recommended Guidelines criterion and related actions above.

Thank you for your consideration of these comments.

Best regards,

Linda Sheehan
Executive Director

Grant Wilson
Outreach and Program Coordinator

Appendix – Agency Draft Proposition 1 Funding Guidelines: Examples

APPENDIX

AGENCY DRAFT PROPOSITION 1 FUNDING GUIDELINES: EXAMPLES

California Department of Fish and Wildlife Proposition 1 Funding Guidelines[11]

In light of the significant focus at the Assembly Water, Parks and Wildlife Committee hearing on the need for projects to have multiple benefits, integrate agency activities, leverage funding and ensure consistency with the California Water Action Plan, there appears to be significant opportunity for SCC Proposition 1 funding to integrate with CDFW, particularly in the area of coastal habitat restoration. Accordingly, the SCC guidelines should encourage collaboration with CDFW on mutually beneficial and leveraged projects.

CDFW's draft Proposition 1 guidelines fund projects consistent with Fish and Game Code Section 1501.5(b), which allows CDFW to grant funds for fish and wildlife habitat preservation, restoration, and enhancement efforts that will preserve, protect, and restore fish and wildlife. Proposition 1 authorizes the Legislature to appropriate to $285,000,000 to the CDFW for such "watershed restoration projects statewide."[12] As emphasized in the Assembly Water, Parks and Wildlife hearing, CDFW's Proposition 1 funding must implement the three broad objectives of the California Water Action Plan (more reliable water supplies; the restoration of important species and habitat; and a more resilient, sustainably managed water resources system), with a focus on restoring important species and habitat. As outlined in the draft guidelines, projects may include but are not limited to: "providing fish passage"; "restoring river channels"; "restoring or enhancing riparian, aquatic, and terrestrial habitat"; and "improving ecological functions." Each of these area areas in which the SCC has or can provide expertise and assistance to ensure maximum utility and effectiveness of the funds and efforts committed.

CDFW intends to release project solicitations with additional, solicitation-specific criteria, and proposals will be ranked according to procedures outlined in those solicitations. The currently-proposed CDFW Proposition 1 funding guidelines state that the following (among other criteria) are "broadly representative of the types of criteria upon which proposals will be evaluated":

- "Extent to which the proposed project implements existing conservation, restoration, recovery plans, or other relevant State plans or policies."
- "Extent to which the proposed project employs new or innovative technology or practices."
- "Extent to which the proposed project provides multiple benefits; the objectives related to those co-benefits are clearly stated, and where feasible, are measurable and quantifiable; and likelihood that the claimed co-benefits will be realized."
- "Extent to which the proposal provides sufficient analysis and documentation to demonstrate the significance (e.g., magnitude, diversity) of the proposed objectives."
- "Extent to which the proposed project will deliver sustainable outcomes in the long-term."
- "Extent to which the proposal demonstrates the means by which data collected by the project will be managed and made publicly available."

[11] http://bondaccountability.resources.ca.gov/Guidelines.aspx?PropositionPK=48.
[12] Water Code § 79737.

Wildlife Conservation Board Draft Proposition 1 Funding Guidelines[13]
The WCB is a separate and independent Board with authority to carry out an acquisition and development program for wildlife conservation. The Board itself consists of the President of the Fish and Game Commission, the Director of CDFW, and the Director of the Department of Finance. The WCB is informed by a Legislative Advisory Committee consisting of three members of the Senate and three members of the Assembly.

Proposition 1 includes proposed funding for the WCB's California Stream Flow Enhancement Program, which will support implementation of multi-benefit ecosystem and watershed protection and restoration projects in accordance with statewide priorities.[14] Specifically, Water Code Section 79733 authorizes the Legislature to appropriate $200,000,000 to the WCB for projects that result in enhanced stream flows, consistent with the California Water Action Plan's focus on ecosystem restoration. Examples of potentially eligible project types listed in the WCB's proposed Proposition 1 funding guidelines include:

- Water Transactions (e.g., changes to a stream's hydrograph through a lease, transfer, seasonal exchange)
- Habitat restoration projects
- Studies to evaluate instream flow needs, identify priority streams or evaluate temperature
- Reconnecting flood flows with restored flood plains

The WCB intends to release project solicitations with more specific criteria, and proposals will be ranked according to procedures outlined in those solicitations. Criteria will include "all of the following," among other criteria:

- "Clear demonstration of how the project will measurably enhance stream flows at a time and location necessary to provide fisheries or ecosystem benefits or improvements that improve upon existing flow conditions and are greater than required applicable environmental mitigation measures or compliance obligations"
- "Probability of success (e.g., does the proposal address site conditions, technologies, and projected future management to assure long-term success?)"
- "Habitat linkages"
- "Project significance (e.g., does the project provide long-term benefits to fish and wildlife, is it consistent with other conservation strategies?)"
- "Co-benefits (will the project provide multiple realistic and significant benefits that can be quantified and measured, and will deliver sustainable outcomes in the long-term?)"
- "How is the project location and anticipated outcome consistent with WCB's 2014 Strategic Plan, the California Water Action Plan, and other appropriate state and federal plans?"

As with CDFW, there again appears to be important opportunities for SCC Proposition 1 funding integration with the WCB, particularly in the area of coastal stream and other waterway flow restoration.

[13] http://bondaccountability.resources.ca.gov/Guidelines.aspx?PropositionPK=48.
[14] Water Code Section 79730.

East Bay Regional Park District

2950 PERALTA OAKS COURT P.O. BOX 5381 OAKLAND CALIFORNIA 94605-0381 T: 1-888-EBPARKS F: 510-569-4319 TRS RELAY: 711 WWW.EBPARKS.ORG

March 6, 2015

Mr. Sam Schuchat
Executive Director
California Coastal Conservancy
1330 Broadway, 13th Floor
Oakland, CA 94612

RE: Proposition 1 Grant Program Guidelines

Dear Mr. Schuchat:

We appreciate the Coastal Conservancy's leadership in protecting, restoring, and enhancing resources, particularly in the San Francisco Bay Area. The East Bay Regional Park District has valued our partnership with the Coastal Conservancy and looks forward to continuing to collaborate with your agency.

We would like to take a moment to comment on the draft Proposition 1 Grant Program Guidelines issued last month. The guidelines are very clear and consistent with the Coastal Conservancy's best practices. They provide clear direction to promote the Conservancy's statutory programs and purposes, as well as identifying the purposes for which Prop. 1 funding can be used.

In the Bay Area, we are particularly mindful of the need for public support and for multiple benefit projects, particularly as this pertains to our shoreline resiliency. Many agencies and communities are also "self-help" regions which can leverage local, state, and federal monies for important projects. We are also increasingly mindful of direction by the state which could unnecessarily prevent many good projects from consideration.

For example, under Proposition 84, the State Parks Service Area Calculator, quite frankly, oversimplified the approach to understanding the needs of communities and left out needed projects. By way of example, the overly objective process excluded projects like a fishing pier along the Richmond shoreline, or in West Oakland which considered the San Francisco Bay as part of the "service area" and, by virtue of no population density in the water area, undervalued the project benefit. The reality of the communities, however, is these fishing piers would be used by subsistence anglers from nearby neighborhoods.

The Coastal Conservancy has a history of understanding the needs and circumstances of the communities it serves. They also have a history of staggering grant application periods so different types of projects can be considered at different times of the year. This level of ground-truthing projects has served the Bay Area, and particularly the East Bay, extremely well.

Board of Directors

Whitney Dotson, President, Ward 1
Doug Siden, Vice-President, Ward 4
Beverly Lane, Treasurer, Ward 6
Dennis Waespi, Secretary, Ward 3
John Sutter, Ward 2
Ayn Wieskamp, Ward 5
Diane Burgis, Ward 7
Robert E. Doyle, General Manager

For Prop. 1 funding, it is in all of our interests for the program to successfully allow as many projects as possible to be eligible for an open and fair evaluation. We urge the Coastal Conservancy to adopt guidelines with a continued eye toward maximizing the intent of the program to serve communities in need. It is difficult to develop stringent criteria which apply to all parts of our incredibly diverse state and Bay Area. We encourage a flexible and adaptable approach to the Prop. 1 guidelines. We are convinced such an approach is consistent with the intentions of the voters and legislators.

We look forward to continuing to work with you. If you have any questions, please do not hesitate to contact me.

Sincerely,

Robert E. Doyle
General Manager
East Bay Regional Park District

cc: EBRPD Board of Directors
Coastal Conservancy Board of Directors

From: Malinowski, Kelly@SCC
To: SCC Comments Email
Subject: FW: Prop 1 Draft Guidelines posted on SCC website
Date: Thursday, March 19, 2015 4:43:49 PM

FYI – I replied to Rosalyn with the below, but she still wanted me to pass along her comment.

My reply to Rosalyn:
It is my understanding that the locations per chapter 6, 79731 (j): the San Francisco Bay Conservancy region, the Santa Ana River watershed, the Tijuana River watershed, the Otay River watershed, Catalina island, and the central coast region are all covered under the description of location on Chapter 4 since projects in any of those areas would "benefit coastal, ocean resources, or the San Francisco Bay region," since they all are in watersheds draining to the coast, ocean, or San Francisco Bay region.
-Kelly

From: Rosalyn Yu (AIR) [mailto:Rosalyn.Yu@flysfo.com]
Sent: Thursday, March 19, 2015 2:31 PM
To: Malinowski, Kelly@SCC
Subject: RE: Prop 1 Draft Guidelines posted on SCC website

Hi Kelly,

Hope this email finds you well.

After reviewing the draft guidelines and I have one comment: In terms of location of project, on page 4, the description of location doesn't cover all locations per chapter 6, 79731 (j). Is this the intend of the guidelines?

Rosalyn Yu, P.E.
Design & Construction
San Francisco International Airport | P.O. Box 8097 | San Francisco 94128
650.821.7819 | www.flysfo.com

From: Malinowski, Kelly@SCC [mailto:Kelly.Malinowski@scc.ca.gov]
Sent: Tuesday, February 24, 2015 2:21 PM
To: Rosalyn Yu (AIR)
Subject: Prop 1 Draft Guidelines posted on SCC website

Hi Rosalyn,

Our Prop 1 Draft Guidelines are posted on our website and open for public review until March 20th, and I'd like to strongly encourage you to submit any comments to comments@scc.ca.gov. The direct link to the Prop 1 Draft Guidelines is here: http://scc.ca.gov/files/2015/02/SCC-Prop-1-Guidelines-Draft-Feb-2015.pdf

Thank you!

From: Peterson, Nadine@SCC
To: Small, Mary@SCC
Subject: FW: some comments on SCC Prop 1 guidelines
Date: Monday, March 23, 2015 11:40:59 AM

Here are the comments from Pt. Blue.

From: Grant Ballard [mailto:gballard@pointblue.org]
Sent: Thursday, March 19, 2015 5:44 PM
To: Peterson, Nadine@SCC
Cc: Ellie Cohen
Subject: some comments on SCC Prop 1 guidelines

Hi Nadine – it was so nice to see you last night at our 50th anniversary celebration – thanks for being there!

I've gone through the SCC Prop 1 guidelines and have a few comments to share – please let me know if you would like this written up in a more formal way (e.g., as a letter on Point Blue letterhead, etc.). If that would be preferred, I would probably leave out a couple of these comments, just because they are more reflective of my own ignorance of some of the context – but I include them here FYI.

Page 3 – Introduction, section A last paragraph – there is a typo in the last sentence – drop the extraneous "be"

Page 4 – Program, Purposes, Required Criteria and Eligibility, section C.7 – the meaning of this isn't totally clear – is it all fish native to California as well as wetlands in California's central valley, i.e., both fish and wetlands, or is it about native fish in the central valley?

Page 5 - Program, Purposes, Required Criteria and Eligibility, section D – the key plans are not yet in Appendix C, but it will be important which plans will be specifically mentioned, obviously. Will it include, for example, the California Landscape Conservation Cooperative strategic plan? State Wildlife Action Plan? Joint Venture Implementation Plans?

Page 6 – Grant Application Process and Timeline, section C.3 – scoring – Does this mean that all proposals in a given round would be reviewed by the same 3 reviewers? It will be important for there to be some oversight of this process to ensure consistency. Also, if a different 3 reviewers might review some of the proposals, individual reviewer influence can be overly exaggerated – i.e., 3 might not be enough.

Page 8 – The community support factor might be re-written to include the concept of community engagement as well – i.e., a deeper level of support implied.

Page 8 – the multiple benefits and measurable effectiveness factors seem as important as leveraging to me – i.e., consider lowering leveraging point bonus and/or raising these.

Page 8 – the sustainable outcomes long-term factor should get more points, and in particular, it should be direct about considerations of climate change impacts.

Page 8 – CalEnviroScreen scores – I am not familiar with this system, but would be interesting to know more about how it might overlap with prioritization from environmental/biodiversity perspectives.

Page 15 – it wasn't clear to me how the additional criteria dovetail with the project ranking table factors on page 8.

Page 15 – Return to Conservancy – I'm not sure what this means.

Page 15 – Minimization of greenhouse gas emissions and Vulnerability from climate change impacts other than sea level rise = great to include both of these criteria!

It is exciting that SCC will have the opportunity to disperse these funds!

Warm regards,

Grant

.....
Grant Ballard, Ph.D.
Chief Science Officer
Point Blue Conservation Science (*formerly PRBO*)
3820 Cypress Drive, Suite 11, Petaluma, CA 94954
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cell: 415.676.8179 | Skype: grantballard
www.pointblue.org | Please follow Point Blue on Facebook!

Point Blue – *Conservation science for a healthy planet.*

GREENBELT ALLIANCE

San Francisco Office
312 Sutter Street, Suite 510
San Francisco, CA 94108
(415) 543-6771

March 20, 2015

The Coastal Conservancy
1330 Broadway #1300
Oakland, CA 94612
Submitted electronically to: comments@scc.ca.gov

RE: California State Coastal Conservancy Proposition 1 Draft Grant Program Guidelines

Dear Coastal Conservancy Staff and Commissioners:

For more than fifty years, Greenbelt Alliance has protected the Bay Area's natural and agricultural lands from sprawl development while helping our cities and towns grow in a way that creates great neighborhoods for everyone. As the champion of the places that make the Bay Area special, we ensure the right development happens in the right places and that development doesn't happen where it doesn't belong. With over ten thousand supporters, our staff and board work throughout the region to shape the rules that govern growth to protect our environment, enhance our economy, and advance social equity.

We appreciate this opportunity to comment on the draft project solicitation and evaluation guidelines for implementation of the Water Quality, Supply, and Infrastructure Improvement Act of 2014 (Proposition 1).

The Coastal Conservancy has a long history of effectively increasing protection of our state's natural resources for all Californians. The guidelines for the Proposition 1 funds, provide an opportunity to continue the Conservancy's groundbreaking work, guiding $100.5 million in competitive grants to multi-benefit ecosystem and watershed protection and restoration projects across California.

The draft guidelines include several prudent criteria, including "minimization of greenhouse gas emissions," "promotion and implementation of state plans and policies," "support from the public," and "greater-than-local interest."

As the draft guidelines are refined, we encourage the Conservancy to also reward project applications that are consistent with *regional* conservation programs and policies. In particular, the guidelines should provide additional points to applications for projects in locations that have been identified in a regional conservation program as priorities for conservation action.

In the San Francisco Bay Area, the Association of Bay Area Governments has established the region's Priority Conservation Area (PCA) program to identify Bay Area open spaces that:

1) Provide regionally significant agricultural, natural resource, scenic, recreational, and/or ecological values and ecosystem functions;

2) Are in urgent need of protection due to pressure from urban development or other factors; and

3) Are supported by local consensus.

The PCA program has informed the Bay Area's implementation of SB 375 of 2008, including the creation of a first-in-the-nation grant program to direct transportation funds to support the PCAs. The PCAs are envisioned as a framework for directing future regional funding for acquiring open space and conservation easements and the program has helped spur collaboration between local governments, public agencies, and nonprofit organizations.

When allocating Prop 1 funds, the Coastal Conservancy should consider providing additional points to projects that are within one of the Bay Area's Priority Conservation Areas. By rewarding projects in these locations, the Prop 1 funds would be reinforcing the collaborative efforts across our region to identify and protect important threatened lands. And by explicitly identifying the PCA program and similar regional programs in the guidelines, the Conservancy would increase these programs' visibility, potentially leading other entities to allocate more resources to support innovative regional programs.

Thank you for your consideration of these comments.

Sincerely,

Matt Vander Sluis
Program Director
Greenbelt Alliance
mvandersluis@greenbelt.org
415-543-6771(x308)

CSCC PROPOSITION 1 GRANT PROGRAM GUIDELINES DRAFT FEBRUARY 2015 COMMENTS

Thank you for providing this opportunity for public input into the CSCC's Draft Prop 1 Grant Program Guidelines as of 3/21/15. Like most California conservationists I am thrilled at the opportunity to see important Water Sustainability, Urban Greening, Anadromous Fish and Wetland Restoration projects funded. However, since these are taxpayer dollars and these projects will affect all Californians living and utilizing these coastal areas, I feel that it is extremely important the citizen input is considered at every step of the way, from project consideration, funding and through execution. Most of my comments focus on transparency and opportunity for community input into these projects.

1) **Grant Application Process & Timeline, Application Review & Evaluation, Scoring.**

How will reviewers be selected and vetted? While it is important that reviewers be required to self-disclose conflicts of interest in reviewing proposals, it would be better to also include an open period for potential reviewers to be named and open to public comment prior to being confirmed. This would allow for review and submission of citizen concerns regarding possible conflicts of interest that the reviewers themselves did not consider or disclose. It would also help to ensure diversity of opinion and background and the respect of the reviewer's peers. The composition of the reviewers selected will have an extremely significant impact on the type of proposals selected for funding, and should be an open and transparent process.

2) **Program Purposes, Required Criteria and Eligibility, Conservancy Required Project Selection Criteria.**

The criteria provided are excellent, and very important. In particular, how to you plan to confirm "Support from the public?" This is related to the comment below regarding timing and location of public feedback sessions. If public support is a required criteria, how will it be measured and ensured? If there is substantial negative public feedback, a grant proposal should not be funded until community support has been achieved. I am concerned that the short period for public review and potential for open meetings that are up to 8 hours away from the project location in question may blind the board to the lack of public support for a project.

3) **Grant Application Process & Timeline, Board Meetings.**

As I understand it, the CSCC is planning to share a staff report describing each project ten days prior to its consideration for funding at a Conservancy Board meeting. Such board meetings will continue to rotate around the state. This is an unnecessarily short period for review and comment on what may be a rather large number of proposals. Furthermore, the actual proposals should be subject to review, not just a staff report on such proposals. <u>All</u> proposals submitted should be posted on the CSCC site for public review, in addition to the subsequent staff reports provided on those meeting initial evaluation

criteria. Public comments and concerns regarding each proposal should be allowed in order to provide the CSCC the required indication of public support for the proposed grant's activities. Further, any project with substantial community impact in size or duration should be heard in the region where the project will be executed, so that those impacted by the project may address their concerns to the board in person.

Best regards,

Kathryn E. Campbell

President, Beach Cities Democrats

Marin Audubon Society

P.O. Box 599 | Mill Valley, CA 94942-0599 | marinaudubon.org

March 19, 2015

Sam Schuchat
State Coastal Conservancy
1330 Broadway
Oakland, CA

RE: COMMENTS ON PROPOSITION 1 DRAFT GUIDELINES

Dear Mr. Schuchat

I write in support of the Conservancy's Guidelines for distributing Proposition 1 funds. As you are aware, Marin Audubon has implemented many natural resource acquisition and restoration projects. This make us especially interested in the Guidelines.

We agree with the Joint Ventures letter of March 12, and support in particular the request to prioritize for funding projects that have been evaluated and approved by the San Francisco Bay Joint Venture. Choosing such projects will facilitate the Conservancy's process and better assure that projects have a sound environmental basis and broad support.

We wholeheartedly agree that non-governmental and government partnerships are an important resource in identifying, planning and implementing beneficial projects. Such partnerships should be encouraged, particularly where agencies have much work left to complete. We note that Marin Audubon has partnered with state and local agencies for 20 years and we know this partnership has made possible many restorations that would not have happened without it.

We also emphasize, that non-governmental organizations such as Marin Audubon, are able to identify and implement projects independently that provide important benefits to the Estuary and its resources. Resource restoration and enhancement sponsored NGOs should be welcomed, considered and funded as well. .

Thank you for considering our comments.

Sincerely

Barbara Salzman
President

THE METROPOLITAN WATER DISTRICT
OF SOUTHERN CALIFORNIA

Office of the General Manager

March 20, 2015

Mr. Sam Schuchat, Executive Officer
The Coastal Conservancy
State of California
1330 Broadway #1300
Oakland, CA 94612

Re: Comment Letter on the California Coastal Conservancy
Proposition 1 Grant Program Draft Guidelines Dated January 2015

Dear Mr. Schuchat:

Thank you for the opportunity to provide comments on the Proposition 1 Grant Program Draft Guidelines.

Background

As the nation's largest provider of drinking water, Metropolitan distributes water from the Colorado River and Northern California to 26 member agencies (cities and water districts) and supplies more than one-half of the water used by over 18.5 million Californians in the 5200 square mile coastal plain of Southern California. Metropolitan's mission is to provide its member agencies with adequate and reliable supplies of high quality water to meet present and future needs in an environmentally and economically responsible way.

As a wholesale water supplier, Metropolitan has an interest in protecting and restoring the watersheds and ecosystems that are the foundation of sustainable water supplies. To that end, Metropolitan is a participant in the Bay Delta Conservation Plan (BDCP), both as a potential permittee and as a responsible agency under CEQA. The BDCP planning and environmental review process includes extensive analysis of a suite of conservation measures designed to restore the Delta ecosystem and the reliability of water supplies to two thirds of Californians.

Metropolitan also participated in the CALFED Bay-Delta Program, which included extensive scientific study and restoration of watersheds in northern and central California. As a member of the State and Federal Water Contractors Agency, Metropolitan continues to fund and assist in scientific study and environmental restoration of aquatic habitat in the Sacramento-San Joaquin Bay Delta and Suisun Marsh. In addition, Metropolitan is also is a party to the implementing

and funding and management agreements for the Lower Colorado River Multi-Species Conservation Program.

The Draft Guidelines provide a solid first step toward final guidelines that will meet the requirements of Proposition 1 (Prop. 1) and the needs of millions of Californians who depend on safe, reliable water supplies. We offer the following comments as specific ways in which the Draft Guidelines could be revised to provide the clearest possible guidance to achieve the fundamental state priorities Prop. 1 is intended to support.

Recommendations

1. The Draft Guidelines should clearly state all statutory prerequisites for project solicitation and funding, including the fundamental prerequisite that only multi-benefit water quality, water supply, and watershed protection and restoration projects are eligible for Prop. 1 funding.

Section II should be revised to provide a clear, comprehensive list of prerequisites for Prop. 1 grants. Such a list is needed to guide the Coastal Conservancy's decisions on which Requests for Proposals (RFPs) for Prop. 1-funded projects to issue first, how much Prop. 1 funding to allocate to RFPs and which responsive projects to select for funding. Regardless of the scoring criteria the Coastal Conservancy (Conservancy) adopts, its selection of Prop. 1 RFPs in the first instance will determine whether the fundamental objectives of Prop. 1 are advanced consistent with the Legislature's priorities for the state. The Draft Guidelines appear to be directed to applicants for funding, not Conservancy staff who will be charged in the first instance with formulating and presenting RFPs for the board's consideration, and not for board members to use in reaching decisions on how to craft RFPs that reflect the Legislature's priorities for Prop. 1 grant funds.

If the Conservancy intends to issue one general RFP seeking projects that meet the eligibility criteria in the guidelines it ultimately adopts, the Draft Guidelines should make that clear. Under that structure, it may be appropriate to draft the guidelines for specific project selection. However, even if that is the intent, the prerequisites for eligibility would benefit from revision and clarification.

Section II should begin with the most fundamental prerequisite for soliciting projects and awarding any Prop. 1 grant funding, namely, that the projects be multi-benefit water quality, water supply, and watershed protection and restoration projects. (Wat. Code, §§ 79730, 79731.) This prerequisite should be interpreted in light of the Legislature's express intent that Prop. 1 "provides funding to implement the three objectives of the California Water Action Plan which are more reliable water supplies, the restoration of important species and habitat and a more resilient and sustainably managed water infrastructure." (Wat. Code, § 79701(e).) As relevant to the Draft Guidelines, the Legislature found that "[p]rotecting lakes, rivers, and streams, cleaning up polluted groundwater supplies, and preserving water sources that supply the entire state are crucial to providing a reliable supply of water and protecting the state's natural resources." (Wat. Code, § 79701(i).)

The Draft Guidelines correctly state that "Prop 1 requires that projects be consistent with the goals indentified [sic] in the California Water Action Plan." (Draft Guidelines, Sec. II.D.) However, this passing mention of a key prerequisite for Prop. 1 funding should be spelled out to provide guidance to Conservancy staff and board members when formulating RFPs as well as applicants responding to such requests. And because it is foundational, it should be moved up into the first part of the discussion in Section II.

Section II.F. is titled "Project Eligibility," which could be misleading if it is intended to provide an exhaustive list of Prop. 1 prerequisites. Not only does it omit the foundational requirement identified above, it omits some of the prerequisites discussed in subsections A-E , and it omits statutory prerequisites that for projects that affect water resources, state and local agencies must inform their decisions with the best available science. (Wat. Code, § 79707(d).) The best available science requirement is not only the law, it is also required to ensure projects achieve long-term public benefits.

In addition, the screening criteria under Section III.C. should incorporate all prerequisites for Prop. 1 grant funding, not just grantee eligibility and meeting at least one of the purposes of grant funds made available to the Conservancy under Chapter 6 of Prop. 1.

Revising Section II to provide a single, clear, comprehensive list of the prerequisites for grant funding will provide Conservancy staff, board members, applicants for funding with the guidance needed to issue RFPs and award grants that will most effectively advance the objectives of Prop. 1.

2. The Conservancy should revise the Draft Guidelines to clarify that Prop. 1 funds must advance Prop. 1 purposes first and foremost.

The Draft Guidelines layer Prop. 1 funding criteria onto the Conservancy's existing grant funding guidelines. (Draft Guidelines, Sec. II.B.) It is not clear whether this indicates an intent to use Prop. 1 funds to advance the Conservancy's existing priorities and statutory mandates, or whether it indicates that the Conservancy will issue one or more RFPs for specifically for Prop. 1-eligible projects. Consistent with Prop. 1, the Draft Guidelines should clarify that the Conservancy will issue one or more RFPs for Prop.1-eligible projects.

3. The Evaluation Scoring Criteria in Section IV.B. should be revised to better reflect Prop. 1 criteria and priorities.

The Scoring Criteria should be revised to reflect the intent of Prop. 1 that funded projects "will result in public benefits that address the most critical statewide needs and priorities for public funding." (Wat. Code, § 79707(a).)

One of the top priorities for California in this regard is achieving the coequal goal for restoring and preserving the Sacramento-San Joaquin Delta and Suisun Marsh. In the Delta Reform Act, the Legislature declared that "the Sacramento-San Joaquin Delta . . . is a critically important

natural resource for California and the nation." (Wat. Code, § 85002.) The Delta Reform Act and Prop. 1 define the Delta to include the Sacramento-San Joaquin River Delta as well as the Suisun Marsh. (Wat. Code, §§ 79702(e), 85085.) Parts of the legal Delta and the entire Suisun Marsh lie within the ambit of the Coastal Conservancy's Bay Area Program. (Pub. Resources Code, § 31162.) "Restor[ing] the Delta ecosystem, including its fisheries and wildlife, as the heart of a healthy estuary and wetland ecosystem" is one of the objectives inherent in the State's coequal goals. (Wat. Code, § 85020(c).) In recognition of the link between declining populations of threatened and endangered fish that use the Delta and the reliability of water supplies for two thirds of the state's population and millions of acres of farmland, the California Water Action Plan includes Action 3: Achieve the coequal goals for the Delta, precisely because it is needed to "address the most pressing water issues that California faces . . . ." (California Water Action Plan at pp. 4, 7-8.) To achieve that priority, Action 3 includes restoration of intertidal aquatic habitat in the Suisun Marsh and the western Delta/eastern Contra Costa County. (California Water Action Plan at pp. 7-8.)

In light of these Legislative goals for Prop. 1 funded projects, the Draft Guidelines should reflect the priority the Legislature has assigned to projects that specifically advance one or more of the actions that the California Water Action Plan, including restoration of habitat in the Delta that advances the coequal goals of ecosystem restoration and water supply reliability. Thus, the scoring criteria should be revised to award more points in relation to the extent to which multibenefit water supply, water quality, and watershed protection projects advance the objectives of the California Water Action Plan. Such a criterion would award more points to projects such as restoring aquatic wildlife habitat in the Delta and Suisun Marsh that help recover populations of listed fish, thereby benefitting water supplies recognized as vital to the State.

To achieve this, the criteria could be revised to move what is currently the third criterion—"The extent to which the project promotes and implements the California Water Action Plan, other state and plans and policies, and relevant regional water plans"—to the first position, with a possible 20 points, and move the first criterion—"The extent to which the project achieves one or more of the purposes of Chapter 6 of Prop 1"—to the third position, with a possible 8 points. (Draft Guidelines at p. 7.)

The sixth criterion awards up to 8 points if the project is consistent with the best available science. However, Prop. 1 requires state and local agencies to make decisions regarding water resources taking into account the best available science (Wat. Code, § 79707(d)), and a project that is inconsistent with the best available science is not likely to provide the multiple public benefits required by Prop. 1. Thus, it would be more consistent with Prop. 1 to make consistency with the best available science a prerequisite for any Prop. 1 funding, not part of the scoring criteria.

The eighth criterion awards up to 5 points in proportion to "[t]he extent to which the project provides multiple benefits." However, being a multibenefit project is a prerequisite for any Prop. 1 funding. Thus, Metropolitan recommends revising this criterion to read "[t]he extent to which the project provides more than two public benefits."

The last criterion awards up to 5 points in proportion to "[t]he extent to which the project will deliver sustainable outcomes in the long-term." The public should not be made to expend bond funds on any project that does not deliver sustainable outcomes, i.e., public benefits, in the long term. Thus, this should not be part of the scoring criteria. It should be a prerequisite showing that an application must support with the best available science and commitments of long-term financing and other resources to manage or adaptively manage projects over the long-term to minimize the risks that a proposed project will not deliver the multiple public benefits it is intended to provide.

4. In addition to the specific comment above, Metropolitan urges the Conservancy to consider the following general criteria for ecosystem restoration projects.

1. Between projects intended to benefit fish and wildlife, priority should be given to projects that will help conserve (i.e., contribute to recovery of) species listed as fully protected, endangered, or threatened under state law, or threatened or endangered under the federal Endangered Species Act.

2. The guidelines should require, as a prerequisite for any funding, projects to incorporate monitoring and public reporting and sharing of monitoring results and data gathered.

3. The guidelines should prioritize restoration and enhancement projects that incorporate adaptive management, and that result in published, peer-reviewed articles based on information gained through implementation, monitoring, and adaptive management.

4. Public benefits to fish and wildlife the State or Federal governments have designated as threatened, endangered, or fully protected should be weighted more heavily than recreational benefits.

5. Guidelines should specify that management of agricultural lands to benefit wildlife is eligible for Prop. 1 funding if the applicant shows a net public benefit and analyzes any harm to species considered sensitive or listed as fully protected, threatened or endangered under State or Federal law.

6. Changes in land use in the Delta and Suisun Marsh can result in positive or negative benefits for water quality and water supply. A prerequisite for funding any tidal marsh restoration or other conservation project that may affect water quality, including salinity, in the Delta or Suisun Marsh must quantify and publicly disclose such project-specific and cumulative impacts to the SWRCB, DFW, DWR, USFWS, and USBR using the best available modeling tools for the purpose. This should be required for any such project, even if it would otherwise qualify for a Negative Declaration under CEQA. Such monitoring and reporting is required to protect water supplies for Delta counties and for two thirds of California's population and millions of acres of farmland.

7. Tidal marsh restoration projects should accommodate sea level rise, otherwise, public benefits will diminish and be lost over time. Other types of eligible projects should have to demonstrate resilience to climate change to ensure the public benefits are achieved and provide long-lasting public benefits.
8. Higher ranking should be given to projects which recognize and enhance the historical ecology and landscape. This will tend to increase success and lower the cost per acre, stretching public benefit dollars further and to greater effect.

9. Higher ranking should be given to projects which are at a sufficient ecological scale or that will form part of or be integrated with neighboring projects which can achieve connected acreages and natural functions and values that benefit multiple sensitive species.

Conclusion

Metropolitan appreciates the opportunity to provide input on the Conservancy's Draft Guidelines, and we look forward to reviewing future drafts. If we can be of further assistance, or if you would like to discuss Metropolitan's comments, please contact me at (916) 650-2660 or by email at rpatterson@mwdh2o.com.

Very truly yours,

Roger K. Patterson
Assistant General Manager

Regional OpenSpace | Midpeninsula Regional Open Space District

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.

<u>III. Grant Application Process and Timeline</u>

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 or at (650) 691-1200.

Sincerely,

Jane Mark, AICP
Planning Manager

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

From:	gretchen
To:	SCC Comments Email
Subject:	oakland meeting
Date:	Thursday, March 19, 2015 6:07:27 PM

Your website says the meeting was to be from 2 to 4pm and GoToMeeting did not show video of the proceedings. I was listening on the phone and composing my question so when the mediator said they were wrapping things up I hastily finished and hit send. She then said there were no more comments, thanked everyone who came and spoke and said good bye to the people who were attending via phone. Either without seeing my comments or without wishing to address them in a public forum. The meeting canceled out any record of the names of the mediators or those attending so I no longer know who I might address my questions to. Please let me know where to direct correspondance, if not this email address.

My first question had to do with section 79735 of the appendix for chp 6 of prop1. This is the only place I could find it mentioned that 25% of funds "pursuant to this section" were going to be made available to disadvantaged communities. I'm assuming pursuant to this section means to section 79735 itself so

Question 1: does that mean 25% of the 20m/100m mentioned in section 79735 for river and creek work respectively?

Question 2: is there any mention of setting aside a percentage of funds for disadvantaged communities from the lion's share of the competitive grant money laid out in section 79730?

I would hope that disadvantaged communities are not limited to working only on creek and river restoration. I live in a disadvantaged community where there are miles and miles of wetlands in serious need of clean up. Likewise I would hope that of all the disadvantaged communities in california we are not competing with each other for this 30m. Setting aside 30m for all the disadvantaged communites in california when much larger amounts of this 1,495m are set aside for the wealthier more organized communities does not seem right.

Please get back to me on this,

Gretchen Schuster
voted for prop1

From:	patricia mc pherson
To:	SCC Comments Email
Cc:	jeanette@culverevents.com; odysseus.bostick@asm.ca.gov
Subject:	Prop 1 Grant Program
Date:	Monday, March 23, 2015 4:44:56 PM
Attachments:	Screen Shot 2015-03-23 at 3.09.10 PM.png Screen Shot 2015-03-23 at 3.33.32 PM.png Screen Shot 2015-03-23 at 3.36.58 PM.png Screen Shot 2015-03-23 at 3.49.23 PM.png Screen Shot 2015-03-23 at 3.55.30 PM.png ADDITIONAL COMMENTS JD COMMENTS copy.pdf CA CONSERVENCY PUBLIC COMMENTS JOHHN DAVIS 3-29-2012.pdf

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California State Coastal Conservancy (SCC) Proposition 1 Grant Program Guidelines Draft February 2015 Comments

Thank you for the opportunity to provide comments regarding SCC'S Draft Prop 1 Grant Program Guidelines of 3/23/15 (extension date for comments).

Grassroots Coalition (GC) believes that most people wish to see California be able to maintain a healthy environment and to have self sustainable healthy ecosystems hence, the public approval of Prop. 1 bond funds. The public's trust and faith in our state agencies is however, wearing thin. We are at a crossroads, throughout the state and the nation that requires a reality of good faith effort, transparency and accountability for all hard earned taxpayer dollars. To that end, Grassroots Coalition submits the following comments and models of past experience with SCC's use of bond dollars, in the hopes that
integrity of process and fulfillment of environmentally protective goals may be achieved.

Grassroots Coalition supports comments made by Kathryn E. Campbell, President of Beach Cities Democrats.

1) GC supports the 2011 Dept. of Finance audit performed upon the SCC. Numerous issues are set forth in this audit that required address and fulfillment
by SCC in all future business. Many of the changes that needed to take place did not take place as required by the Finance Dept. The Finance Dept's requirements need to be fulfilled, such as the need for applications to be filed. (Screen shot below- Prepared March 2010..Dept. of Finance Audit)

EXECUTIVE SUMMARY

In accordance with the Department of Finance's (Finance) bond oversight responsibilities, we audited the California State Coastal Conservancy's (Conservancy) funding under Propositions 12, 13, 40, and 50 as of June 30, 2008. The audit objectives were to determine whether bond funds were awarded and expended in compliance with applicable legal requirements and established criteria, and to determine if the Conservancy had adequate project monitoring processes in place. We identified the following control and accountability issues requiring corrective action.

- Since 2001 the Conservancy issued approximately $13 million in bond-funded loans without clear authority or adequate controls. Additionally, approximately $2.9 million in loan repayments have been received and deposited in the Conservancy Fund, which is used for general operations and support funding.

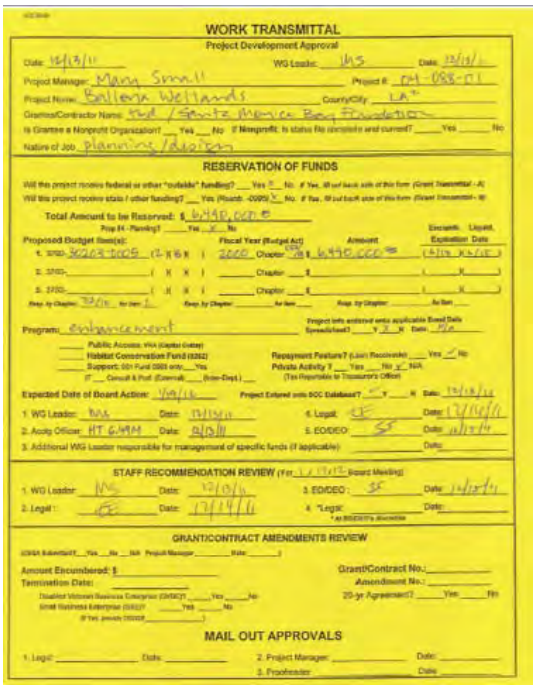
- The Conservancy did not establish formal program guidelines; project awarding criteria; and grant applications to document its project merit review process. Also, the Conservancy website included limited or incomplete information about ongoing programs and efforts, regional priorities, and funding opportunities. Subsequent to our audit, the Conservancy made efforts to address some of these issues.

- The Conservancy's fiscal oversight and monitoring of bond funds needs improvement. Specifically, project scopes and budgets lack detail, match contributions are not enforced, grantees are paid for non-budgeted items, and project monitoring is inconsistent and inadequately documented.

- Bond project status is incomplete and does not fully comply with bond reporting requirements. To address this observation, the Conservancy is developing the Coastal Conservancy Project Management Database to track its projects.

The recommendations in this report are intended to assist management in improving operations and accountability for bond funds.

a. One example of an SCC grant award AFTER the Dept of Finance audit comments was for Ballona Wetlands. The grant award lacked the application for a grant from SCC to the Santa Monica Bay Restoration Foundation(SMBRFOUNDATION) . An SCC grant of $6 1/2 million was awarded to the Foundation without the Foundation having provided an application for the money. (**ATTACHMENT 1-** yellow form grant award garnered via a Public Record Act request.)



WORK TRANSMITTAL

Project Development Approval

Date: 12/13/11 WG Leader: MS Date: 12/13/11

Project Manager: Mary Small Project #: 04-088-01

Project Name: Ballona Wetlands County/City: LA

Grantee/Contractor Name: SMB / Santa Monica Bay Foundation

Is Grantee a Nonprofit Organization? __ Yes __ No If Nonprofit: Is status file complete and current? ___ Yes ___ No

Nature of Job: Planning / Education

RESERVATION OF FUNDS

Will this project receive federal or other "outside" funding? ___ Yes X No. If Yes, fill out back side of this form (Grant Transmittal - A)

Will this project receive state / other funding? ___ Yes (Match: -0-%) X No. If Yes, fill out back side of this form (Grant Transmittal - B)

Total Amount to be Reserved: $ 6,490,000.00

Prop 84 - Planning? ___ Yes X No

Proposed Budget Line(s):	Fiscal Year (Budget Act)	Amount	Encumb. Liquid. Expiration Date
1. 3760-3005 (2 X 6 X)	2009 Chapter 28	$ 6,490,000.00	(6/30 X 6/30)
2. 3760-___ (X X)	___ Chapter ___	$ ___	(X)
3. 3760-___ (X X)	___ Chapter ___	$ ___	(X)

Resp. by Chapter: 32/10 for Item 1 Resp. by Chapter: ___ for Item ___ Resp. by Chapter: ___ for Item ___

Program: enhancement

Project info entered into applicable Bond Data Spreadsheet? ___ Y X N Date: n/a

___ Public Access: Via (Capital Outlay)

___ Habitat Conservation Fund (0262)

___ Support: 001 Fund 0001 only: ___ Yes

IF ___ Consult & Prof. (External) ___ (Inter-Dept.) ___

Repayment Feature? (Loan Receivable) ___ Yes ✓ No

Private Activity ? ___ Yes ___ No X N/A

(Tax Reportable to Treasurer's Office)

Expected Date of Board Action: 1/19/12 Project Entered into SCC Database? ___ Y ___ N Date: 12/13/11

1. WG Leader: MS Date: 12/13/11 4. Legal: [illegible] Date: 12/14/11

2. Acctg Officer: HT GMM Date: 12/13/11 5. EO/DEO: SF Date: 12/13/11

3. Additional WG Leader responsible for management of specific funds (if applicable): ___ Date: ___

STAFF RECOMMENDATION REVIEW (For 1 / 19 / 12 Board Meeting)

1. WG Leader: MS Date: 12/13/11 3. EO/DEO: SF Date: 12/13/11

2. Legal*: [illegible] Date: 12/14/11 4. "Legal": ___ Date: ___

* as DEO/DTS directed

GRANT/CONTRACT AMENDMENTS REVIEW

(CEQA Exempt? ___ Yes ___ No ___ N/A Project Manager ___ Date: ___)

Amount Encumbered: $ ___ Grant/Contract No.: ___

Termination Date: ___ Amendment No.: ___

Disabled Veteran Business Enterprise (DVBE)? ___ Yes ___ No 20-yr Agreement? ___ Yes: ___ No

Small Business Enterprise (SBE)? ___ Yes ___ No

(If Yes, provide DBE# ___)

MAIL OUT APPROVALS

1. Legal: ___ Date: ___ 2. Project Manager: ___ Date: ___

3. Proofreader ___ Date: ___

b. A staff recommendation, File No. 04-088, was apparently provided to SCC Commissioners for approval at a Jan. 19, 2012 meeting. This staff recommendation, filed by Project Manager : Mary Small, authorizes disbursement of Prop. 12 public bond dollars of up to $6, 250,000 for engineering, hydrologic analyses, geotechnical assessments, and public access design --ostensibly by the Coastal Conservancy and, an additional $240,000 authorization to disburse up to $240,000 to the Santa Monica Bay Restoration Foundation for data collection, technical review and agency coordination...

Upon Public Record Act requests (Davis) for any/all applications provided to SCC from the SMBRFOUNDATION for grant funds, none was available written prior to the award by SCC. Instead, apparently, after the fact, language for use in a grant agreement appears in PRA requested emails of the Project Manager.

At the very lease, public discussion regarding such activities should be disclosed and discussed openly with SCC to determine what occurred.

(ATTACHMENT 2)

From: Mary Small
To: "Mary Small"; "Shelley Luce"
Cc: "Diana Hurlbert"
Subject: RE: draft agmt SMBRF 2
Date: Monday, February 13, 2012 9:28:00 AM

Hi
Can you let me know if this looks basically ok so I can send it to Mr. Davis?
Thanks
Mary

From: Mary Small [mailto:msmall@scc.ca.gov]
Sent: Tuesday, February 07, 2012 2:28 PM
To: 'Shelley Luce'
Cc: 'Diana Hurlbert'
Subject: draft agmt SMBRF 2

Hi Shelley
Attached is a draft of the grant agmt to the SMBRF for the $240K. We'll need to develop a work plan and budget separately.

Can you take a quick review and let me know if it looks ok? Elena has asked me to produce this draft quickly as it seems the best way to respond to our most recent PRA from Mr. Davis.

Thanks
Mary

A) **Grant Application Process & Timeline, Application Review & Evaluation, Scoring.**
1. (See 1) above for issues regarding the need for application fulfillments.

2. It would be helpful for the public to view applications submitted and thereby be able to be part of an open process. Issues of which the SCC reviewers may not be aware regarding a particular project could then be vetted between the public and project stakeholders and the SCC in order to ensure a diverse
opinion and knowledge base are utilized thereby reducing the potential for a biased or preconceived outcome to occur where multiple alternatives and public inclusion were written into the bond language. This process would also likely save public dollars from frivolous, inappropriate and/or incompetent use.
This process would also provide for a more legally defensible project.

3. **. <u>Potential conflicts of interest-</u>** while important that the SCC maintain requirements for disclosure of potential conflicts of interest, it would be better to include an open period for potential reviewers to be named and open to public comment prior to confirmation. Citizen concerns and knowledge regarding
potential conflicts of interest would be able to be addressed and vetted, providing for transparency of process and also help to ensure that a reviewer
has had an opportunity to consider and vet publicly any potential conflicted interests of contractors and/ or project management/ scientific teams.

Example of concern to the public which should be addressed- **ATTACHMENT 3.** This attachment, provides information that is not generally known and
provides **an example of a potential conflict of interest**. The SCC Project Manager is listed on the Board of Directors to a non-profit that receives grant money from the SCC. The non-profit is the same nonprofit in receipt of SCC grant money in ATTACHMENT 1. Whether one is a board member or simply a member of a nonprofit receiving money from the SCC of which that same board member/ member is also the SCC project manager to the project where the SCC money goes--- needs to be disclosed and vetted publicly for an open and transparent process to occur. Time frames and historical ties should be taken into account, disclosed and publicly vetted since even the hint of potential conflicted interest should be resolved openly.

(The Santa Monica Bay Restoration Foundation IRS page from 2006- Mary Small (SCC Project Manager for Ballona Wetlands Restoration Project)

33-0420271

List of Officers, Directors, Trustees and Key Employees

US 990 990: Page 5, Part V; 990EZ: Page 2 Part IV; 990-PF: Page 6, Part VIII 2006

Name and Address		Title/Average Hours Per Week Devoted to Position		Amount Paid	Amount for Employee Benefit Plan	Expense Account and Other Allowances
Rod Spackman	320 W 4th St	President	2			
Randal Orton	320 W 4th St	CFO	2			
Mark Gold	320 W 4th St	Director	1			
Tom Ford	320 W 4th St	Director	1			
Richard Bloom	320 W 4th St	Director	1			
Fran Diamond	320 W 4th St	Director	1			
Marvin Sachse	320 W 4th St	Director	1			
Bob Hoffman	320 W 4th St	Director	1			
S Wisniewski	320 W 4th St	Director	1			
Laurie Newman	320 W 4th St	Director	1			
Mary Small	320 W 4th St	Director	1			
Bryant Chesney	320 W 4th St	Director	1			
Dean Kubani	320 W 4th St	Director	1			
Shelley Luce	320 W 4th St	Executive	40	55,830.		
				55,830.		

Santa Monica Bay Restoration Foundation
EIN: 33-0420271
For Fiscal Year Ended 6/30/07
Form 990, Page 2, Part III

In December 1988, in recognition of the need to restore and protect the Santa Monica Bay and its resources, the State of California and the U.S. Environmental Protection Agency established the Santa Monica Bay Restoration Project (the Project) as a National Estuary Program designating the Bay as a "nationally significant estuary." The Project, which later became the Foundation, was formed to develop a plan that would ensure the long term health of the 266-square mile Bay and its 400-square mile watershed. That plan, known as the Santa Monica Bay Restoration Plan, won State and Federal approval in 1995. Since then, the primary mission of the Foundation has been to facilitate and oversee implementation of the Plan.

The Santa Monica Bay Restoration Foundation (the Foundation) is a non-profit public benefit corporation. At the formation of the Foundation in April of 1990, the following Mission Statement was adopted by the Board of Directors·

> "The purpose of the Santa Monica Bay Restoration Foundation is to provide a funding mechanism for activities that will lead to the restoration and enhancement of the Santa Monica Bay.
>
> The Santa Monica Bay Restoration Foundation will serve as an independent fundraising vehicle that can attract research, planning and implementation funds from cities, counties, special districts, private foundations and industry.
>
> The goals of the Santa Monica Bay Restoration Foundation shall be compatible with the goals of the Santa Monica Bay Restoration Project."

On January 1, 2003, the Santa Monica Bay Restoration Project formally became an independent state organization and was renamed as the Santa Monica Bay Restoration Commission. The Commission was established by SB 1381 in 2002 as a non-regulatory, locally-based state government entity that monitors, assesses, coordinates, and advises all state programs and overseas funding that affects the beneficial uses, restoration and enhancement of the Santa Monica Bay and its watersheds.

The Commission brings together local, State, and Federal agencies, environmental groups, businesses, scientists, and members of the general public on its 34 member Governing Board, the Commission's main policy-making body. Watershed stakeholders are also represented on the Commission's two main advisory bodies: the broader Bay Watershed Council and the Technical Advisory Committee work to carry on implementation of the Bay Plan.

Since January 2003, the Foundation has completed the work of the Bay Restoration Commission as directed by its Board of Directors and continued to provide assistance in the restoration and enhancement of the Santa Monica Bay and other coastal waters.

ATTACHMENT "A"

The SMBRFOUNDATION IRS page from 2006 above provides the language, "...The Project, which later became the Foundation,..."

AT NO TIME DID THE SANTA MONICA BAY RESTORATION PROJECT BECOME THE FOUNDATION.
After legislatively created, the Santa Monica Bay Restoration Project, in 2002 under new legislation became the Santa Monica Bay Restoration Commission.
The Santa Monica Bay Restoration Foundation is simply an independent non-profit. Public Record Act requests requesting any/all contracts
between the SMBRCommission and the SMBRFOUNDATION have yielded no contracts.

The question arises, that since Mary Small is a board member of the SMBRFOUNDATION, what legal or moral implications arise from her
association with the SMBRFOUNDATION and SCC as well as for the misrepresentation of the SMBRFOUNDATION as BEING THE SMBRPROJECT?

For the purposes of this comment opportunity, GC would like to see the SCC openly address these issues with the public as a good faith showing and example of how further Proposition FUNDS will be addressed to avoid such apparent inconsistencies in real life operational practices.

4. **All of the stakeholders and public need to be embraced in a meaningful, unbiased fashion.** The SCC can be seen in Complaint by John Davis **(Attachment A)**
to be deliberately picking and choosing entities which SCC believes will promote its agenda/ fixed outcome and then providing those entities with early information and even drafting support letters for them to sign onto regarding specific

SCC Commissioner grant approval meetings. Alongside this inappropriate behavior, the same SCC entities openly discuss and color their email discussions to the disadvantage and exclusion of those stakeholders and members of the public that SCC chooses to exclude and otherwise cause disadvantage.
Such behavior should not be tolerated as it is prejudiced and precludes transparency and fairness and is wholly contradictory to what is stated as happening in the grant staff reports.

The example provided (Attachment A) reveals that the Ballona Working Group, which include numerous stakeholder group nonprofits that have worked for the past 20 plus years to save Ballona Wetlands from development, DID NOT COME UP WITH THE CONCEPTUAL RESTORATION PLAN that SCC has
been promoting. Instead, handpicked SCC proponents, organizations that had little or nothing to do with the saving of Ballona, were actively engaged to
promote the SCC agenda.
SCC Complaint by Grassroots Coalition (Both Complaint by GC and Davis were previously submitted as examples of problem issues that need to be addressed regarding grant award protocol and processing.

Attachment A, SCC Complaint by John Davis

B) **Program Purposes, Required Criteria and Eligibility, Conservancy Required Project Selection Criteria.**

The SCC has guidelines that are generally good. It is in the definition of specifics that needs address as well as new and changing times of knowledge and need that need to be readdressed and kept open for clarity and change. Specific terminology including actual definition PER THE PROJECT would provide better clarity and communication.

1. Terminology of 'restore', and 'enhance' are terms that we now know extend from an environmentally gentle hand-hewn and phased (over time in order to not risk further loss of habitat and wildlife) approaches to industrial scale bulldozing that destroys the entirety of what currently exists in order to attempt to
CREATE an ecosystem. The intent of SCC's use of public bond dollars and use for grants needs to be written clearly and with language that will provide for accountability and not vagueness.

2. New scientific study and knowledge, including those paid for by the SCC are revealing many wetlands as having been predominantly closed to the ocean, including Ballona. With this new knowledge comes the need for undoing past incorrect statements that the SCC has been promoting. For instance, regarding Ballona Wetlands, the SCC paid for/ awarded grants for studies that revealed Ballona as predominantly an historically closed system. Meanwhile, the SCC has also provided money, awarded grants to contractors and the SMBRFOUNDATION for oversight of such language into permit applications that we now know to be factually incorrect. There needs to be an undoing of factually incorrect historical information from the permit application that the
SCC awarded grant money. Furthermore, future awarded grants must rely upon factually correct information in order to provide for a best good faith effort .

3. When grants are given for studies, there needs to be accountability for how a study is carried out, by whom is it being carried out and for what intended purpose. Potential conflicted interests need to be vetted publicly up front and public input needs to have a meaningful response during the project planning and all steps of project process. Public Record Act requests reveal that the public, in the main, becomes invisible in process records and only appear as names signed onto attendance sheets that are later used to display outreach by SCC. This is hardly a meaningful inclusion of the public, instead it simply resonates as tool of pretense in order to promote a biased, predetermined agenda.

4. Thus, the public, when approving bond funds, needs to have disclosure, transparency and openness to what they are asked to monetarily provide and or provide via inclusion in a project's planning and implementation.
For example, Ballona Wetlands restoration was based upon a relatively fixed amount and approach that stakeholders and those that had worked over 20 years to save the area, were promised by SCC and bond agreements. Unfortunately, and contrary to the bond language and contrary to grant staff reports of public support, there has occurred instead a systematic and deliberate obfuscation of process and change of what was envisioned and written.

**5. Should there be changes to a project's concept then it would be better to be responsive to the public and exchange such ideas in an open forum of meaningful discussion wherein the pros and cons of changing a project and/or excluding basic data can be publicly vetted and dealt with openly and directly. Today, there is a great deal of public outcry against the SCC's Plan for Ballona Wetlands Restoration. This outcry should be heeded as there are significant and scientific reasons for such dissension against the SCC Plan. Perhaps, even more importantly statewide, the basis for such dissension comes from the failure of due process that this grant process comment period attempts to address. Ballona exists as a model of what
has gone wrong and the need for change in the SCC award process.**

In conclusion, Grassroots Coalition seeks to allow the public to make an informed decision and to be able to participate fully in decision making.
GC also seeks to work with our state and federal agencies in an atmosphere of genuine openness, transparency and mutual respect.

Thank you for your attention to these matters of great public concern.
Patricia McPherson, Grassroots Coalition

From:	Jason Casanova
To:	SCC Comments Email
Subject:	Prop 1 Guidelines - additional comments
Date:	Friday, March 20, 2015 4:28:14 PM

For all Prop 1 grant awards, Council for Watershed Health would encourage the Coastal Conservancy to consider allowing a non-profit to be reimbursed at a higher indirect rate, either based on a federally approved rate* or a State rate (calculated using the same methodology as the federal process) that is negotiated and approved with the Coastal Conservancy, if it so chooses. Limiting indirect rates as it currently stands forces nonprofits to subsidize what the State requirements demand but refuse to fully cover (e.g. accounting, facilities, administrative expenses). Indirect costs are real costs of doing business and have nothing to do with profiteering. Prohibiting payment of indirect costs is particularly harmful to non-profit organizations, which do not receive funds from fees, fines, or rates. Paradoxically, prohibiting/limiting payment of indirect costs to grantees may cost the State more as it forces more of the work to be subcontracted through consultants that are then free to build indirect and profit charges into base rates.

We therefore ask the Conservancy to support and adopt these federally accepted methods of calculating the full costs of work ("direct" plus "indirect" expenses) and reimburse nonprofits for those costs.

* https://www.federalregister.gov/articles/2013/12/26/2013-30465/uniform-administrative-requirements-cost-principles-and-audit-requirements-for-federal-awards#h-156

Sincerely,
Jason Casanova
Council for Watershed Health

From: Bryan Largay
To: SCC Comments Email
Subject: Prop 1 Guidelines Comments
Date: Friday, March 20, 2015 12:40:44 PM

Dear Coastal Conservancy,
Thank you for this opportunity to submit comments on the Proposition 1 Grant Program Guidelines, Draft February 2015.

Below we provide our review of the proposed guidelines.

- We strongly support each of the goals identified on in Section II A, the Selection Criteria in Section II B and the Purposes in Section II C.
- Some of the purposes in Section II C may conflict with one another, such that a project that advances one purpose may detract from another purpose in this section. We encourage the Coastal Conservancy to invite transparency about such conflicts by requesting disclosure by project applicants, and inviting applicants to describe the net benefit overall to coastal resources after accounting for those tradeoffs.
- We strongly support Sections II D, E and F as written.
- We are comfortable with Section III.
- We support the CalEnviroScreen approach, although we might make this suggestion: that projects easily accessible by communities with a high CalEnviroScreen score, such as one within a couple miles on existing trails, would be eligible for the bonus points.
- Section V B. We are uncomfortable with the encouragement to include the California Conservation Corps because we have found the work ethic among various crews to be lacking.

We have no further comments.

Thank you for the opportunity to participate in your process.

Kind regards,
Bryan Largay

_____

Bryan Largay
Conservation Director, Land Trust of Santa Cruz County
831-234-1177 (m), Bryan.Largay@LandTrustSantaCruz.org

From:	patricia mc pherson
To:	SCC Comments Email
Subject:	Proposition 1 Grant Program
Date:	Friday, March 20, 2015 8:57:29 AM
Attachments:	ADDITIONAL COMMENTS JD COMMENTS copy.pdf CA CONSERVENCY PUBLIC COMMENTS JOHHN DAVIS 3-29-2012.pdf

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Grassroots Coalition (GC) resubmits the following Complaints filed to the Ca. Coastal Conservancy and have never received any
response as requested. The Complaints filed align with problems found in the 2011 Dept. of Finance audit performed upon the
Ca. Coastal Conservancy. While Ballona Wetlands Restoration and Prop 12 funds there used were not included in the samples chosen by
the Dept. of Finance, similar, if not worse problems accompany the use of Prop12 funds there.

GC believes that the CA. Coastal Conservancy has not made progress towards alleviating the problems encountered by the Dept of Finance audit of 2011.
Numerous issues of conflict of interest, fair political practice issues etc. that are not part of audits are also part of the concerns GC
has regarding the actions of Ca. Coastal Conservancy leadership and project manager --in particular concerning the Ballona Wetlands Restoration activities and the intimate and we believe conflicted relationship between the JPA-Authority consisting of the Santa Monica Bay Restoration Commission and the LA County Public Works as it is intertwined with a private business known as the Santa Monica Bay Restoration Foundation.

GC reserves the right to provide further comments per the Prop. 1 Grant program, however GC believes and is concerned that the same problems regarding the Ballona Restoration will likewise be a part of future Prop 1 Grant Programs and hence problems.

Thank you for your attention to these matters of great public concern,
Patricia McPherson, Grassroots Coalition

March 19, 2015

The Coastal Conservancy
1330 Broadway #1300
Oakland, CA 94612

RE: Draft Guidelines for the Implementation of Proposition 1 (Water Bond)

The Santa Clara Valley Open Space Authority (OSA) appreciates the opportunity to provide comment to the State Coastal Conservancy's (Conservancy) Draft February 2015 Proposition 1 Grant Program Guidelines. As an independent special district, OSA has jurisdiction over more than 1000 square miles of Santa Clara County, with a mission to conserve the natural environment, support agriculture and connect people to nature, by protecting open spaces, natural areas, and working farms and ranches for future generations. In November of 2014, the voters passed Measure Q, a 15 year funding measure for the OSA, providing $120 million dollars in funding for priority open space projects and programs throughout much of Santa Clara County. Water resource investment is a core component of Measure Q. OSA will now begin implementing Measure Q by investing in water resource projects that maintain and enhance the economic value of our watersheds and prepare our region for a changing climate.

The funding provided by Prop 1 provides an opportunity for the OSA to leverage its funds from Measure Q to increase the pace and scale of innovative watershed investments. All of the of the 13 specific purposes of providing funds to the Conservancy (identified in Chapter 6 of Prop 1, "Protecting Rivers, lakes, Streams, Coastal Waters and Watersheds") will support the OSA and its upcoming work to protect and enhance the region's water resources.

As the Conservancy updates its strategic plan in the coming months and identifies what portion of the Chapter 6 purposes its funding will achieve, the OSA recommends that the Conservancy emphasize projects that increase economic benefits of healthy watersheds, enhance groundwater recharge and watershed storage capacity through protection of open space, and leverage agricultural lands to support watershed adaptation projects. By placing additional emphasis on funding projects that demonstrate the economic benefits of natural lands to enhancing watersheds and climate adaptation, the Conservancy would position organizations to implement innovative green infrastructure pilot projects. Such investments would demonstrate the economic significance of watershed investments for providing multiple ecosystem service benefits and provide compelling and replicable models that support management of critical water resources in the future.

Sincerely,

Andrea Mackenzie
General Manager

cc: Open Space Authority Board of Directors

6980 Santa Teresa Blvd
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openspaceauthority.org

RESOURCE
CONSERVATION DISTRICT
OF SANTA CRUZ COUNTY

820 Bay Avenue, Suite 128
Capitola, California 95010
tel 831.464.2950 | fax 831.475.3215
www.rcdsantacruz.org

March 19, 2015

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

RE: Proposition 1 Grant Program Guidelines

Dear Mr. Schuchat:

Thank you for the opportunity to comment on the State Coastal Conservancy's (SCC) Proposition 1 Grant Program Guidelines (Guidelines). The Resource Conservation District of Santa Cruz County (RCDSCC) enjoys a very productive relationship with the SCC that has facilitated the implementation of significant restoration and conservation projects. The RCDSCC hopes to continue its partnership with the SCC, and in that vein, is pleased to submit the following comments and suggestions regarding the Guidelines.

Project Development Process. Involvement by regional SCC staff has been critical to our successful partnership. Early involvement has helped to align projects with SCC priorities and to develop projects that could ultimately be supported. The RCDSCC suggests that the Guidelines direct, and provide the support for, regional staff to work with local partners in the project development process. Regional staff has proven to be professional and competent, which has added tremendous value to our projects.

Grant Application Process. The RCDSCC suggests that a concept proposal step be incorporated into the overall grant application process. A simple, 3 – 5 page concept proposal would allow for local partners to vett projects prior to expending the resources associated with a full proposal at the same time it would relieve pressure on SCC staff in reviewing applications. The SCC has taken this approach with the Climate Ready grants and that has worked well from our perspective.

Grant Award (Pg. 7). Applicants would benefit from knowing standard contract terms ahead of time (perhaps including the boilerplate contract as an attachment to the solicitation notice) to ensure that the proposed work and budget can sufficiently meet detailed contractual requirements, such as contractor bonding requirements, specific signage requirements, labor policies or requirements, reporting requirements, whether or not a percent of the grant is retained until the project is completed, etcetera.

Community Support (pg. 8). Please broaden the score for community support to include support for the project goals/ type of project. For example, the community may be largely unaware of a specific project to improve water use efficiency on a private farm, yet there is strong community support for water conservation generally.

Grant Reimbursement (Pg. 9). After listening to the webinar for the Oakland workshop we are unclear as to the provisions regarding reimbursement. Information provided during the webinar suggested that grantees could not wait for grant reimbursement to pay contractors, but instead must pay contractors first before submitting the invoice to the SCC for reimbursement. If true, this requirement would be a significant and potential non-starter for the RCDSCC. Project costs can routinely account for 50% to 100% of the RCDSCC's reserve funds, and paying those costs ahead of reimbursement could prove to be financially catastrophic.

Multi-benefit (Pg. 8). The RCDSCC suggests that a greater emphasis be given to projects that achieve multiple benefits. There are many other grants programs from Proposition 1 that are well suited to single-purpose projects. The Coastal Conservancy has continually demonstrated its commitment to funding inter-connected, multi-benefit projects, and the RCDSCC suggests that these efforts continue through greater emphasis in the scoring criteria.

Thank you again for the opportunity to comment on the Guidelines. Please feel free to contact me if you would like clarification or additional information regarding any of these comments.

Sincerely,

Chris Coburn
Executive Director

March 19, 2015

Mr. Schuchat
Executive Director
California Coastal Conservancy
1330 Broadway #1300
Oakland, CA 94612

Re: Comments, Proposition 1 Grant Program Guidelines

Dear Mr. Schuchat:

We appreciate the Coastal Conservancy's leadership in protecting, restoring and enhancing resources, particularly in the San Francisco Bay Area. Save Mount Diablo has valued our partnership with the Coastal Conservancy and looks forward to continuing to collaborate with your agency.

Save Mount Diablo is a non-profit conservation organization founded in 1971 which acquires land for addition to parks on and around Mount Diablo and monitors land use planning which might affect protected lands. We acquire lands, steward them, restore habitat, build trails, and engage local residents to join us and enjoy these beautiful lands. In 1971 there was just one park on Mount Diablo totaling 6,778 acres; today there are almost 50 parks and preserves around Mount Diablo totaling 110,000 acres. We include more than 8,000 supporters – hikers, bikers, equestrians, birders, botanists, and people who just like to look at the mountain's natural beauty.

We appreciate the opportunity to comment on the Conservancy's draft Proposition 1 Grant Program Guidelines. While we support the guidelines, this letter outlines a few important suggestions for the Board's consideration based on the goals of Proposition 1.

A real strength of the Coastal Conservancy is its staff's relationships with many resource conservation organizations and agencies, from small volunteer groups to large agencies such as park districts. The grant process depicted is complex, relating to overlapping legislation, the California Water Action Plan, the Conservancy Strategic Plan, Porter Cologne Water Quality Control Act, the state's five-year infrastructure plan, the Conservation Lands Network, a CalEnviroScreen score, etc. Staff can efficiently solicit and then work with grantees to identify priorities, improve the proposal while balancing many competing factors. In the same way that the Conservancy Board must balance many factors too, in its decision making.

We strongly encourage the Coastal Conservancy to include land conservation as an eligible activity in any future solicitations. The permanent protection of critical lands is an essential tool to implement the "multi-benefit ecosystem and watershed protection and restoration projects" outlined in Water Code Section 79731(j).

In addition, the proposed guidelines reward grant projects that include matching funds. Many of the water agencies considering Prop 1 grant guidelines have agreed that projects which can qualify for different categories of Prop 1 funding should receive higher priority. To help facilitate the success of grant applications for its historic grantees, the Coastal Conservancy should have a portion of its grant program dedicated to help guide its grantees to other funding categories than just those the Conservancy manages. This will result in the achievement of even greater benefits in reaching Conservancy goals. We strongly suggest adding in a staff technical assistance step to help prospective applicants put the best projects forward.

The proposed scoring process will make applying for a grant more difficult. The draft guidelines' scoring system will favor agencies over non-profits even though non-profits accomplish some of the most innovative work in the conservation field and are very cost effective. There is no "one size fits all" strategy for working with these entities. For example a project may be proposed by an all-volunteer group which serves disadvantaged communities—a key goal of Prop. 1—but who may be less able to compete because of this complex grant process. It is also important that the public and allied organizations see projects balanced region wide if there is to be continued broad public support for resource funding measures. If scoring is used as part of the grant evaluation process, it should be as one facet of the evaluation process. Qualitative factors are as important as quantitative ones. The guidelines should be more flexible and there should be greater deference and consideration to Conservancy's staff's professional knowledge of and evaluation of applicants, their projects and the specific community and regional needs as well as for geographic balance.

Projects using California Conservation Corps for project implementation receive 5 bonus points but non-profits, which frequently accomplish projects at much lower cost than agencies receive no bonus. We value and support use of the California Conservation Corps but there are other ways to engage youth – through volunteer programs, intern programs like the Youth Ecology Core – and those should receive similar bonus points since they accomplish similar goals. For example, Save Mount Diablo undertook a 4-year stream restoration project for the East Bay Regional Park District and the East Contra Costa County Habitat Conservancy and the help of local volunteers. Working with volunteers, of all ages and from a variety of community organizations, dramatically reduced costs to the public and engaged the local residents with the natural lands in and around their community.

The Coastal Conservancy has a history of understanding the needs of the communities it serves. They have a history of staggering grant applications periods so different types of projects can be considered at different times to the year and this has served the Bay area and the East Bay well. We encourage the grant guidelines to be as flexible and user friendly as possible and to allow staff to work with applicants as much as possible to fund great projects and achieve the Conservancy's, Prop 1 and conservation goals.

We look forward to continuing to work with you. Please let me know if you have any questions.

Sincerely,

Julie Seelen,
Advancement Director

Save The Redwoods
LEAGUE®

March 18, 2015

Douglas Bosco, Chair
Sam Schuchat, Executive Officer
California State Coastal Conservancy
1330 Broadway, 13th Floor
Oakland, CA 94612

Re: Proposition 1 Grant Program Guidelines

Dear Mr. Bosco and Mr. Schuchat,

Thank you for the opportunity to comment on the California State Coastal Conservancy's draft Proposition 1 Grant Guidelines. We find the draft Guidelines a helpful and thoughtful approach to identifying high-quality projects to meet the goals of Prop 1 and the State Coastal Conservancy. Below is a general and then specific comments about scoring.

- The Introduction notes: *"The Conservancy provides technical assistance through its staff and provides grant funds to help develop and implement projects that achieve its goals."*

  This "technical assistance" has proven to be an essential component of the Conservancy's success. Conservancy staff work effectively with a large number of agencies and organizations to craft high-priority, well-leveraged projects that benefit the State and fulfill the mission and statewide goals of the State Coastal Conservancy.

  A collaborative effort will continue to be important with this Prop 1 funding. The types of projects being developed by NGOs and agencies for funding by the Conservancy's portion of Prop 1 funds require years to come together. The draft Guidelines requires sophisticated, data-rich applications, which have received community support as well as financial commitments from other entities. The timeframe for submission is a short, 60-day, project solicitation period. A quality application can comply with Guideline requirements only if the application has been developed by the applicant, in communication with Conservancy staff, for a substantial period of time prior to the solicitation period.

- Scoring

  - Clarify meaning of "multiple benefits". Is this duplicative of other Criteria identified on the Evaluation Scoring Criteria? For example, does a project meeting several "purposes" identified in Chapter 6 of Prop1 (20 points) also provide "multiple benefits"? Does a project implementing several aspects of the CA Water Action Plan or other state plans and policies provide "multiple benefits"? Or does this refer to benefits not listed elsewhere in the draft Guidelines, i.e. benefits identified in other statutes or policies? How many benefits must be provided to receive all 8 points?

  - Consider replacing the CalEnviroScreen tool as the measure of "disadvantaged community". Prop 1 uses the following definition for disadvantaged community: "a community with an annual median household income that is less than 80 percent of the statewide annual median household income" (subdivision (a) of Water Code Section 79505.5). The intent of Prop 1 will be better satisfied if the final Guidelines use the criteria specified in the bond measure. Specifically, on page 8 we suggest that bonus points be available to "communities with an annual median household income that is less than 80 percent of the statewide annual median household income."

    Also, consider moving the "disadvantaged community" factor into the base scoring at a rate comparable to other Criteria (5 or 8 points). Doing so will better integrate this factor with the other Prop 1 criteria.

  - Consider an alternate approach to encourage use of the California Conservation Corps rather than offering points or bonus points. Proposition 1 requires that the CCC shall be used for restoration and ecosystem projects "whenever feasible." Note that the ability to use the Corps will not always be feasible, through no fault of the applicant. Availability of CCC personnel may be limited by the number and skill sets of Corps personnel and by the short annual window for many projects. The Prop 1 requirement can be met by simply requiring that applicants demonstrate compliance, i.e. CCC personnel are used "whenever feasible". Once an application is selected for approval, the applicant should be required to seek to include the CCC. If it is feasible to use the CCC and the applicant refuses to do so, the application can be rejected.

  - Consider including a description of how a project could demonstrate sufficient community support to receive the full 8 points, taking into account

that some projects are more amenable to demonstrating such support than others.

- In the financial leverage section, change the 8 point standard to "projects that receive 50% or more in matching funds" rather than "greater than 50% matching funds."

Thank you again for your consideration of our comments. We look forward to continuing to work with the Conservancy as Save the Redwoods League enters its second century of protecting and restoring the redwood forests of California.

Sincerely,

Save the Redwoods League

By: Harry Pollack
General Counsel

735 B Center Blvd
Fairfax, CA 94930
415-259-0334 phone
415-259-0340 fax

MANAGEMENT BOARD:

Bay Area Audubon Council
Bay Area Open Space Council
Bay Planning Coalition
Citizens Committee to Complete the Refuge
Ducks Unlimited
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SF Bay Regional Water Quality Control Board
State Coastal Conservancy
U.S. Army Corps of Engineers
U.S. Environmental Protection Agency
U.S. Fish & Wildlife Service
U.S. Geological Survey
Wildlife Conservation Board

March 18, 2015

Sam Schuchat, Executive Director
State Coastal Conservancy
1330 Broadway, 13th Floor
Oakland, CA 94612

SUBJECT: San Francisco Bay Joint Venture (SFBJV) Comments on Prop. 1 Draft Guidelines

Dear Mr. Schuchat:

I am writing on behalf of members of the San Francisco Bay Joint Venture to provide our collective input on the Coastal Conservancy's draft guidelines for Prop. 1 funding. We eagerly anticipate the adoptions of the guidelines and release of funds that will support habitat as specified under Prop. 1
We believe that the Conservancy's draft guidelines reflect the best practices of the Conservancy in their grant making, as well as their leadership in regional habitat planning and project management. The proposed guidelines will enable the Conservancy to fund a variety of projects that support regional conservation plans and meet the goals of the Conservancy's strategic plan as well as the requirements of voter-approved language specified in Prop. 1.

Specific recommendations
The SFBJV would like to acknowledge the leadership of the Conservancy's collaboration with Joint Venture partners in delivering successful wetland habitat protection and restoration projects. We would like to offer the following specific comments that will ensure that projects of mutual interest can be funded under Prop.1 in a timely way.

1. Prioritize San Francisco Bay Area wetlands
It is well-documented that the waters of San Francisco Bay, its wetlands, watershed, and nearby coastal marshes are some of the most biologically important wetlands on the continent. Much of the coastal wetland protection and restoration that is occurring in California is in the Bay Area. All types of wetland and stream habitats in the region are being restored at a scale unprecedented anywhere else in the State. The Conservancy has already made huge investments in restoring habitats on a landscape scale in San Francisco Bay and its coastal watersheds. Prioritizing wetlands in the region will connect habitats, build on successful projects, and complete those currently in the planning phases.

The Conservancy-led Baylands Ecosystem Habitat Goals Update for Climate Change (BEHGU) emphasizes an urgency to restore tidal marshes and associated habitats and protect migration areas to maximize habitat resiliency, provide flood and storm surge protection, and build shoreline resiliency. BEHGU recommendations, supported by the Joint Venture's Climate Adaptation Decision Support models, show that biotic integrity

of wetlands, migration space, and transitional habitats can be preserved if we invest in protection and restoration sooner than later.

To maintain and enhance the values of these internationally significant wetlands, we recommend that a majority of the funding that the Conservancy dedicates to wetlands be allocated to the SF Bay Area, as identified in the geographic sub-regions of the SFBJV Implementation Plan and BEHGU.

2. Prioritize projects that meet the goals of Joint Venture Implementation Plans or and adopted projects
There are two Joint Ventures (San Francisco Bay and Pacific Birds Habitat), the Delta focal region of the Central Valley Joint Venture, and the Southern California Wetlands Recovery Program (SCWRP) within the jurisdiction of the Conservancy. The engagement and leadership of the Conservancy in Joint Ventures and their staff consultation with project managers brings a level of expertise to each project and helps to integrates statewide priorities and policies with habitat delivery and regional planning. As a result of strong partnerships, Joint Venture projects are well-vetted, have strong stakeholder involvement, are science-based, and have been coordinated through the state and federal regulatory processes. The Joint Venture tracks projects in all stages of planning and permitting. "Ready to go" projects have or will soon be permitted and will deliver on Joint Venture goals and other regional plans and demonstrate success for Prop. 1.

The Conservancy has historically welcomed SFBJV input into funding priorities. Validating the projects that meet Joint Venture goals and priorities can be formalized in several ways:
• List the Joint Venture Implementation Plan and adopted projects in the guidelines and in Appendix C.
• Specify that projects that meet the SFBJV Implementation Plan or have been vetted and supported by the Joint Ventures and the SCWRP be included as criteria in the Conservancy's strategic plan.
• Alternatively, bonus points could be awarded for those projects that are supported by the Joint Ventures and the SCWRP.

3. Continuously appropriate funds
Delivering funding to restoration projects that are "ready to go" in a timely way can be key to addressing climate change impacts such as sea level rise and can demonstrate results for the funding agencies. Quarterly RFP's will help ensure ongoing funding is available to those projects that are 'ready to go" and ensure that projects can be delivered in a timely way, as well as provide important "match" for other funding sources.

4. Resolve ways to provide Prop. 1 funding to deliver habitat on state-owned lands
The State owns and manages vast acreages of very important wildlife habitats in San Francisco Bay, such as Bel Marin Keys and Eden Landing. We are concerned that agencies are precluded from granting funding to themselves under the competitive process specified in Prop. 1. We encourage creative solutions to applying Prop 1 funds to wetland restoration on state lands, by partnerships between the various state agencies and with nongovernmental organizations. *We are more concerned about functioning wetland ecosystems and delivering habitat, water quality, flood protection, and conservation benefits than we are about who owns the land.*

Thank you again for the opportunity to provide input into the Conservancy's Prop. 1 guidelines. We look forward to continuing our collaboration with the Conservancy to deliver wetland habitat conservation projects that will demonstrate the success of Prop. 1.

Sincerely,

Diane Ross-Leech
Past Chair

SFEI AQUATIC SCIENCE CENTER
4911 Central Ave, Richmond, CA 94804, p: (510) 746-7334, f: (510) 746-7300 www.sfei.org

Date: March 19, 2015
To: Coastal Conservancy Commission and
From: Warner Chabot, San Francisco Estuary Institute
Re: Testimony on February Draft Proposition 1 Grant Program Guidelines

Dear Coastal Conservancy Commission and Staff:

My perspective on the Conservancy's grant program is based a 40-year working experience with both the Conservancy and the Coastal commission in roles ranging from Local government planner, private consultant and no-n profit policy advocate.

I am currently the Executive Director of the San Francisco Estuary Institute. We are a science-based NGO that provides reports and GIS-based science tools to CA decision makers to address land use, aquatic and environmental restoration issues.

The Conservancy plays a unique, invaluable and efficient role in funding and managing the projects that best reflect a public investment in the public interest. The Conservancy staff and commissioners play a unique, transparent and democratic role in maximizing the public interest in public coastal projects.

You achieve these results in three ways:

1. Your strategic plan, conceived in a public process, sets statewide environmental priorities,
2. You convene and assist regional coalitions and constituencies to set regional priorities
3. You work with grantees as a funder and a partner to maximize the value of a project.

I want to stress the importance of this critical third role. A critical and essential Conservancy staff role your assistance to disadvantaged communities and small groups whom often lack the sophistication better financed NGOs to understand and participate in the grant application process. I strongly urge that the Conservancy's final guidelines specifically have policies to allow the staff to continue to work with grantees throughout the application process.

It is the Conservancy's job to:

- Identify projects that implement statewide goals
- Assist regional planning efforts to set priorities,
- Focus on best achievable outcomes, regardless of what group get to those outcomes.

Please do not restrict the ability of staff to work with applicants to help bring the best possible proposals before the Commission for their consideration. I'm confident that the Conservancy's strategic plan, your project selection criteria and the transparent public process followed by the Conservancy Board, provides adequate balance and openness to assure fairness in this process.

Thank you.

Warner Chabot

Executive Director

SONOMA COUNTY
AGRICULTURAL PRESERVATION
AND OPEN SPACE DISTRICT

March 18, 2015

Mr. Sam Schuchat, Executive Director
California Coastal Conservancy
1330 Broadway, 13th Floor
Oakland, CA 94612

RE: State Coastal Conservancy Proposition 1 Grant Program Guidelines

Dear Mr. Schuchat:

We appreciate the Coastal Conservancy's long term leadership in protecting, restoring and enhancing resources, particularly in the nine county San Francisco Bay Area. The Sonoma County Agricultural Preservation and Open Space District values our partnership with the Coastal Conservancy and we look forward to our continued work together to conserve coastal watersheds and provide public access and recreational opportunities to the residents and visitors to Sonoma County.

Thank you for the opportunity to comment on the Coastal Conservancy's Proposition 1 Grant Program Guidelines. We support the guidelines and believe they are clear and consistent with the Coastal Conservancy's best practices. This letter outlines a few important suggestions for the Board's consideration based on the goals of Proposition 1.

We strongly encourage the Coastal Conservancy to include land conservation as an eligible activity in any future solicitations. Permanent land protection is an essential tool to implement the "multi-benefit ecosystem and watershed protection and restoration projects" outlined in Water Code Section 79731(j). Additionally, we support staggered project solicitations, as we believe this approach will result in high quality projects across a diversity of geographies.

The Coastal Conservancy has expertly facilitated the completion of critical and transformative projects in the nine county Bay Area because of its technical expertise, local knowledge and ability to be flexible, given the unique circumstances of each project. Agency flexibility is a powerful tool and should be embraced and maintained within the framework of this competitive grant program.

We urge the Coastal Conservancy to adopt guidelines that maximize the intent of serving communities in need, while ensuring that important high quality projects remain eligible. It is difficult to develop stringent criteria which apply to all our incredibly diverse State and Bay Area. We encourage a flexible and adaptable approach to the Prop. 1 guidelines which is consistent with the intentions of the voters and legislators.

We look forward to our continued collaboration with your excellent and effective agency. If you have any questions, please do not hesitate to contact me.

Sincerely,

Bill Keene, General Manager
Sonoma County Agricultural Preservation and Open Space District

March 13, 2015

Samuel Schuchat
California State Coastal Conservancy
1330 Broadway, 13th Floor
Oakland, CA 94612-2530

RE: COASTAL CONSERVANCY PROPOSITION 1 DRAFT GUIDELINES

Dear Mr. Schuchat:

On behalf of the Sonoma County Water Agency, I am writing to express comments on the State Coastal Conservancy's Draft Proposition 1 Grant Program Guidelines (Draft Guidelines). Our Agency provides water to cities and water districts that serve more than 600,000 people in Sonoma and Marin counties, and we are committed to effectively managing the water resources in our care for the benefit of people and the environment. The State Coastal Conservancy has been an important partner to the Agency and the region, and we appreciate the opportunity to provide comments on the Conservancy's Draft Guidelines.

Regarding the strategies used to identify and award points for projects that will benefit disadvantaged communities, we believe the current structure in the Draft Guidelines doesn't adequately recognize the many disadvantaged communities along the state's north coast. Proposition 1 uses the following definition for disadvantaged community: "a community with an annual median household income that is less than 80 percent of the statewide annual median household income" (subdivision (a) of Water Code Section 79505.5). This is a different definition from the one used to identify disadvantaged communities in the draft guidelines which relies the CalEnviroScreen tool.

In order to ensure that projects benefitting all of California's disadvantaged communities in the north and south are fairly recognized, we suggest that the Draft Guidelines be amended to use the criteria specified in the bond language. Specifically, <u>on page 8, we suggest that bonus points be designated to "communities with an annual median household income that is less than 80 percent of the statewide annual median household income."</u>

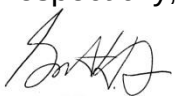
Regarding the use of conservation corps, we encourage the State Coastal Conservancy to amend the Draft Guidelines so that applicants are encouraged to work with a broad variety of programs that employ at risk youth. In Sonoma County the Sonoma County Youth Ecology Corps (SCYEC) at risk youth and young adults receive workforce training and learn about environmental stewardship by performing ecosystem restoration and conservation

work. The SCYEC and other programs like it around the state could be valuable partners for project applicants and the State Coastal Conservancy in implementing projects funded with Proposition 1 dollars. On pages 8 and 9 of the Draft Guidelines, we suggest adding the phrase “or other programs employing at risk youth in conservation or restoration projects” after “California Conservation Corps” so that applicants are encouraged to work with a broader variety of programs that benefit at risk youth.

Finally, we urge the State Coastal Conservancy to consider increasing the pace at which it grants Proposition 1 funds. While the Draft Guidelines outline an anticipated schedule of $10 million in grants per year, we believe that demand for this funding exceeds that amount. We suggest that the State Coastal Conservancy either shorten the time frame for spending these funds to five years or start with a higher grant amount in the first few years of the program. If this funding is spent quickly on strong and effective projects, the State will start realizing the benefits of these investments and achieving the goals of Proposition 1 more rapidly.

If we can be of any assistance to you please call.

Respectfully,



GRANT DAVIS, GENERAL MANAGER

SONOMA ECOLOGY CENTER

Protecting the beauty and biodiversity of Sonoma Valley

March 20, 2015

California Coastal Conservancy
1330 Broadway #1300
Oakland, CA 94612
comments@scc.ca.gov

To Whom It May Concern:

Sonoma Ecology Center has the following comments on the draft California State Coastal Conservancy Proposition 1 Grant Program Guidelines.

- Please state when the allowable period of match begins and ends. This is essential information for applicants because in many cases, availability of match determines whether it's worth submitting a proposal. We urge this period to begin on the submittal due date or earlier.
- Please state when the reimbursable period begins (hopefully upon award, not upon final signatures). An early start date is especially helpful for smaller nonprofits and agencies who may have more difficulty paying for the substantial time required for contract development.
- Please include, with any request for proposals, a sample contract and sample invoice that accurately reflect what successful applicants will use. These documents are essential information for proposal writers, because they often include requirements that affect the project budget.
- Please state if there's a retention, and if so how much, and under what conditions it is paid.
- Please write your guidelines and solicitations in such a way that projects can involve true volunteers. That is, please protect these projects from having to pay prevailing wage to people who want to contribute free labor, services, or expertise.
- Please make electronic reimbursement your default method of paying invoices, as the federal government does. Speedy reimbursement is especially important to smaller organizations and municipalities.
- Please provide monetary compensation for late reimbursement to nonprofits. Such compensation is already made available to municipalities and businesses in many state contracts and agreements.

We are pleased to have the opportunity to review the Proposition 1 Grant Program Guidelines, and hope that you will take our comments into account as representative of the concerns of many small environmental non-profits in the state.

Sonoma Ecology Center works with our community to enhance and sustain ecological health in Sonoma Valley and surrounding areas. Founded in 1990, Sonoma Ecology Center has worked to increase appreciation and stewardship of Sonoma Valley's natural heritage and create measurable benefits in areas of land, water, climate change, and biodiversity. We endeavor to preserve and protect the beauty and biodiversity of Sonoma Valley by addressing challenges related to water supply and quality, open space, rural character, biodiversity, energy, climate change, and community engagement.

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info@sonomaecologycenter.org • www.sonomaecologycenter.org

SONOMA LAND TRUST

822 Fifth Street
Santa Rosa, California 95404
(707) 526-6930
www.sonomalandtrust.org

March 20, 2015

Via email: comments@scc.ca.gov

Sam Schuchat, Executive Director
State Coastal Conservancy
1330 Broadway, Suite 1300
Oakland, CA 94612

Re: Sonoma Land Trust Comments on Proposition1 Draft Guidelines

Dear Mr. Schuchat:

Sonoma Land Trust is pleased to submit the following comments on the State Coastal Conservancy's (Conservancy) Proposition 1 Draft Guidelines dated January 2015.

The Conservancy has played a significant leadership role in shaping the landscape of the San Francisco Bay and along California's Coast in profound ways which benefit the people of Sonoma County and California. The Coastal Conservancy staff is widely acknowledged and appreciated for its deep knowledge, expertise in developing complex and significant projects, and its ability to bring a much valued state-wide perspective to local issues. The draft guidelines reflect these effective practices and we are confident that the Conservancy's role in delivering water bond funding will result in lasting and effective projects and programs.

Overall, we fully support the proposed guidelines, and offer the following specific comments for consideration by the Board.

II. Program Purposes, Required Criteria and Eligibility

F. Project Eligibility

In order to deploy the full range of conservation tools, we suggest calling out land protection via conservation easements and/or fee acquisition as eligible projects. The permanent protection of critical lands is an essential tool to implement the "multi-benefit ecosystem and watershed protection and restoration projects" outlined in Water Code Section 79731(j) and 79732. We also suggest including planning as an eligible project. While our work is framed by state and regional plans, solutions are frequently implemented at the local level, where support is needed to translate regional plans to local or watershed scale implementation plans and on-the-ground project activities. Planning support will ensure efficient use of implementation funds.

III. Grant Application Process and Timeline

B. Project Solicitation Periods

We support the Conservancy's choice to offer four project solicitation periods each year – as it gives flexibility to applicants. We recommend that the annual grant funding be equitably allocated throughout the year.

We understand the Conservancy plans to spend the Proposition 1 funds over a 10-year period, allocating approximately $10 million per year (depending on annual appropriations). We wonder if that might affect the ability for the Conservancy to participate in significant large-scale watershed land protection and restoration work. Some of our significant protection and restoration projects in Sonoma County have been in excess of $10 million, and even when the Conservancy's funds are leveraged with other public and private sources, it could constrain the ability for us and other applicants to take advantage of these types of opportunities. We would like the Conservancy Board to consider either a shorter time frame to spend the Proposition 1 funds, such as five years, or providing the flexibility to increase the annual funding allocation, as needed, during the program.

C. Application Review and Evaluation

We appreciate and value the manner in which the Conservancy staff currently manages projects. They use their expertise and state-wide perspective to work with applicants to screen and develop projects. We hope this role will continue for the Proposition 1 Application Process, and believe this type of collaboration and assistance leads to better project design and an overall efficiency of both the applicants' and the Conservancy's resources.

IV. Grant Evaluation and Scoring

The Conservancy has an extraordinary amount of in-house expertise. We suggest that Conservancy staff members be recognized and considered as "professionals with relevant expertise" and be defined and eligible as a "Reviewer" in the scoring process.

In addition to the criteria in the draft guidelines, there are numerous regional conservation plans, many of which were developed with funding by and participation with the Conservancy staff, that intersect with the criteria set forth in the Water Bond. These include, but are not limited to, the Bay Habitat Goals, the Upland Goals/Conservation Lands Network, and other local and watershed plans, such as the North Coast Parcel Study, and the Cedars Conservation Plan. We suggest using these and other detailed, regional science-based tools and knowledge as additional references, as applicable, to support and meet Proposition 1 outcomes.

B. Scoring Criteria

The scoring criteria states "the extent to which" a project achieves, includes, promotes, etc. It would be helpful to provide more information, detail or examples about how the applicant would meet the given criteria and, with regard to providing "multiple benefits", to define this term in context of the Water Bond.

We suggest including other state funding sources as eligible to count as a match to receive the bonus points.

Thank you for the opportunity to provide input into the Conservancy's Proposition 1 guidelines. We look forward to continuing our collaboration with the Conservancy to implement effective projects that demonstrate the success of Proposition 1.

Sincerely,

Wendy Eliot
Interim Executive Director

CALIFORNIA STATE LANDS COMMISSION
100 Howe Avenue, Suite 100-South
Sacramento, CA 95825-8202

JENNIFER LUCCHESI, *Executive Officer*
(916) 574-1800 FAX (916) 574-1810
California Relay Service from TDD Phone **1-800-735-2929**
from Voice Phone **1-800-735-2922**

Contact Phone: **(916) 574-1940**
Contact FAX: **(916)** 574-1835

Sent via Email and U.S. Mail
comments@scc.ca.gov

March 19, 2015

California Coastal Conservancy
1330 Broadway #1300
Oakland, CA 94612

Subject: Proposition 1 Grant Program Guidelines Draft, Grants Funded by the Water Quality, Supply, and Infrastructure Improvement Act of 2014

Dear California Coastal Conservancy Grants Administrator:

This letter is in *supplement* to the previous letter of comment submitted by the California State Lands Commission (CSLC) to the Coastal Conservancy Grants Administrator, dated March 16, 2015. The previous comments were more specifically directed toward the Draft Project Solicitation and Evaluation Guidelines Proposition 1, Watershed Restoration & Delta Water Quality and Ecosystem Restoration Grant Programs (Guidelines), which is being prepared by the California Department of Fish and Wildlife (CDFW).

California State Lands Commission (CSLC) staff have reviewed the Draft Proposition 1 Grant Program Guidelines, under preparation by the California Coastal Conservancy as the public agency grants administrator, and submit the following supplemental comments pertaining to California Coastal Conservancy Grant Guidelines.

CSLC staff believe there is a high priority need to enhance and preserve the ecological integrity and long-term viability of existing productive coastal wetland systems that have been restored through prior actions. In particular, many of these tidal wetland systems of statewide importance are managed by public agencies, and are either underfunded or have no available funds to undertake necessary adaptive management actions. Examples of needed actions include maintaining tidal circulation, restoration enhancement of existing coastal wetland habitat, managing invasive species, controlling predators, and removing sediment, among others. Without the implementation of corrective actions, significant degradation may occur. Of utmost concern is the potential for tidal inlet closures in systems that have been previously restored to full tidal circulation. If an inlet closure occurs, sever or catastrophic impacts on the species within the wetland system are likely.

These tidal coastal wetlands and associated shallow water habitats are extremely important for a wide variety of ecological resources, as well as the protection of listed species. Given the historic losses of coastal wetland habitat in California, CSLC staff believe a priority should be placed on ensuring public agency managed existing tidal wetland systems continue to function at a high level through grant funding augmentation to preserve the State's investment in these sites and sustain a "no net loss" of California's wetlands.

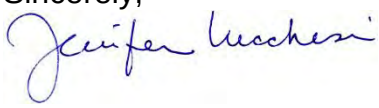
Funding eligibility for public agency managed coastal wetland systems appears consistent with the Conservancy Required Project Selection Criteria and the Purposes of Proposition 1 Grant Program Guidelines as follows:

- Enhancing wildlife habitats;
- Assisting communities to prepare for the impacts of climate change, including sea level rise;
- Protecting healthy watersheds and fishery resources;
- Protecting and restoring aquatic, wetland and migratory bird ecosystems;
- Protecting and restoring coastal watersheds including but not limited to, bays, marine estuaries, and nearshore ecosystems;
- Reducing pollution or contamination of coastal waters; and,
- Assisting in the recovery of endangered, threatened, or migratory species by improving watershed health, and coastal wetland restoration.

Thank you for the opportunity to comment on the Draft Program Guidelines. We request that you consider our comments prior to adoption of the final Guidelines.

Please send a copy of the final Guidelines when they become available to the CSLC, attention Wendy Hall, Public Lands Management Specialist. For questions concerning these comments, please also refer to Wendy Hall at (916) 574-0994 or wendy.hall@slc.ca.gov.

Sincerely,



JENNIFER LUCCHESI
Executive Officer

cc: Eric Gillies, Assistant Chief, Division of Environmental Planning & Management, CSLC
Wendy Hall, Public Land Management Specialist, Land Management Division, CSLC
Pam Griggs, Assistant Chief Counsel, CSLC

CALIFORNIA STATE LANDS COMMISSION
100 Howe Avenue, Suite 100-South
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from Voice Phone **1-800-735-2922**

***Contact Phone:* (916) 574-1940**
***Contact FAX:* (916) 574-1835**

Sent via Email and U.S. Mail
comments@scc.ca.gov

March 16, 2015

California Coastal Conservancy
1330 Broadway #1300
Oakland, CA 94612

Subject: Project Solicitation and Evaluation Guidelines Proposition 1 Watershed Restoration & Delta Water Quality and Ecosystem Restoration Grant Programs

Dear California Coastal Conservancy Grants Administrator,

The California State Lands Commission (CSLC) staff has reviewed the Draft Project Solicitation and Evaluation Guidelines Proposition 1, Watershed Restoration & Delta Water Quality and Ecosystem Restoration Grant Programs (Guidelines), which is being prepared by the California Coastal Conservancy as the public agency grants administrator.

CSLC staff believes there is a high priority need to enhance and preserve the ecological integrity and long-term viability of existing productive coastal wetland systems that have been restored through prior actions. In particular, many of these tidal wetland systems of statewide importance are managed by public agencies, and are either underfunded or have no available funds to undertake necessary adaptive management actions. Examples of needed actions include maintaining tidal circulation, invasive species management, and predator controls among others. Without the implementation of corrective actions, significant degradation may occur. Of utmost concern is the potential for tidal inlet closures in systems previously restored to full tidal circulation. Should a closure occur, it is likely to have a severe or catastrophic impact on many of the species that utilize that wetland system.

These tidal coastal wetlands and associated shallow water habitats are extremely important for a wide variety of ecological resources, as well as the protection of listed species. Given the historic losses of this coastal wetland habitat in California, CSLC staff believes a priority should be placed on ensuring public agency managed existing tidal wetland systems continue to function at a high level

through grant funding augmentation, to preserve the State's investment in these sites and sustain a "no net loss" of California's wetlands.

Funding eligibility for public agency managed coastal wetland systems appears consistent with the stated basis for the Watershed Restoration Grant Program guideline legislation, as follows:

- CWC 79700 et seq. – Water Quality, Supply and Infrastructure Improvement Act of 2014 (Proposition 1); and

- CWC 79737 (b) – For the purposes of this section, watershed restoration includes activities *to fund coastal wetland habitat*, improve forest health, restore mountain meadows, modernize stream crossings, culverts, and bridges, reconnect historical flood plains, install or improve fish screens, provide fish passages, restore river channels, restore or enhance riparian, aquatic, and terrestrial habitat, *improve ecological functions*, acquire from willing sellers conservation easements for riparian buffer strips, improve local watershed management, and *remove sediment* or trash [emphasis added]; and

- Fish and Game Code (FGC) Section 1501.5(b) – The department may grant funds for fish and wildlife habitat preservation, restoration, and enhancement to public agencies, Indian tribes, and nonprofit entities whenever the department finds that the grants will assist it in meeting its duty to preserve, protect, and restore fish and wildlife.

Additionally, as outlined in the Project Solicitation and Evaluation Guidelines, Section 2.2 Eligible Project Types: Watershed Restoration Grant Program (CWC §79737[b])

- Restoring/protecting coastal wetland habitat
- Supply water to wetlands
- Improving ecological functions
- Removing sediment

Therefore, the CSLC staff respectfully requests that California Coastal Conservancy consider the following comments to the Project Solicitation and Evaluation Guidelines:

COMMENT #1:

2.2 Eligible Project Types, Watershed Restoration Grant Program (CWC §79737[b]), (Page 4) – **ADD**: *Preservation, restoration enhancement and adaptive management of existing coastal wetland habitat of statewide importance;*

Thank you for the opportunity to comment on the Draft Guidelines. We request that you consider our comments prior to adoption of the final Guidelines.

Please send a copy of the final Guidelines when they become available to the CSLC, attention Wendy Hall, Public Lands Management Specialist. For questions concerning these comments, please also refer to Wendy Hall at (916) 574-0994 or wendy.hall@slc.ca.gov.

Sincerely,

JENNIFER LUCCHESI
Executive Officer

cc: Eric Gillies, Assistant Chief, Division of Environmental & Planning Management, CSLC
Wendy Hall, Public Land Management Specialist, Land Management Division, CSLC
Pam Griggs, Assistant Chief Counsel, CSLC

From:	Sungnome Madrone
To:	SCC Comments Email
Subject:	Water Bond Draft Program Guidelines
Date:	Friday, February 13, 2015 9:31:44 PM

Most of the Guidelines look good. I am concerned that the Northcoast watersheds are not specifically identified like so many other watershed and conservancies. Is the northcoast eligible and competitive for these grants?

Sungnome Madrone
Executive Director
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Protecting nature. Preserving life.

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March 20, 2015

Mr. Samuel P. Schuchat
Executive Officer
California State Coastal Conservancy
1330 Broadway, 13th Floor
Oakland, CA 94612-2530

Dear Mr. Schuchat,

Thank you for the opportunity to provide comments on the California State Coastal Conservancy's Draft Proposition 1 Grant Program Guidelines (Program Guidelines).

The Nature Conservancy (Conservancy) is a global, nonprofit conservation organization with over one million members. The mission of the Conservancy is to conserve the lands and waters on which all life depends. In pursuing this mission, the Conservancy relies on a science-based approach both to identify key threats to important natural communities and to develop effective strategies for their conservation.

Beginning in 2009, the Conservancy actively engaged in helping to shape environmental provisions of the water bond and worked to ensure that the final version of Proposition 1 acknowledged the important connection between a healthy ecosystem and a clean and reliable water supply for people and nature. The Conservancy ultimately endorsed Proposition 1 because this connection was explicitly recognized throughout the bond and the measure will fund a range of activities that will address the State's water infrastructure needs and do so in a manner that provides benefits to people and nature.

Furthermore, the Conservancy believes that the Proposition 1 funding affords an excellent opportunity to direct funding to achieve the broader objective of moving the State toward more sustainable water management today and for future generations. The Administration's California Water Action Plan, finalized in January 2014, speaks to this "bigger picture" and lays out several key objectives to achieve greater reliability, restoration, and resilience in regards to California's water system. The Conservancy provided comments on the draft California Water Action Plan and is very supportive of using this plan to frame Proposition 1 implementation.

In order to achieve the prioritization of meeting the broader goals of the California Water Action Plan, the Conservancy should reward grant proposals that deliver multiple benefits (e.g., ecosystem restoration, water quality, flood protection, economic, etc.). In addition, we believe that it is important that the Conservancy have a mechanism to communicate more openly with stakeholders and that a "pre-project" consultation process and/or a mechanism for submission of "pre-proposals" should be developed to help ensure that individual projects that are submitted for consideration are framed in a manner that is consistent with achieving larger State objectives.

The consideration of preparing for and addressing the impacts of climate change should be at the forefront as the Coastal Conservancy finalizes its guidelines and implements Proposition 1. For this reason, we greatly appreciate the consideration of climate change in the Program Guidelines and encourage the Coastal Conservancy to keep this issue top of mind going forward. In addition, the Conservancy offers the following general comments on the Program Guidelines:

- Adaptation project proponents need funding and support to advance planning in order to increase the likelihood of success for capital investments in adaptation. We are concerned that – given the explicit reference to sea level rise vulnerability – the limits on the use of bond funding for planning purposes will encourage implementation projects in advance of adequate planning, resulting to unintended consequences. The Coastal Conservancy should develop a creative approach to this issue. We recommend the Coastal Conservancy award more points for entities providing matching funds that will be used for planning or to proposals that can demonstrate that adequate vulnerability planning has been conducted for the proposed project area.
- Many good concepts in nature-based sea level rise adaptation are still awaiting a meaningful demonstration, and the Coastal Conservancy should prioritize such projects for funding. For example, the rolling conservation easement – the boundaries of which change as mean high water changes the boundaries between private and public property – is a concept that has existed in the literature for decades, but still needs to be demonstrated in the field to show proof of concept. Similarly, most private property owners default to protecting their assets with seawalls because alternative "living" shoreline treatments lack detailed specifications and demonstrated success. California needs these strategies as part of their adaptation portfolio, and the Coastal Conservancy is the right funder to help demonstrate them.
- Consideration of future climate impacts is essential for long term project success. Thus, projects funded with bond funds should not only advance restoration today, but promote durability, adaptability, and resilience into the future.
- Projects funded with bond money should be required to not only provide clear metrics of success, but should also generate information from lessons learned for future funding. Projects should explicitly be required to show what went wrong in addition to the traditional list of successes. The Conservancy recommends the Coastal Conservancy should commit to develop a grantee community of practice that convenes regularly, and shares best practices and lessons learned.
- Projects should build from a strong science foundation and/or advance ongoing research and include publicly accessible monitoring, methods and data.
- Some allocation of funding should be reserved for investment in "pilot projects" that test new criteria, methods, and approaches for climate resilient habitat and green infrastructure projects that can demonstrate multi-benefit outcomes including potential for carbon sequestration.

The Conservancy offers the following specific comments on the Program Guidelines:

- We are very pleased to see "sea level rise vulnerability" as an explicitly articulated project selection criterion. In addition, we recommend that the Coastal Conservancy should articulate a few other high-priority project selection criteria, including "project advances multiple benefits," "project ensures environmental flows to estuaries and protects and restores estuaries," and "project advances integrated water management." These are critical to the Coastal Conservancy's mission, and reasonably non-controversial. In particular, we recommend the Coastal Conservancy award more than five points to projects showing multiple benefits.
- The Conservancy requests inclusion of this specific criterion in the project evaluation scoring: "To the extent which the project utilizes existing natural features/ecosystem processes, or the restoration of natural features/ecosystem processes. Specifically, the use of nature-based or nonstructural alternatives." The use of nature-based approaches, combined with the preservation and restoration of natural systems and ecosystem processes, provide numerous benefits and support a system-wide, watershed approach[1] that considers the interdependencies of natural systems. For example, restoring wetland functions along a coastal or riverine system, or creating living shorelines.[2][3] One option would be for it to replace or supplement the criterion, "The extent to which the project employs new or innovative technology or practices."
- The guidelines state that projects should both demonstrate public support and greater than local interest. While we appreciate the need for many projects to have a "scalability" component, the Coastal Conservancy's most important niche is advancing local coastal conservation, and working with local project proponents. Accordingly, we would like to see the guidelines reflect the Conservancy's important role as an innovator in this policy area.
- We request that the grant evaluation and scoring (p. 7) explicitly recognize the value and benefits of regional conservation plans by awarding points for projects that implement the non-mitigation portions of Natural Community Conservation Plans (NCCP) adopted pursuant to Fish & Game Code, Section 2800 *et seq*.
- Under the "Grant Evaluation and Scoring" section (p. 7-8), the guidelines should more explicitly list the multiple benefits that a proposed project will provide. This will give further guidance to potential grantees and allow for greater accountability in the ranking of projects for grant awards.
- We support the awarding of bonus points for projects that benefit disadvantaged communities (DAC) based on CalEnviro Screen (Grant Evaluation and Scoring, p. 8). The Coastal Conservancy should also consider awarding additional points for projects located within a DAC and should require applications to demonstrate how projects will "benefit" a DAC in the grant application.

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[1] Additional guidance on watershed approaches can be found in the most current version of the *Principles and Guidelines for Water and Land Relates Resources Implementation Studies now referred to as the Principles, Requirements and Guidelines (PR&G).*

[2] A living shoreline is a shoreline management practice that provides erosion control benefits; protects, restores, or enhances natural shoreline habitat; and maintains coastal processes through the strategic placement of plants, stone, sand fill, and other structural organic materials (e.g., biologs, oyster reefs, etc.). NOAA Shoreline Website

[3] Excerpted from President Obama's Executive order on Flood Risk Management in list of Key Federal Priorities https://www.whitehouse.gov/the-press-office/2015/01/30/executive-order-establishing-federal-flood-risk-management-standard-and-v

This demonstration should at a minimum be a qualitative explanation and, where feasible, a quantitative demonstration of the "benefit."

- The guidelines call for the promotion and implementation of state plans and priorities, but specifically call out only the California Water Plan. It would be helpful for applicants if the guidelines could also reference the:
    - Ocean Plan;
    - Safeguarding California Plan[4];
    - Sea Level Rise Action Plan (under development by the Ocean Protection Council);
    - Environmental Goals and Policy Report (Draft)[5];
    - President Obama's Executive order on Flood Risk Management in list of Key Federal Priorities[6];
    - Principles, Requirements and Guidelines for Federal Investments in Water Resources[7];
    - Executive Order 13653: Preparing the United States for the Impacts of Climate Change[8];
    - Priority Agenda – Enhancing the Climate Resilience of America's Natural Resources[9]; and,
    - Regional conservation plans that encompass a proposed project (i.e., Habitat Conservation Plans and/or Natural Community Conservation Plans).
- The number of proposal solicitation periods (PSPs) is large, suggesting that the Coastal Conservancy anticipates giving a large number of relatively small grants. While we understand the importance of a wide portfolio approach, we believe that it is important to undertake ecological restoration projects at scale to achieve larger systemic results. In this regard, we recommend a tiered approach, during which every other PSP funds high-price-tag projects.
- Additionally, there are funding sources provided under Proposition 1 for multiple agencies to define and deliver projects in the same categories. For example, the Coastal Conservancy, Department of Fish and Wildlife and the Wildlife Conservation Board all administer programs under Proposition 1 for coastal wetlands protection and restoration. It is important that there is a unified approach across these agencies in developing the criteria for project funding; alignment of objectives and streamlining of authority so that project applicants can better understand which agency PSP may be the best fit for their respective projects.

The Conservancy looks forward to the opportunity to work with Coastal Conservancy to ensure the final Proposition 1 Grant Program Guidelines provide funding for multi-benefit ecosystem protection and restoration projects.

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[4] http://resources.ca.gov/docs/climate/Final_Safeguarding_CA_Plan_July_31_2014.pdf
[5] http://www.opr.ca.gov/s_egpr.php
[6] https://www.whitehouse.gov/the-press-office/2015/01/30/executive-order-establishing-federal-flood-risk-management-standard-and-v
[7] https://www.whitehouse.gov/sites/default/files/final_principles_and_requirements_march_2013.pdf
[8] http://www.gpo.gov/fdsys/pkg/FR-2013-11-06/pdf/2013-26785.pdf
[9] https://www.whitehouse.gov/sites/default/files/docs/enhancing_climate_resilience_of_americas_natural_resources.pdf

Thank you for your consideration. Please contact me if you have any questions about these comments.

Sincerely,

Jay Ziegler
Director, External Affairs & Policy

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VIA EMAIL

March 9, 2015

Mr. Sam Schuchat
Executive Officer
State Coastal Conservancy
1330 Broadway, 13th Floor
Oakland, CA 94612-2530

Re: State Coastal Conservancy Proposition 1 Grant Program Guidelines 2015-2016

Dear Sam:

Thank you for the opportunity to comment on the State Coastal Conservancy (Conservancy) Proposition 1 Grant Program Guidelines which establish the process and criteria that the Conservancy will use to solicit applications, evaluate proposals, and award grants. The Trust for Public Land enjoys an ongoing, rich partnership with the Conservancy, and we look forward to working with the Conservancy through this program.

We have reviewed the program guidelines and have summarized our comments below. Overall, we strongly encourage the Conservancy to include land conservation as an eligible activity in any future solicitations. The permanent protection of critical lands is an essential tool to implement the "multibenefit ecosystem and watershed protection and restoration projects" outlined in Water Code Section 79731(j). In addition, we are concerned by the inflexibility inherent in the strict quarterly application process as described in these guidelines. Historically, the Conservancy has facilitated the completion of critical and transformative projects in California at least partly due to its ability to be nimble and flexible when faced with the unique circumstances of each project. Agency flexibility is a powerful tool and should be embraced and maintained within the framework of the competitive grant program.

We would be happy to discuss these comments with you or answer any questions you may have.

II. Program Purposes, Required Criteria and Eligibility

Section II.A (p.3): Purpose of Proposition 1 Grant Program Guidelines

As stated in the program purposes, projects must be "consistent with the Conservancy's enabling legislation, its Strategic Plan and its existing project selection criteria, and Prop 1. Land conservation is consistent with, and implements the express objectives of the above documents.

Conservation is consistent with the Conservancy's enabling legislation, its Strategic Plan, and its existing project selection criteria

The Conservancy's enabling legislation encourages and explicitly directs the Conservancy to acquire interests and options in real property and make acquisition grants to protect agricultural lands; natural habitats, connecting corridors, watersheds, scenic areas, and other open-space

resources of regional importance within the San Francisco Bay Area; the Santa Ana River; and coastal resources.[1]

There is substantial support for acquisitions in the Conservancy's Strategic Plan 2013-2018 (Strategic Plan). Selected relevant priorities for the Conservancy include:

- Bay Area: "Additional conservation work is needed to sustain the region's unique biodiversity, particularly in the face of climate change impacts."[2] As the population grows, the acreage and accessibility of open space for urban populations needs to keep pace (p. 10);
- North Coast: Fishery protection in four key harbors (Crescent City, Humboldt Bay, Noyo Harbor, Bodega Bay), combatting working land conversion;
- Central Coast: Protect working lands in Santa Cruz Mountains, protect and restore coastal rivers and streams, protect working lands (p. 13);
- South Coast: Acquisitions for Santa Clara River Parkway, green infrastructure (LA), urban waterfront revitalization. (p. 15);

Finally, Proposition 1 provides substantial and explicit funding and support for land conservation. The Water Bond provides support for land conservation in when it states "protecting lakes, rivers, and streams, cleaning up polluted groundwater supplies, and preserving water sources that supply the entire state are crucial to providing a reliable supply of water and protecting the state's natural resources."[3] Furthermore, Section 79707(j) states" [t]o the extent feasible, watershed objectives included in this division should be achieved through use of conservation easements and voluntary landowner participation…."

The Water Action Plan also makes conservation a statewide priority

Section IV.B.3 of the guidelines (p.7) measures the "extent to which the project promotes and implements the California Water Action Plan…." The California Water Action Plan (WAP), section 4, strongly supports land protection within its list of critical priorities including:

- "Protect and restore degraded stream and meadow ecosystems to assist in natural water management and improved habitat. Meadows provide a natural storage opportunity, critically important with a changing climate, while properly functioning stream systems reduce downstream sedimentation and enhance critical aquatic habitat."[4]
- "Support and expand funding for protecting strategically important lands within watersheds to ensure that conversion of these lands does not have a negative impact on our water resources. By working with willing landowners, protection of key lands from conversion will result in a healthier watershed by reducing polluted runoff and maintaining a properly functioning ecosystem."[5]

Section II.B (p.4): The guidelines require project locations to benefit "coastal, ocean resources, or the SF Bay region". We suggest that these guidelines be more specific about what qualifies as

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[1] *See CA* Public Resources Code section 31000-31410.
[2] State Coastal Conservancy Strategic Plan, San Francisco Bay Area, p.10.
[3] §79701(i)
[4] California Water Action Plan. 2014, p.10.
[5] California Water Action Plan. 2014, p.10.

ocean resource. Green infrastructure, for example, is typically designed to benefit ocean resources as it improves the overall health of our oceans but is frequently located inland.

Section II.F (p.5): The guidelines stipulate that funds must be spent on construction or acquisition of capital assets and/or activities incidentally related like planning and design. We suggest that *community outreach and events related to public project participation* should be an eligible expense as well. Community buy-in and participation is a key element to the success of any project. Funds from grant programs such as this need to allow for dollars to be spent engaging and educating the community. While the efficacy of community outreach may be more difficult to quantify than dollars spent on a capital improvement, it is no less important or necessary for these projects to succeed.

Section II.C: Purposes of Proposition 1, Chapter 6

- **Section C, subsection 1 and 4, (p.4)**:

The guidelines state that all Prop 1 grants funded by the Conservancy "must achieve at least of these Chapter 6 purposes" including the following:

  - Subsection 1 states "Protect and increase the economic benefits arising from healthy watersheds, fishery resources and instream flow."
  - Subsection 4 states "Protect and restore aquatic, wetland, and migratory bird ecosystems including fish and wildlife corridors and the acquisition of water rights for instream flow."

The Conservancy has traditionally treated conservation and protection of natural resources as necessarily intertwined. We suggest that "protected" (as described in Subsection 1 and 4) be explicitly defined so as to include acquisition of real property interests where doing so clearly advances the goals of the program and the Conservancy. The Trust for Public Land firmly believes that land conservation - by fee or conservation easement - is a necessary element of the state's goal of protecting ecosystems.

- **Subsections 2, 3, 9, and 10:** What is the desired scale, impact, and/or regional priorities for these suggested watershed adaptation, urban river greenway, urban watershed and coastal watershed projects?

III. Grant Application Process and Timeline

Pre-Application Consultation

The Trust for Public Land recommends that consultation with Conservancy regional staff be added as a required step for all potential applicants prior to the submittal of a grant application. This assistance is invaluable for prospective applicants interested in putting the best projects forward and makes the application process more efficient for all parties. Furthermore, this minor yet vital technical assistance can provide invaluable information to prospective applicants with less capacity or experience to become more competitive for these funds, including those located within disadvantaged communities. If the ultimate goal is project success, pre-application consultation is a necessary step in the process - neither the grantor nor the grantee wins in a black box approach to grand making.

We suggest adding language: *"Applicants are strongly encouraged to contact Conservancy staff to schedule an informal consultation to discuss potential projects and the grant process prior to submitting an application."*

Section III.A (p.6): This section states "[t]he Conservancy may elect to solicit targeted proposals for a specific type of project for some of the solicitation periods." We would advise against targeted proposals with thematic limitations and encourage flexibility in project solicitations as thematic limitations may conflict with tight, relatively inflexible project timelines. If the language is left as is, the Conservancy could miss the opportunity to participate in some very important but time-limited projects as a result. Should the Conservancy move forward with targeted proposals, significant (minimum 90 day) advanced notice should be provided on the themes addressed in upcoming grant RFPs. This advanced notice will further the goals of transparency and project success in administering these bond funds.

Section III.C.2 (p.6): Consider soliciting concept proposals as an intermediate screening step. This step (in addition to or in place of the above consultation) will improve the quality of full proposals and avoid wasting Conservancy staff and applicant time in the preparation of proposals that are not a good fit for the program.

Section III.C.3 (p.6): The requirement that expert reviewers (including reviewers "other than SCC staff" from federal and state agencies and others with relevant expertise) score these applications seems unnecessary. It is generally accepted that Conservancy staff are experts in their field. We suggest that, for the purposes of this program, Conservancy staff be generally accepted as "professionals with relevant expertise." We suggest letting the agency determine if it does not have the internal expertise to review a certain application and allowing staff to consult with outside experts in such a situation.

IV. Grant Evaluation and Scoring (p.7)

Evaluation Scoring Criteria

Section IV. B. Criteria 1: Please provide more clarity to "the extent" the project achieves the purposes of Chapter 6. As this criteria amounts to 20 points, it would be helpful to have a better understanding, at the outset, of the expectations for scale and impact.

Promoting and Implementing Plans

Section IV.B. Criteria 3: We suggest amending this criteria to read "[t]he extent to which the project promotes and implements the California Water Action Plan, other state and ***local*** plans and policies, and relevant regional water plans."

Section IV.B. Criteria 5: In addition to showing "community support" we believe that bonus points should be added for projects that show "community engagement". This distinction is important as community engagement reflects an added level of community involvement in a project and is a more likely indicator of future project success. Furthermore, we suggest broadening this language to provide points for projects that demonstrate partnerships.

Matching Funds

Section IV.B. Criteria 7: We suggest the guidelines state explicitly whether state funds and in-kind donations are acceptable as matching funds. We recommend that other state funds and in-kind donations should be counted as matching funds.

We recommend that "projects with ***equal to*** or greater than 50% matching funds will receive 8 points" and "Bonus points for projects with ***equal to*** or greater than 100% matching funds." Both for consistency with the "at least 25% matching funds" provision and to avoid cumbersome numerical situations (e.g., project provides 50.01% matching funds).

Technology Practices

Section IV.B. Criteria 10: We recommend revision to "The extent to which the project employs new, innovative, ***or proven*** technology or practices." There is no utility in punishing methods that are proven to be effective at meeting the objectives of the program. The objective should be maximum impact, not novelty, unless a novel approach is proven to be more effective than a conventional approach. For example, in southern California, one of our organizational goals is to scale our green alley work. We have built on proven technology in cleaning water in regions with heavy clay soils to infiltrate groundwater and ensure runoff to the ocean has been filtered.

Definition of Disadvantaged Community

Bonus Points: This subsection notes that bonus points will be awarded to proposed projects that "primarily benefit communities with high pollution burdens and/or high population characteristic scores, based on CalEnviroScreen maps". The Trust for Public Land believes that many disadvantaged communities are inadequately reflected in the CalEnviroScreen maps. Disadvantaged coastal communities in Northern California and highly urban communities including San Francisco and Los Angeles (where severely disadvantaged populations may reside within the same census tract as non-disadvantaged) are particularly excluded from the maps. We suggest that you add "or other disadvantaged or severely disadvantaged communities" to this subsection in order to provide the flexibility for applicants to show through a variety of means that the community in which a project is located or will serve is disadvantaged. An applicant should have the opportunity to submit, in writing, an assessment of why the community should be considered disadvantaged, or how the project directly benefits a disadvantaged community.

Other means to show disadvantaged may include:

- Communities with mean household income of less than a certain percentage of statewide median based on the most current census tract level data from the American Community Survey.
- Communities in which a certain percentage of public school students in the project area are eligible to receive free or reduced-price meals under the National School Lunch Program.

V. Additional Information (p.8)

Section V.B: Many cities have strict bidding requirements, and it can be challenging to use California Conservation Corps to do significant work. Consider adding, "*project applicants are encouraged to use the CCC or local workforce where feasible or as encouraged by jurisdictional labor laws.*"

Section V.C: We recommend that funds should be made available in advance, as a deposit into a third-party escrow account, for acquisitions of property interests.

Section V.D: Please clarify what, if any, expectations for CEQA timing this program will require.

Thank you again for the opportunity to comment on the Prop 1 Guidelines. We believe that this program has the potential to be a substantial driver of change in California in furtherance of the goals stated in Prop 1 related to the protection of coastal waters and watersheds. However, The Trust for Public Land believes that there is more work to be done in order to meet the Conservancy goals outlined in the guideline introduction on p. 3 (including- protect the natural and scenic beauty of the coast; keep farmland and timberlands in production; revitalize working waterfronts; and assist communities to prepare for the impacts of climate change). Conservation, in the form of easements and fee simple acquisitions, is a vital way to ensure that these goals are met.

Please let me know if you have any questions or require further information. I can be reached at 415.800.5309 or via e-mail at Mary.Creasman@tpl.org.

Sincerely,

Mary Creasman
California Director of Government Affairs

DEPARTMENT OF THE ARMY
LOS ANGELES DISTRICT, U.S. ARMY CORPS OF ENGINEERS
915 WILSHIRE BOULEVARD, SUITE 930
LOS ANGELES, CALIFORNIA 90017

March 20, 2015

Office of the Commander
and District Engineer

California Coastal Conservancy
1330 Broadway #1300
Oakland, California 94612

Dear Sirs and Madams:

The California State Lands Commission (CSLC) staff has shared their concerns regarding the Draft Project Solicitation and Evaluation Guidelines Proposition 1, Watershed Restoration and Delta Water Quality and Ecosystem Restoration Grant Programs (Guidelines), which is being prepared by the California Coastal Conservancy as the public agency grants administrator.

I agree there is a high priority need to enhance and preserve the ecological integrity and long-term viability of existing productive coastal wetland systems that have been restored through prior actions. Millions of dollars have been spent restoring coastal wetlands systems in southern California. However, some previously restored coastal wetland systems suffer from inadequate maintenance accounts. Without implementation of corrective actions, substantial degradation may occur. Examples of needed actions include maintaining tidal circulation, restoration enhancement of existing coastal wetland habitat, managing invasive species, controlling predators, and removing sediment, among others.

Of utmost concern is the potential for tidal inlet closures in systems that have been previously restored to full tidal circulation. If an inlet closure occurs, severe or catastrophic impacts on the species within the wetland system are likely. These tidal coastal wetlands and associated shallow water habitats are extremely important for a wide variety of ecological resources, as well as the protection of listed species. Given the historic losses of coastal wetland habitats in California, a priority should be placed on ensuring existing tidal wetland systems managed by public agencies continue to function at high levels.

I recommend the California Coastal Conservancy consider the following comments to the Project Solicitation and Evaluation Guidelines:

COMMENT
2.2 Eligible Project Types, Watershed Restoration Grant Program (CWC §79737[b]), (Page 4)
ADD: "Preservation, restoration enhancement and adaptive management of existing coastal wetland habitat of statewide importance;"

Thank you for the opportunity to comment on the Draft Guidelines. We request that you consider our comments prior to adoption of the final Guidelines. If you have any questions

regarding these comments, please contact Mr. Larry Smith, Ecologist, at (213) 452-3846. This letter is also being sent via email to comments@ssc.ca.gov.

Thank you for your attention to this document.

Sincerely,

for Kimberly M. Colloton, PMP
Colonel, US Army
Commander and District Engineer

From: Reed Addis
To: Small, Mary@SCC
Subject: Re: I hope all is well
Date: Tuesday, February 03, 2015 8:54:19 AM

Thanks a million!

I will review.

I can see one issue right off the bat that I will raise with you. I work with the local conservation corps and we developed language for Prop 1 chapter 6 to require the use of the corps, when appropriate. We have developed language to be used in guidelines, modeled off of our work with the alternative transportation program, that would allow the guidelines to be compliant with the law. I would like to talk to you about the following language when you have a chance.

Thanks again,

DRAFT LANGUAGE FOR WATER BOND GRANT PROGRAMS

Applicants shall use the California Conservation Corps or a qualified conservation corps, as defined in Section 14507.5 of the Public Resources Code whenever feasible for restoration and ecosystem protection projects in accordance with Sections 79714 and 79734 of the Water Code. Applications shall include: (1) a signed certification by the California Conservation Corps AND a qualified conservation corps that the project will use a corps to the extent possible; or (2) a signed certification by the California Conservation Corps and a qualified conservation corps indicating that it is infeasible to use a corps on the project. Applications submitted without a signed certification as specified in this subdivision will not be considered for funding.

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EEC
Environmental and Energy Consulting

On Feb 3, 2015, at 8:41 AM, Small, Mary@SCC
<Mary.Small@scc.ca.gov> wrote:

Hi Reed
Here they are.
Mary

~~~~~~~~~~~~~~~

Mary Small
Deputy Executive Officer, Coastal Conservancy
1330 Broadway #1300 Oakland, CA 94612
510-286-4181
<image001.gif>

From: Reed Addis [mailto:reed@caleec.com]
Sent: Monday, February 02, 2015 9:37 PM
To: Small, Mary@SCC
Subject: I hope all is well

Would you mind sending me your new prop 1 guidelines?

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