San Francisco Bay Restoration Authority
Independent Citizens Oversight Committee

Committee Members

Cindy Darling, Chair, East Bay Representative, Contra Costa County
Paul Jones, Vice Chair, At-Large Representative, San Mateo County
Nancy Cave, West Bay Representative, San Francisco County
Andy Rodgers, North Bay Representative, Sonoma County
Barry Nelson, At-Large Representative, Alameda County
Vacant, South Bay Representative

Governing Board
San Francisco Bay Restoration Authority
1515 Clay Street, 10th Floor
Oakland, CA 94612

Dear Governing Board Members,

This letter constitutes the Independent Citizens Oversight Committee’s annual review of San Francisco Bay Restoration Authority’s Conformance with Measure AA and covers the period of July 1, 2018 to June 30, 2019.

Conclusions and Recommendations

- The Authority staff have been open and receptive to the Independent Citizens Oversight Committee’s inquiry and recommendations.
- The Authority is continuing to pursue a solid selection and implementation process for restoration projects as envisioned by the Bay Area voters when they approved this historic measure to increase the health and resilience of the Bay.
- The Authority has authorized numerous high-quality restoration projects, as summarized in the Annual Report, that will provide important environmental, recreational, and climate adaptation benefits for the Bay Area.
- The Authority continues to receive clean audit reports from an independent auditing firm and is using sound fiscal management.
- The Authority is spending the funds raised by Measure AA in conformance with the law.

Item 7: Draft Report to Governing Board
What is committee and how do we operate?

The Committee, while expected to have six members from around the Bay, currently is operating with five members as SFBRA continue to advertise for a South Bay representative. While we would be a stronger committee with representation from the South Bay, we believe that our combined 150 plus years of experience tackling the challenges of aquatic resource restoration and enhancement of the Bay’s recreational resources still allows us to fulfill our duties. Individual committee members have a range of expertise in wetlands, restoration, water, flood control, environmental and project monitoring, trail projects, and how best to select and implement projects. We have a breadth of experience managing government funding programs. This year, we have operated virtually and while it’s worked well, we look forward to meeting in person again someday. Cindy Darling has agreed to continue as our Chair and Paul Jones has stepped up as the new Vice Chair.

What did we review this year?

Our work has been based on the language and history of Measure AA itself, the FY 2018-2019 Annual Report, the FY 18/19 financial statements, the auditor’s report for FY 18/19, and the Grant Program Round 3 results from May 8, 2020. We had presentations on the EcoAtlas Dashboard being used for Performance Measures and the activities of the Bay Restoration Regulatory Integration Team (BRRIT). Because our work was delayed by the Bay Area wide shelter-in-place orders, we had an opportunity to review the Staff Work Plan and Budget for both the FY 19/20 and the FY 20/21 years. We have interviewed the Authority staff to better understand their recommendations on several financial and program decisions. Based on this information, we have come to the conclusions highlighted above and the recommendations included below. For the recommendations, we have retained the grouping from last year’s report to improve continuity.

Building for the Future and Managing Expectations

The restoration of San Francisco Bay will fundamentally improve the Bay Area for decades to come. That vision, the strategic goals for Measure AA, are bold, ambitious and will take time and will-power to achieve. We are heartened to see the progress in selecting and beginning to implement projects to meet those strategic goals. We understand that implementing projects on this scale will take time. We support the work of the staff, the Authority, the applicants, and the Advisory Committee to date. The following are our recommendations:

The Annual Report continues to show a large gap between cumulative expenses and remaining balance, which might be misinterpreted as SFBRA is sitting on funds instead of allocating. Our recommendations on how to manage these expectations are included under Overall Financial Tracking.
In addition, it would be useful to include a high-level multi-year budget projection showing how funds will be expended over time.

Better explanation as to why it takes time to expend funds should be accompanied by efforts to ensure that projects are getting implemented on schedule. Make sure staff are prodding grantees to explain delays and rectify problems. If there are program requirements such as Project Labor Agreements that are unfamiliar to some grantees, make sure they have access to training and resources that help them meet those requirements.

**Geographic distribution**

Contra Costa County is behind in funding. That has been somewhat addressed by funding for Lower Walnut Creek and North Richmond Shoreline Living Levee. Staff should continue to focus on ensuring that the geographic goals for funding are being met and, if there is a current gap in geographic distribution of funding, what the program is doing to address that disparity in the future.

The committee also questioned why Sonoma County didn’t show up in the county funding summary in EcoAtlas Dashboard. The answer, that funding for Sonoma County projects were all included in the Multi-county “wedge” in the graphic, should be included as a footnote.

**Bay Restoration Regulatory Integration Team (BRRIT)**

The Committee continues to be very supportive of the BRRIT. We urge the BRRIT to continue to focus on developing agreement on monitoring requirements for projects, in coordination with Wetland Regional Monitoring Program and helping resolve problems, especially related to potentially duplicative or unnecessary monitoring and reporting requirements.

The process being used to solicit projects for BRRIT attention is working but the Committee recommends increasing the frequency of accepting new projects, perhaps switching to a quarterly system instead of bi-annual.

**Staff Work Plan and Operating Budget**

As our region and our nation continue to struggle with the legacy of racial inequality, the Committee believes it is important for those of us involved in environmental restoration efforts reach out to communities of color. These communities have historically been less involved in environmental issues while they have often been disproportionately impacted by pollution and health hazards. We believe it is important to ensure that they have equal access to the decision-making process and have a healthy place to live, learn, work, and enjoy the benefits of improved access to nature. The Committee was pleased to see that environmental justice reforms are being implemented (short term and long term). In addition to having a consultant create a report, the Advisory Committee has been focusing a lot of their time on shaping these reforms. We encourage the Advisory Committee to continue to pursue these efforts.
Overall Financial Tracking

The Committee continues to recommend that the Authority clarifies that funds have been authorized, committed, programmed, and obligated to specific projects, even if not spent yet. To give readers a sense of when funds will be spent, Staff should better explain that these funds in the “Schedule” table are “Grant Awards.” Staff should also explain entire funding and financial tracking process and how it takes time to move from a board authorization to grant agreement and work program, and then to invoicing for multiple years of funding as project is implemented.

Interest Income

The Committee recognizes that the historic decline in interest rates due to the pandemic are changing the expected interest income. We support the current allocation of interest to the operating budget but continue to encourage the Authority to improve their future estimates of interest income and allocate it in future budgets to best meet the needs of the overall program.

Adaptive Management and Performance Measures

EcoAtlas Dashboard for performance measures has good interactive elements. It is a helpful summary for people who are not technically inclined and over time will become an excellent repository of individual project information and to see how the Restoration Authority is doing in terms of meeting its overarching goals.

Outreach and Communication in Unsettled Times

Ensuring continued public support over the long haul will require increased public outreach and engagement. The Authority has worked diligently on improvements to outreach. While we recognize that the pandemic, the associated recession, and the issues around systemic racism have come to dominate the news cycle, the Committee encourages the Authority to look for ways to link restoration to these headlines.

For example, relative to both COVID and the recession, explain how restoration projects can proceed and provide economic stimulus. People can work outdoors on restoration jobs in a time where many other forms of economic activity have come to a standstill. In addition, access to open space and nature has helped people exercise and stay healthy and sane during this time of crisis.

With the continued focus on environmental justice and partnership with people of color, the Authority can highlight improved public access and contributing to workforce development in these communities. Outreach efforts should include more young people and people of color in interviews. Let them tell the story of how they are benefiting from Authority projects.
As a way to improve understanding of restoration efforts overall, the Committee suggests that as projects become more numerous, Staff should consider reporting regionally within Annual Report. Project-by-project reporting can get confusing as the number of projects increases and it becomes more difficult to differentiate multiple projects with similar names and different phases. To make it more accessible to the public, a regional focus can make it easier to comprehend.

Lastly, although other issues have taken over the headlines, the Committee continues to believe it is important to highlight how restoration around the Bay can help our region prepare for the impacts of climate change. Scientists have warned about a potential pandemic for years. We were not prepared. Scientists are continuing to warn about climate change. We need to listen and prepare.