



# Director's Report

March 18, 2020

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## PROGRAM HIGHLIGHTS

### Wetland Regional Monitoring Program

The WRMP Plan is now complete! The WRMP is developing a robust, science-driven, collaborative regional monitoring program that will include a(n):

- Monitoring site network
- Open data sharing platform
- Comprehensive science framework



The Plan is the result of 2 years of work from a committed group of regulators, scientists and restoration practitioners and lays the foundation for the development of the WRMP. Upcoming program development focuses on determining the funding model and governance

structure, developing the data system, conducting outreach to the intended user community, and establishing a Technical Advisory Committee. The WRMP Plan will be released in mid-March along with communication materials. We encourage partners to share the exciting news in their newsletters and on websites where appropriate. More information can be found at [www.wrmp.org](http://www.wrmp.org).

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## Integrated Regional Watershed Management Disadvantaged Community and Tribal Involvement Program (DACTIP)

The DACTIP program has made large strides forward in implementing the work plan. SFEP executed the Grant Agreement in September and subsequently contracted with 11 project partners to continue the Needs Assessments that were begun under the previous grantee.

SFEP facilitated a workshop for all project partners and a number of interested agencies, including the Department of Water Resources, in February. The workshop provided the first opportunity for all project partners to share the information they've collected so far and the suite of issues the communities have indicated are priorities to address. The workshop presented a unique opportunity for these partners to share their experiences and to discuss possible partnerships to address common concerns within their communities. In total, ten Disadvantaged Community partners presented as well as five tribal partners.

The DACTIP program is also launching two new tasks that include conducting Needs Assessments for homeless communities in the Bay Area and a tap water quality testing program to address findings that are coming out of the ongoing Needs Assessments.

## San Francisco Bay Restoration Authority

The San Francisco Bay Restoration Authority (SFBRA) is seeking to fill the South Bay seat on the [Independent Citizens Oversight Committee](#). Applications will be due in early April. Check out the [website](#) for full details.

A new EcoAtlas dashboard specifically designed for SFBRA projects will be released in Mid-March. This collaboration with the San Francisco Estuary Institute will allow SFBRA staff and the public to easily view progress on projects and performance measures. An announcement will be made on the [website](#) when the dashboard is launched.

Spring is full of action for the Authority and its committees, with the Advisory Committee meeting on March 20th and the Oversight Committee meeting on April 11th. The

Governing Board will announce the list of projects recommended for funding in the third round at its meeting on May 8th.

[Projects](#) funded in the first two rounds are making progress including work in the San Pablo Bay National Wildlife Refuge by Point Blue Conservation Science's STRAW Program (Students and Teachers Restoring a Watershed). Natasha Dunn (SFBRA Project Manager) had a site visit with Isaiah Thalmayer (Point Blue Senior Project Manager) in February to observe the restoration of 1.3 linear miles of critical shoreline habitat.



*Students from Valley View Elementary School (Richmond)    Natasha Dunn and Isaiah Thalmayer*

## San Pablo Avenue Green Stormwater Spine Project

As reported in the last Director's report, after many years of planning, raising funds, and moving through an array of challenges, the San Pablo Avenue Green Stormwater Spine project broke ground on September 23rd in Berkeley. This project installed a series of flow-through curb extension planters to treat stormwater and urban runoff prior to its discharge into a drainage inlet plumbed directly to Codornices Creek. The work at this site is complete, pending installation of interpretive signage and low ornamental fencing.



*Berkeley Site**Oakland Site*

The Oakland site broke ground in mid-November to build a 10' wide, linear rain garden running the length of the block between 16th and 17th Streets. This site will transform the block significantly by adding the rain garden, changing the parking layout, upgrading ADA features, and adding bicycle lanes. This work should be completed in March. Read the SFGate article on the project [here](#).

The last two sites in Emeryville and El Cerrito will go forward in the late spring, once EBMUD has finished relocating water pipelines in conflict with the designs.

## COMPLETED PROJECTS

### Integrated Regional Watershed Management (IRWM) Grants

#### Round 2

#### **Pescadero Water Supply and Sustainability Project**

*Sponsor: County of San Mateo*

The Pescadero Water Supply and Sustainability Project included the construction of a new municipal groundwater well and storage tank for the community of Pescadero. The project will help provide adequate water supply, emergency response, water reliability and



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groundwater improvement to approximately 100 households. Added benefit comes from extending the aquifer life of the local water supply.

## Round 4

### **Pescadero Water Supply and Sustainability Project**

*Sponsor: San Francisquito Joint Powers Authority*

This project was the second phase of the flood reduction and habitat restoration project that begins east of Highway 101 and extends to the bay. This phase of the project has doubled the flow capacity of San Francisquito Creek from Geng Road to San Francisco Bay from about 4,500 cubic feet per second (cfs) to greater than 9,000 cfs. Together with Phase 1 of this work, the project protects approximately 1,300 properties from creek flooding from a 100-year flood event and protects against over nine feet of sea level rise compared to today's mean tide. The project also restored approximately 18 acres of tidal marsh. This restoration was done in the creek channel itself as well as Faber Marsh, which houses one of the highest densities of the Ridgway's Rail in the entire bay area.



### **Suisun Marsh Water Quality Monitoring and BMP**

The grant period for an EPA water quality improvement fund project is closing and the final report is being prepared for the *Suisun Marsh Managed Wetlands Best Management Practices Water Quality Improvement Pilot Project*. The grant work focused on developing, implementing, and assessing the effectiveness of various best management practices to address low dissolved oxygen and methylmercury generation in the managed wetlands and tidal sloughs of Suisun Marsh, located in Solano County.

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The project was composed of three components which included (1) identifying constraints, opportunities and recommendations for managed wetland Best Management Practices in Suisun Marsh that could improve water quality relative to Dissolved Oxygen and Methylmercury, (2) build knowledge within the managed wetland landowner community, and (3) develop working relationships between all stakeholders to support attaining long-term Total Maximum Daily Load objectives.

## NEW FUNDING

### IRWM Prop 1 Implementation Round 1 - \$22,750,000

DWR is currently working towards completing their technical review of the grant packet submitted by SFEP in November. SFEP expects a notice of award in March. This round of IRWM funding will implement eight different projects across the region. Specific projects included in this suite are listed below.

**Project 1:** RD1 System Fish Passage Improvements, Alameda County Water District

**Project 2:** Lower Walnut Creek Restoration, Contra Costa County Flood Control and Water Conservation District

**Project 3:** River Oaks Stormwater Capture Project, City of San José

**Project 4:** North Bay Water Reuse Program Phase II, North Bay Water Reuse Authority

**Project 5:** Calistoga Water and Habitat Project, City of Calistoga and Napa County Resource Conservation District

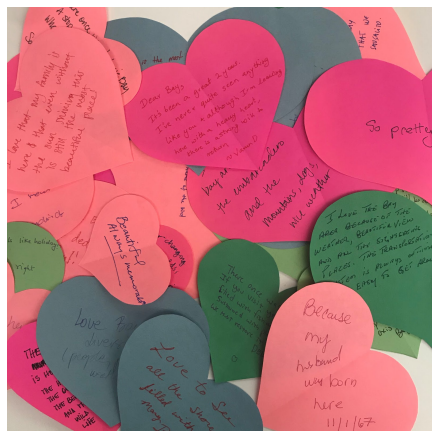
**Project 6:** Upstream of Highway 101- San Francisquito Creek Flood Protection, Ecosystem Restoration Project, San Francisquito Creek Joint Powers Authority

**Project 7:** Bay Area Regional Water Conservation, East Bay Municipal Utility District

**Project 8:** San Francisco Zoo Recycled Water Pipeline Project, San Francisco Public Utilities Commission

## COMMUNICATIONS

### #Iheartestuaries Week



As part of the national [I Heart Estuaries](#) campaign February 12-14, SFEP joined with the SF Bay NERR to host an online and in-house poetry slam to encourage people to put pen to paper and express their thoughts about the Estuary. On Wednesday, February 13, SFEP staff set up a table in the lobby of the Bay Area Metro Center, and collected dozens of estuary-inspired haikus, limericks, sonnets and other writings. A winner was selected from the online submissions and highlighted in the Facebook event page

and on the SF Bay NERR's Facebook page. Here is the winning entry by Daniel Yim:

*Estuaries, the border of everything.  
Land and sea. Fresh and salt. Wave and break.  
Where trees give way to shrubs give way to grass  
give way to mud give way to water.  
Edges break and fade.  
Borders find space between themselves  
for all the light within.*

Other entries can be found on SFEP's [Facebook](#) page and on the [event page](#).

### ESTUARY News Magazine

The December [issue of ESTUARY News](#) summarizes findings and insights from 115 speakers at the 2019 State of the Estuary conference in Oakland. Highlights include new research on the food preferences of salt marsh harvest mice, how drones can improve monitoring of landscape changes, initiatives to upgrade various aging infrastructure to address emerging contaminants of concern and climate change, new policy and governance priorities for the Estuary, and much more.



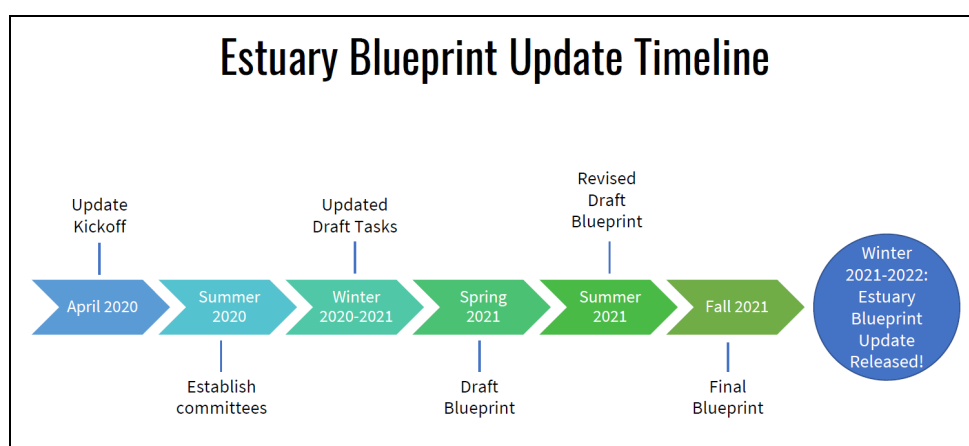


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## PROGRAM MANAGEMENT

### Estuary Blueprint Update

Our current Estuary Blueprint contains actions that go through the end of 2021. It's important that our priority actions stay relevant and continue to look towards our long-term goals. To that end, we are launching the process for the next Estuary Blueprint, with the aim to have the update ready by the winter of 2021-22. More information on timing and process will be forthcoming soon!



### EPA 5 Year Program Evaluation

Every five years, each NEP undergoes a Program Evaluation process undertaken by the U.S. Environmental Protection Agency (EPA). The primary purpose of the Program Evaluation process is to provide information to EPA in its assessment of each NEP's CCMP implementation progress and the achievement of environmental results. The Program Evaluation consists of two parts: 1) a package of written materials including responses to standardized performance measures and a narrative summary of the NEP's work plan goals and activities (due to EPA on March 16), and 2) an on-site visit by the Performance Evaluation Team from EPA Headquarters and including an ex-officio NEP Director (to be undertaken in September).

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## SFEP Organizational Study

As I presented at the November Strategic Planning Retreat, the Organizational Assessment of SFEP conducted by Consensus Building Institute (CBI) is complete and CBI has provided their final report (attached). In addition to the final report, I am also providing an overview of the recommendations with my responses, areas of progress, and next steps.

## National Estuary Program Spring Workshop and Congressional Visits

The National Estuary Program's 2020 Spring Meeting planned for March 23-25 in Washington DC was postponed due to concerns about COVID-19.

## Staff Changes



Goodbye to Jillian Burns - SeaGrant Fellow 2019 - 2020

Thanks to Jillian for all of her contributions to the State of the Estuary Conference and the Wetland Regional Monitoring Program during her Fellowship. Jillian played an integral role on the team at SFEP and we wish her all the best in her future endeavors.

Hello to Kelly Santos - SeaGrant Fellow 2020 - 2021

As SFEP's new California Sea Grant State Fellow, Kelly will assist with the development of the Wetlands Regional Monitoring Program (WRMP). Previously, Kelly directed the watershed science education program at Sierra Streams Institute. She received a B.S. in Marine Biology from UC Santa Cruz and will graduate with an M.S. in Interdisciplinary Marine and Estuarine Science from San Francisco State University's Estuary & Ocean Science Center in 2020. Kelly's research focused on endangered California seablite (*Suaeda californica*) establishment and use as high tide refuge in San Francisco Bay salt marshes.



# San Francisco Estuary Partnership (SFEP) Organizational Assessment

Prepared by the Consensus Building Institute  
Senior Associate Laura Sneeringer and Senior Mediator Gina Bartlett

9/30/2019



# San Francisco Estuary Partnership (SFEP) Organizational Assessment

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# San Francisco Estuary Partnership (SFEP)

## Organizational Assessment

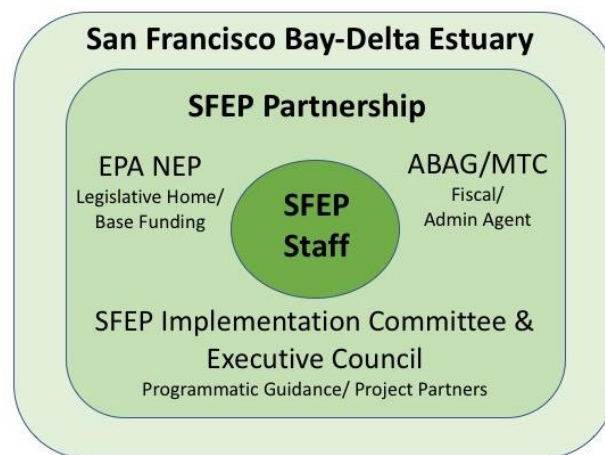
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### Executive Brief

Since its inception in 1993, the San Francisco Estuary Partnership (SFEP) has made substantial progress in restoring the health of the San Francisco Bay-Delta Estuary. Established as an Environmental Protection Agency (EPA) National Estuary Program (NEP), SFEP has helped ignite a long-lasting collaborative approach among diverse Bay Area stakeholders and has made significant strides in preserving and restoring the San Francisco Bay-Delta Estuary. SFEP's *Estuary Blueprint* serves as a roadmap for improving the health of the Estuary through regional-scale restoration, water quality improvement, and resilience-building efforts.

In July 2017, the Association of Bay Governments (ABAG), SFEP's administrative and fiscal agent, consolidated with the Metropolitan Transportation Commission (MTC). The consolidation brings great opportunity for increased coordination with regional planning and, as with any transition, also some new challenges.

**This assessment is an opportunity to explore how to build upon and expand opportunities and address challenges to make SFEP even more strategic and effective.** EPA funded this assessment. SFEP hired the Consensus Building Institute (CBI) to conduct this assessment, which included 24 interviews, document review, analysis, and recommendations development.



### Assessment Findings

#### SFEP Value and Strengths

- SFEP is the **only partnership focused on the estuary as a whole system**, including 1) a geographic focus on the San Francisco Bay and Delta of the Sacramento and San Joaquin rivers and 2) a breadth of substantive topics, including water quality and quantity, habitat restoration, and resiliency.
- A **diverse 38-partner [Implementation Committee](#)** provides substantive advice.
- The [Estuary Blueprint](#), SFEP's regional planning document, identifies 32 specific actions, defines partner leads, and outlines expected milestones. SFEP staff maintain a tracking system to support accountability.
- The [State of the Estuary Report](#) provides a comprehensive overview of the estuary's health.
- **SFEP staff have autonomy** necessary for partnership building.
- **SFEP staff are an asset** with a range of skills: collaboration and partnership building, ability to leverage funding and manage contracts, program management, ability to identify and target gaps, communication skills, substantive expertise, and leadership from the executive director.

## Opportunity for Integrating Land Use, Transportation, and Water Resources

The majority of interviewees identified great opportunity in integrating land use and transportation with SFEP's water quality and quantity, habitat restoration, and general environmental expertise. Since anticipated population growth and climate change require multi-benefit solutions, interviewees felt this integration could have a significant impact. Some ad hoc coordination is already underway.

### SFEP's Financial Sustainability is at Risk

SFEP has historically funded its work via an approximately \$600,000 annual EPA NEP grant (which requires a 50% non-federal match) and by securing project-specific grants. Most grants include a contract and program management role for SFEP staff and pass-through funding for partner organizations.

With the consolidation, the funding approach has changed, and SFEP needs to create a long-term, sustainable funding source to cover the required 50% NEP match. SFEP's hourly rate has increased, primarily due to an indirect rate increase to comply with MTC from 0% to 54%. This has significant impacts. SFEP recently lost a \$708,000, two-year contract with Alameda County as SFEP costs more than doubled, primarily due to the indirect rate.

### SFEP's Contract Management Credibility

The transition to MTC's contracts and financial procedures has been cumbersome. Challenges include delayed invoice processing and payment, difficulty tracking invoice and overall budget status, and confusion as labor rates continue to shift. The MTC contract review process is detailed and lengthy. A more streamlined process would be useful for small grants. SFEP's ability to leverage funding and manage contracts is a recognized strength, and SFEP may lose credibility if unable to resolve these issues.

## Recommendations

Based on the assessment findings, CBI would recommend that SFEP deepen understanding of its success within MTC and ABAG/MTC governance, continue to address financial sustainability, integrate programmatic work with MTC for mutual benefit, and clarify its relationship via a memorandum of understanding with ABAG/MTC.

### 1) Deepen agency leaders and staff's understanding of SFEP programs

- a) **MTC Staff.** An intentional campaign to share information and educate MTC leadership and staff could lead to new opportunities to coordinate across MTC departments, enhance projects, and increase support for SFEP.
- b) **ABAG General Assembly Members and MTC Commissioners.** It is vital that the Joint ABAG MTC Governance Committee considers SFEP when refining ABAG/MTC priorities and governance. SFEP could focus on developing ambassadors or champions via briefings with ABAG Assembly Members and MTC Commissioners and could provide periodic briefings or presentations at governance meetings.

### Potential Areas of MTC and SFEP Coordination

Plan Bay Area

Sea level rise, climate adaptation, resiliency

Stormwater management, green infrastructure, green streets

Planning around conservation areas

Environmental justice/equity



- c) **Executive Council Members.** SFEP could find benefit in reminding members of the *Estuary Blueprint* and the recent ABAG/MTC consolidation so members can help ensure SFEP remains a priority for the region. One idea is to have a joint Delta Stewardship Council/ SFEP meeting to provide this type of information given the significant overlap in membership.

## 2) Address SFEP financial sustainability

- a) **Identify reliable, ongoing operational funds.** SFEP and the MTC Executive Team and Finance Department would benefit from exploring SFEP operational funding sources. At a minimum, SFEP needs a long-term funding source for the EPA NEP grant non-federal match. MTC and SFEP may be able to pursue additional sustainable funding sources so SFEP can be more strategic in the projects and grant funding it targets and allow more flexibility to work with other MTC Departments.
- b) **Reconsider how to integrate MTC's indirect rate and clarify guidance.** SFEP and the MTC Executive Team and Finance Department could consider different approaches for integrating MTC's indirect rate. For example, SFEP could apply a lower indirect rate across the board or use different indirect rates based on the funding source or some other criteria. Defining a set of guidelines and criteria would be useful to determine when and how to include the indirect rate, especially since SFEP would not be competitive on some projects unless it offered a lower billing rate. The guidance could support more streamlined decision making on whether or not to pursue funding sources and minimize negotiations between SFEP and the Finance and Contracts Departments on specific grant opportunities.
- c) **Improve systems to address day-to-day contract management challenges.** Establishing a process to address pertinent contracting and finance issues could create efficiencies within MTC and ensure SFEP staff continue to be recognized for SFEP contract management skills. The finance director and SFEP director (and key staff) could engage on topics, such as:
- Procedures and training for SFEP staff on how to use current systems to track invoices and project budgets.
  - Options to streamline review processes for small grants.

## 3) Integrate complementary SFEP and MTC work

The SFEP director and directors from relevant departments—Integrated Planning, Programming and Allocation, and Design and Project Delivery—would benefit from strategic conversations to identify synergies in project work that could support high-quality service and maximize value for the region.

## 4) Develop a Memorandum of Understanding (MOU) to affirm the SFEP and ABAG/MTC relationship

Developing an MOU between SFEP and ABAG/MTC (as SFEP's fiscal and administrative agent) would define roles and responsibilities since SFEP has requirements outside of ABAG/MTC. As a federally-authorized NEP, SFEP must comply with EPA requirements. SFEP serves a larger community of partners and must have some autonomy from ABAG/MTC to have credibility and be effective in its partnership building role.

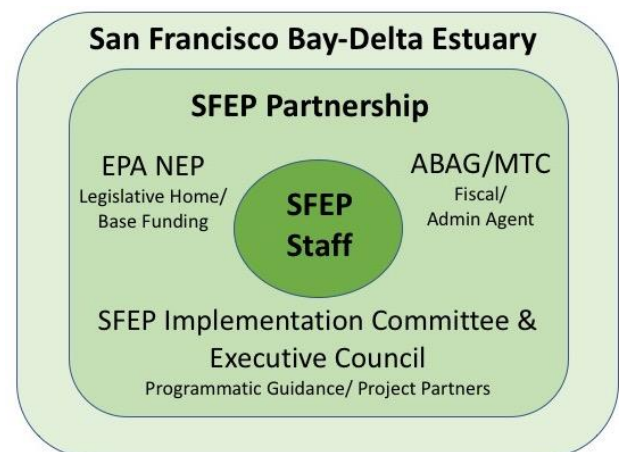
# San Francisco Estuary Partnership (SFEP)

## Organizational Assessment

### Introduction, Purpose, and Methodology

Since its inception in 1993, the San Francisco Estuary Partnership (SFEP) has made substantial progress in restoring the health of the San Francisco Bay-Delta Estuary. Established as an Environmental Protection Agency (EPA) National Estuary Program (NEP), SFEP has helped ignite a long-lasting collaborative approach across diverse Bay Area stakeholders and has made significant strides in preserving and restoring the San Francisco Bay-Delta Estuary. SFEP developed its *Estuary Blueprint Comprehensive Conservation and Management Plan (CCMP)* with a diverse group of local, state, and federal agencies, non-governmental organizations, academia, and business leaders. The *Estuary Blueprint* is a road map for improving the health of the Estuary through regional-scale restoration, water quality improvement, and resilience-building efforts. SFEP staff are critical to the partnership's success by bringing their skills in collaboration and partnership-building, leveraging funding, managing programs, and sharing substantive expertise.

In July 2017, the Association of Bay Governments (ABAG), SFEP's administrative and fiscal agent, consolidated with the Metropolitan Transportation Commission (MTC). SFEP staff are now MTC employees, along with all former-ABAG employees. SFEP relocated its office space from the San Francisco Bay Regional Water Quality Control Board offices in Oakland to the Bay Area Metro Center in San Francisco.



Efforts are still underway to fully integrate programmatic and operational services. For example, the Joint ABAG MTC Governance Committee recently began a process to determine if and how to consolidate the ABAG and MTC governing boards. The process will involve strategic discussions to clarify ABAG/MTC priorities and division of responsibilities given the expertise of various departments and programs, funding resources, and operational and organizational resources. The consolidation brings great opportunity for increased coordination with regional planning and, as with any transition, also some new challenges.

**This assessment is an opportunity to explore how to build upon and expand opportunities and address challenges to make SFEP even more strategic and effective.** EPA funded this assessment to understand organizational challenges that NEP partnerships face and best practices for addressing them. SFEP hired the Consensus Building Institute (CBI) to conduct this assessment. CBI conducted 24 interviews with MTC and SFEP staff, Implementation Committee members, regional stakeholders, and other NEP coordinators. (See Appendix A for a list of interviews and questions.) CBI also reviewed a range of background materials.

This assessment shares themes from interviews to spark conversations, advance opportunities and address challenges, and ultimately make SFEP as effective as possible. Findings are generally organized within each section, leading first with themes heard most often. CBI also developed recommendations to inform SFEP's future.

Clarification Note: The assessment refers to the "ABAG/MTC" consolidation, which includes SFEP as a former ABAG program; "MTC staff" as all employees consolidated within the MTC organizational chart, including former ABAG staff (and SFEP staff, who were formerly ABAG employees); and "SFEP staff" as the 13 people who work for the partnership.

## SFEP Value and Strengths

All interviewees highlighted the significant value that the SFEP partnership brings to the San Francisco Bay-Delta Estuary. SFEP helped ignite a long-lasting collaborative approach in the Bay Area among diverse stakeholders and has made significant strides in preserving and restoring water quality, habitats, and supporting resiliency. SFEP staff are critical to this success by bringing their skills for collaboration and partnership-building, leveraging funding, managing programs, and sharing substantive expertise.

### History and Context

SFEP was established in 1988 by the State of California and the U.S. Environmental Protection Agency under the Clean Water Act's National Estuary Program when the San Francisco Estuary was designated as an estuary of national significance. SFEP is one of only 28 voluntary NEP programs across the country focused on protecting and restoring the water quality and ecological integrity of estuaries of national significance. NEPs coordinate diverse, locally-driven stakeholder groups that create a shared vision and long-term, actionable plan to address water quality and living resource challenges and priorities. EPA provides annual baseline funding (SFEP receives approximately \$600,000 per year) and technical resources to help NEPs be successful. NEPs also support each other via the Association of National Association Programs (ANEP), a forum that coordinates technical, education, and policy information transfer exchange among NEPs and their partners.

Interviewees characterized the 1980's as a combative time with many legal battles among agencies, the regulated community, and environmental organizations in the Bay Area. Many interviewees attribute the current, collaborative approaches in the Bay Area as growing out of SFEP's origins. Interviewees suggested that an unstated expectation exists today that regional conversations will occur for Bay Area-related planning efforts.

### SFEP Successes

- **Promotes partnerships to achieve on-the-ground success**
- **Leverages federal funds to build the capacity** of local partners to implement innovative projects
- **Passes through funds of multi-million dollar regional programs** to local partners to drive restoration and sustainability efforts
- **Develops local community-based vision plans**
- **Advances nature-based shoreline protection strategies**
- **Protects water quality and public health**

Core components of SFEP's beginnings included bringing scientists and managers together, joint fact-finding, robust dialogue, and significant relationship building. Early wins built credibility and trust in the partnership. SFEP has maintained this high level of coordination and collaboration for more than 25 years. Interviewees highlighted partnership accomplishments such as:

- The State of Estuary Conference connects and energizes scientists and policymakers beyond core partners
- Creation of the San Francisco Estuary Institute (SFEI) as a leading science partner
- Regional Monitoring Program effectively clarifies estuary needs
- Restoration Bay Authority (Measure AA) demonstrates public support for preserving the estuary (70% voted for a parcel tax) and leads to important wetland rehabilitation
- Development of Habitat Bay Goals and adoption by regulatory agencies
- Development of Estuarine Habitat Standard (X2 salinity) and adoption by regulatory agencies

Some of the partnership's success is based in the Bay Area context. The Bay is a central part of the San Francisco area's identity; part of the reason people live and work in the Bay Area is because of the beauty and recreational opportunities that the Bay provides. Interviewees suggested that Bay Area residents naturally think in a regional context, as they cross jurisdictional lines frequently in their daily lives, and they tend to be politically progressive, two factors that likely influence the high-value placed on collaborative approaches in the Bay Area.

### Critical Components of the SFEP Framework

Interviewees reported that much of the partnership's success is based on its organizational framework.

**SFEP is the only partnership focused on the estuary as a whole system.** This includes 1) a geographic focus on the San Francisco Bay and Delta of the Sacramento and San Joaquin rivers and 2) a breadth of substantive topics, including water quality and quantity, habitat restoration, and resiliency.

**A diverse Implementation Committee provides substantive advice.** The [Implementation Committee](#) includes 38 partner organizations from federal, state, and local agencies; environmental non-profits; and the regulated community. The Implementation Committee meets at least quarterly to set priorities for the partnership's work and approve annual work plans and budgets. Interviewees noted the importance of working with partners who have deep knowledge and the ability to be engaged over time (as opposed to only working at the political level where partners frequently transition). Many interviewees described quarterly Implementation Committee meetings as a meaningful use of time. Meetings are an opportunity to network, take a deep dive on specific projects, and maintain accountability for implementation of priority activities.

**The Estuary Blueprint identifies partners to lead specific actions and includes expected milestones.** The [Estuary Blueprint](#) is SFEP's Comprehensive Conservation and Management Plan (CCMP). The 2016 Update provides a detailed implementation plan with "owners," "collaborating partners," and milestones for each of its 32 actions.

The [\*State of the Estuary Report\*](#) provides a comprehensive overview of the estuary's health. Many interviewees noted the importance of this document to evaluate the progress being made and to identify gaps for future efforts.

**A tracking system supports accountability.** SFEP staff coordinate with partners and conduct quarterly reporting on *Estuary Blueprint* activities. Status updates provide a pulse check on progress and help to identify areas in which more focus may be needed.

**SFEP staff have the autonomy needed for partnership building.** Several interviewees, especially other NEPs, highlighted the importance of autonomy to maintain credibility with partners and the public. SFEP must support the health of the San Francisco Bay-Delta Estuary as a whole and not prioritize any partner's needs more than others. While SFEP staff are part of MTC, the partnership's work encompasses a larger community.

### Strengths of SFEP Staff

Interviewees highlighted specific strengths that SFEP staff bring to the San Francisco Bay-Delta Estuary.

#### Collaboration and partnership building skills.

Interviewees used many words to describe SFEP staff's skills and roles, such as convener, coordinator, integrator, and bridge builder.

Interviewees reported that SFEP staff understand each partner's niche and capacity; they leverage the

right expertise to support estuary-related efforts. SFEP staff are also well integrated with organizations doing similar work and can help minimize duplication of efforts.

#### SFEP Success

\$10,400,000 in funding passed through to local partners

50 active local projects

10 regional programs

40,000 acres of wetlands restored

\$26 leveraged per \$1 of federal funding

100 implementing partners

**Ability to leverage funding and manage contracts.** SFEP staff are known for their contract management expertise, including identifying funding needs and securing and managing contracts. They knit projects together via various funding sources. SFEP staff also administer larger programs, such as the Integrated Regional Water Management (IRWM) program and the San Francisco Restoration Authority. SFEP staff's historical success is partially based on their ability to be nimble in this role and their responsiveness, attention to detail, and competitive labor rate. However, SFEP staff's ongoing credibility as contract managers is at risk (see challenges section below).

**Program management.** SFEP staff guide and facilitate the implementation of projects. They involve the right partners, set up organizing frameworks, ensure grant activities are on track, and reallocate services if needed. Many interviewed partners noted that they can concentrate energy on their work knowing that SFEP is overseeing the grant.

**Ability to identify and target gaps.** Several interviewees mentioned how impressed they are with SFEP staff's ability to identify program gaps themselves and follow-up on ideas discussed at Implementation Committee meetings. SFEP staff convert ideas to actionable project proposals, convene key project partners, and secure funding.



**Communication skills.** SFEP staff communicate with diverse audiences, including scientists, politicians, and the general public. They synthesize and disseminate science in an understandable way and have created a range of meaningful products, such as tracking measures, the *State of the Estuary Report*, and the *Estuary Blueprint*.

**Neutral, non-advocacy substantive expertise.** Interviewees highlighted SFEP staff's substantive expertise: from green infrastructure to wetland restoration to racial equity. Interviewees appreciated how staff share their knowledge objectively, with a focus on science and a desire to initiate change that supports the estuary.

**Leadership skills of executive directors.** Interviewees described Caitlin Sweeney and previous executive directors as having clear priorities, creativity in leveraging resources and partners, and transparency in communication.

**Model for other partnership-based organizations.** Some partners described how they draw on SFEP's structure and approach as a model for their organizations. When asked if SFEP could draw from other models, the majority of interviewees said that SFEP is the best model they've experienced.

## Opportunities from the ABAG/MTC Consolidation

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Interviewees acknowledged a number of opportunities for SFEP as a result of the ABAG/MTC consolidation, specifically for deepening the link between land use, transportation, and restoration activities.

### Land Use, Transportation, and Water Resources Integration

The majority of interviewees identified great opportunity in integrating land use and transportation with SFEP's water quality and quantity, habitat restoration, and general environmental expertise. Since anticipated population growth and climate change require multi-benefit solutions, interviewees felt this integration could have a significant impact.

One goal of housing the regional planning programs within one building—including ABAG/MTC/SFEP, the Bay Area Air Quality Management District (BAAQMD), the Bay Conservation and Development Commission (BCDC), and the Bay Area Regional Collaborative (BARC)—was to streamline and coordinate regional planning initiatives. One person noted that the federal and state funding landscape is likely going to begin requiring more integration, and this structure may make the Bay Area more competitive for funding.

Several interviewees assumed that MTC will need to make significant infrastructure upgrades due to sea level rise, such as upgrades of Highway 37 where flooding is already occurring, Highway 101, the BART station at the Port of Oakland, and some low-lying transit infrastructure. Interviewees identified opportunities to do meaningful mitigation at the same time, including restoration of parts of the Bay. SFEP could serve as an environmental advisor and continue to encourage nature-based solutions, share expertise on environmental infrastructure solutions, communicate the needs of partners and the public, and help build relationships among MTC and key partners, including MTC permitted agencies.

Interviewees outlined a number of specific opportunities in which MTC and SFEP programmatic focus and staff expertise could be combined to strengthen outcomes. Many interviewees encouraged strategic coordination across departments to bring synergistic project work to fruition. Some ad hoc efforts are already underway between SFEP and Integrative Planning, Programming and Allocation, and Design and Project Delivery departments, including:

- **Plan Bay Area.** SFEP staff have been involved in discussions, with a primary focus on integrating water resources into the plan. For example, SFEP provided an analysis of anticipated costs of green infrastructure and ideas on potential policies that could raise revenues.
- **Sea level rise, climate adaptation, and resiliency.** SFEP staff participate in cross-department sea level rise discussions. One relevant challenge that interviewees raised multiple times is that the region is still figuring out who will lead the sea level rise, climate adaptation, and resiliency conversation and how. There is not a clear statutory mandate for resiliency, no regulatory authority to require actions, and limited resources available for associated planning. SFEP's *Estuary Blueprint* does identify specific activities related to resiliency, and the Implementation Committee may have opportunities to refine the partnership's role going forward.
- **Stormwater management, green infrastructure, green streets.** MTC Design and Project Delivery staff were recently integrated into a grant for the San Pablo Avenue Stormwater Spine green infrastructure project.
- **Planning around conservation areas.** Some preliminary coordination is occurring between SFEP and Programming and Allocation staff through MTC's Priority Conservation Area grant program.
- **Environmental justice and equity.** SFEP staff are participating in the development of an MTC-wide Equity Platform and have participated in Government Alliance on Racial Equity training alongside MTC staff from other departments.

### MTC Augmenting SFEP Capacity

MTC has an array of services that could support SFEP efforts, such as modeling, graphic support for publications, a printshop, public information and outreach staff, and building services staff to support conferences and other events. MTC is a well-recognized and well-branded organization; SFEP may be able to expand its communication and outreach through MTC's network.

MTC also provides a meaningful salary and benefits package. This could encourage staff to stay with the partnership longer, which leads to improved relationship building and increased substantive expertise.

### Challenges from the ABAG/MTC Consolidation

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Challenges are inevitable with significant transitions, such as the ABAG/MTC consolidation. Interviewees described changes in SFEP's financial structure, new administrative processes, and the need to refine key messaging.

## SFEP's Financial Structure

SFEP has historically funded its work via an approximately \$600,000 annual EPA NEP grant (which requires a 50% non-federal match) and by securing grants for project-specific work. Most grants include a contract and program management role for SFEP staff and pass-through funding for partner organizations. SFEP uses EPA NEP grant funding for all work that is not specifically tied to a project, such as relationship building, communication on partnership efforts, fund development, and tracking of activities—all critical ingredients to SFEP's success.

Before the ABAG/MTC consolidation, the San Francisco Bay Regional Water Quality Board provided office space and other overhead support for SFEP staff, which met the 50% non-federal match requirement and enabled SFEP staff to charge a 0% indirect rate on grants.

When the staff of ABAG (including SFEP staff) and MTC consolidated, the resulting Contract for Services included Section 5.2 which states: "The overhead and administrative rate applied to work performed by MTC staff will be the MTC ICAP Rate *except for the San Francisco Estuary Partnership...*" (emphasis added).

About one year into the ABAG/MTC consolidation, MTC's executive director and chief financial officer requested that SFEP begin to look for opportunities to capture overhead costs by including MTC's indirect rate in new funding requests. MTC's current certified "Indirect Cost Rate Plan" is 54%, but that rate fluctuates annually, based on an estimate of the costs to be incurred during the year. The MTC executive director and chief financial officer acknowledged that some funding sources may not allow reimbursement of indirect costs and offering a lower billing rate on some funding opportunities would be necessary to be competitive.

### SFEP FY19-20 Work Plan Breakdown of Revenue

EPA NEP Grant:	\$625,000
Other Federal:	\$1,626,753
State IRWM:	\$11,479,443
Other State:	\$1,113,413
Local:	\$2,902,404

MTC discretionary funding is currently being used to fulfill SFEP's non-federal 50% match for the NEP grant. MTC's indirect rate is not included in grants secured before the consolidation, and MTC discretionary funds are being used to close the gap. SFEP will cover approximately \$300,000 of its overhead expenses in FY 19-20, and MTC will cover about \$700,000 (thus still meeting the required non-federal match).

## Need for Reliable, Ongoing Operational Funds

**As the indirect rate is added to new grants, MTC's contribution will automatically be reduced and SFEP will need to identify other resources for the EPA NEP grant match.** In addition, some interviewees questioned whether SFEP's approach of funding itself via knitting together project-specific contracts is the best option. Without significant baseline funding, SFEP may not be able to work on projects that are high in programmatic priority if the efforts have not secured grant funding. When SFEP resources are tied to specific grants, it is difficult for SFEP staff to work on broader MTC efforts.

## Financial Sustainability due to Increased Labor Rates

**SFEP staff anticipate that increased labor rates will impact competitiveness for grants.** The primary reason that labor rates have increased is that SFEP is going from a 0% to 54% indirect rate. Increased salaries and benefits also impact the hourly rates to a lesser degree.

SFEP recently lost a \$708,000, two-year contract with Alameda County for Alameda County permitting support. This is one of several similar contracts to provide locally-funded permitting staff support to the San Francisco Bay Regional Water Quality Board. Alameda County funded a permit position via the SFEP contract for 13 years; the previous contract amount was \$791,000 over five years. The County was very satisfied with the support it was receiving but decided not to enter into another contract with SFEP, as the cost more than doubled.

Several interviewees, including key partners, noted that losing this contract (and other similar contracts) eliminates an important service for estuary health and could impact SFEP's long-term relationship with the San Francisco Bay Regional Water Quality Board and local agency funders. The new contract would have sustained a full-time SFEP staff position for 2 years; losing the contract required SFEP to absorb this key staff member into other roles.

**No policies or criteria exist for when a lower billing rate should be used;** it's determined on a case-by-case basis. During interviews, several SFEP and MTC staff recommended outlining a clearer approach to minimize confusion and improve efficiency in developing grant proposals.

Having a cap on the amount of funding that can be used for grant administration is common. Assuming the amount of grant administration work that SFEP is responsible for remains the same, staff have to do the same amount of work in less time, due to increased labor rates. Also, since SFEP's operating costs are now higher, SFEP staff need to generate more billable work. Some staff expressed concern that team members will be stretched thin, potentially impacting morale and retention.

## Contract Management and SFEP Credibility

It inevitably takes time to learn and incorporate new procedures, yet the transition to using MTC's financial management procedures has been particularly cumbersome. SFEP's ability to leverage funding and manage contracts is a recognized strength, and SFEP may lose credibility if these issues are not resolved. Some specific challenges include the following:

- Delayed invoice processing and payment (also raised by partners during interviews);
- Difficulty tracking invoice status and overall budget status, due in part to limited access to financial systems and to hourly rates fluctuating without a clear rationale;
- No written procedures, leading to different guidance depending on who you talk to, which has been particularly challenging due to staff turnover in the Finance Department; and
- Multiple levels of review required even for small contracts. In some cases, it is taking SFEP staff twice as long, as it did pre-consolidation, to finalize contracts.

SFEP staff understand that MTC's Finance and Contracts departments inherited a significant amount of new work due to consolidating without a clear transition plan in place or increasing staffing. SFEP's typical grants are also much smaller than what MTC is used to, and billing requirements may be different. SFEP is very interested in problem-solving to address ongoing challenges but has had difficulty engaging the Finance Department in discussions. This is likely due partially to Finance Department staff turnover and being stretched too thin as well as not having process improvement systems in place (e.g., a place to raise concerns). One notable exception is that SFEP and finance staff have been optimizing and formalizing invoicing for the Integrated Regional Water Management (IRWM) program to address program management and Finance Department needs. Several people are optimistic that the new finance director has relevant experience working for a Council of Governments.

### MTC and SFEP Mission Alignment

While interviewees do see significant opportunities for integration with regional planning, they repeatedly stated that MTC and SFEP's missions aren't clearly aligned. In some cases, it has been difficult to explain why SFEP is part of MTC, as a focus on transportation planning and a focus on estuary restoration and resilience don't always align. MTC does not currently have an articulated mission statement, vision, or goals for SFEP to build upon.

### SFEP Communication and Outreach within MTC

Interviewees suggested that many MTC staff may not know that SFEP exists or understand its programmatic focus. Increased cross-education could help identify opportunities for integration. It's also important that the MTC and ABAG governing boards understand SFEP, especially as the Joint ABAG MTC Governance Committee clarifies ABAG/MTC priorities.

### Examples from Other National Estuary Programs

CBI interviewed three other NEP coordinators and reviewed a high-level summary of NEP financial models and example Memorandums of Understanding (information was not provided for all NEPs).

**Financial Structures.** The interviewed NEP coordinators were surprised at SFEP's indirect rate in comparison to other NEPs. Financial sustainability is a common challenge for NEPs and SFEP's cost are higher than most. Seven NEP hosts cover the non-federal match for the EPA NEP grant, and 12 others are covered by partner funding or in-kind services. While limited information was provided on typical indirect rates, the few NEPs with detailed information are in the 0-20% indirect range. NEPs use a range of approaches for incorporating indirect rates. Four NEPs charge a discounted indirect rate and use the unrecovered indirect amount as the non-federal match for the NEP grant. For example, one university host's typical indirect rate is 38-42%, but it only requires its NEP to charge a 20% indirect rate. The difference (i.e., the unrecovered indirect rate amount) is used as the non-federal match for the EPA NEP grant. Nine NEPs vary their indirect rate based on the funding source, meaning that they charge different indirect rates based on the funding type (details were not provided).

**Autonomy and Memorandums of Understanding (MOU).** The NEP coordinators, as well as other interviewees, highlighted how important autonomy is to effective partnership building. SFEP's (and all NEPs') credibility is based on being seen as supporting the health of the estuary as a whole and not



prioritizing any partner's needs more than others. EPA guidance states, "Each NEP is governed by its Management Conference rather than solely by its host entity." (SFEP's "Management Conference" is the Implementation Committee, and its "host entity" is ABAG, its administrative and fiscal agent.)

Many NEPs have MOUs that clarify roles and expectations for NEP staff and the host entity, and some also include roles for key partners. Typical roles for host entities are to oversee compliance with terms and conditions of the assistance agreement made with EPA, provide a central office and support services, and maintain financial records. Many MOUs outline how the non-federal match for the NEP grant will be provided and what indirect rate will be used. One interviewee suggested including language related to conflict of interest and conflict resolution procedures. He described a conflict between a NEP and its host entity, in which the host entity had the legal authority to make all decisions because of no written guidance.

## Opportunities for SFEP Enhancement

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Interviewees raised a few other opportunities for enhancement that were not related to the ABAG and MTC consolidation, including further integrating Delta issues, exploring engagement of the Executive Council, coordination with the San Francisco Estuary Institute, and continued communication and outreach efforts.

### Further Integrating Delta Issues

Interviewees encouraged SFEP to continue to find ways to integrate Delta issues into ongoing estuary planning and implementation, acknowledging challenges due to the different contexts between the Bay and Delta, geographic distance, and the fact that SFEP's fiscal agent (ABAG/MTC) does not include the Delta in its mission and geographic scope. The regions differ from a political, economic, and urban vs. rural standpoint.

SFEP and the Delta Stewardship Council have been working closely together to integrate Delta-based performance measures into the *State of the Estuary Report*, which interviewees highlighted as a meaningful effort. Some additional ideas for continuing to integrate Delta issues and interests include:

- Work with Delta-focused partners, like the Delta Stewardship Council, to understand how to best communicate with Delta stakeholders (including both language and communication strategies).
- Hold some meetings closer to the Delta area, or at least integrate video-conference capability.
- Build relationships with key stakeholders that are focused on Delta issues. Interviewees suggested re-engaging with the new California administration in Sacramento, including Wade Crowfoot, Secretary for California Natural Resources Agency. Secretary Crowfoot could be a strong ally to SFEP given his connections to the Bay Area – he comes from the Bay Area, served as an alternate representative for the Bay Conservation and Development Commission (BCDC), and worked in the San Francisco Mayor's Office.

## Exploring Engagement of the SFEP Executive Council

Some interviewees recommended that SFEP could provide periodic briefings so Executive Council Members have the necessary information to advocate for SFEP efforts. Interviewees noted that the Executive Council may be helpful to:

- Spur increased integration on Delta issues and *Estuary Blueprint* actions that may require more energy or focus.
- Generate resources for key efforts by advocating for funding in the state budget or commit resources from their agencies.
- Provide credibility for SFEP efforts. Being able to say that the highest level of federal and state agencies support or approve SFEP's efforts demonstrates how important SFEP is to the region.

### SFEP Executive Council

Regional Administrator, US EPA Region 9

Regional Director, US Fish and Wildlife Service Pacific Southwest Office

Secretary, California EPA

Secretary, California Natural Resources Agency

Executive Director, Association of Bay Area Governments

## Clarifying SFEP and SFEI Roles

SFEP works closely with the San Francisco Estuary Institute (SFEI) on many projects. SFEP typically provides overall program management and coordination while SFEI provides critical scientific expertise. Some interviewees described a tension or competitiveness between the two organizations, due to gray areas in clarifying SFEP and SFEI roles on projects. Part of this is due to SFEP developing increased substantive expertise, and both organizations being dependent on grants for their financial sustainability. Having the SFEP and SFEI executive directors discuss responsibilities and approaches to working together could clarify these areas of confusion. For example, the directors might consider developing principles or a proposed process for clarifying SFEP and SFEI roles when developing grant applications and initiating projects.

## Clarifying Niche and Expanding Partnerships

Some interviewees highlighted the importance of clarifying SFEP's role in the broader Bay Area context. SFEP can distinguish itself as the only partnership focused on the San Francisco Bay-Delta Estuary as a whole system, including 1) the Bay and Delta and 2) a breadth of substantive topics, including water quality and quantity, habitat restoration, and resiliency. The Bay Area has numerous partnership efforts involving similar issues and stakeholders. In most cases, a clear rationale exists for parallel forums, such as the need to talk at a deeper level about specific issues. However, it can be confusing to people who are not as engaged.

While people commended SFEP for building a diverse and engaged Implementation Committee, a few interviewees mentioned that it would be useful to enhance partnerships with local agencies and businesses, partially to leverage resources.

SFEP staff developed a Strategic Communications Plan in August 2018, and are implementing it with a focus on increased number and depth of partnerships; wider distribution of clear, shared messages; more coordinated communication of partnership work and successes; and broader perception of the value of the partnership and its products. SFEP is also participating in a Regional Communications

Workgroup, hosted by San Francisco Bay Joint Venture, and has begun integrating with MTC's Legislative and Public Affairs Department on communication efforts to market the State of the Estuary Conference and *State of the Estuary Report*. SFEP staff have created articles for [MTC's Bay Link blog](#).

## Recommendations

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Based on the assessment findings, CBI would recommend that SFEP deepen understanding within MTC and ABAG/MTC governance about SFEP successes, continue to address financial sustainability, integrate programmatic work with MTC for mutual benefit, and define its relationship via a Memorandum of Understanding with ABAG/MTC.

### 1) Deepen agency leaders and staff's understanding of SFEP programs

- a) **MTC Staff.** An intentional campaign to share information and educate MTC leadership and staff about SFEP could lead to new opportunities to coordinate across MTC departments, enhance projects, and increase support for SFEP.

Some potential approaches include providing briefings to the MTC Executive Team and Directors Team; presenting at a quarterly all-staff meeting; presenting at a brownbag lunch; individual meetings with key programs (e.g., Integrated Planning, Programming and Allocation, Design and Project Delivery, Legislative and Public Affairs); and developing a brief brochure and talking points that other MTC staff could share with their networks. As noted above, SFEP staff have already developed content for [MTC's Bay Link blog](#).

- b) **ABAG General Assembly Members and MTC Commissioners.** It is vital that the Joint ABAG MTC Governance Committee considers SFEP's strengths, successes, financial structure, and autonomy as it refines ABAG/MTC priorities and determines if and how to restructure governance. For SFEP to continue to be successful, ABAG/MTC needs to embrace SFEP's water resources focus and autonomy for partnership building.

SFEP could focus on developing ambassadors or champions within state and regional governance structures. SFEP could schedule meet-and-greet briefings with ABAG Assembly Members and MTC Commissioners who have some familiarity with SFEP or knowledge of relevant projects. In some cases, SFEP might invite Implementation Committee members to participate to bolster SFEP's message. (Several interviewees offered to be advocates for the partnership when needed.) Periodic briefings or presentations at governance meetings would also prove useful, especially in the near-term as governance deliberations are underway. One interviewee suggested SFEP present at full governance meetings (i.e., at an ABAG General Assembly meeting and an MTC Commission meeting) while another interviewee suggested SFEP present to the Joint ABAG MTC Governance Committee.

- c) **Executive Council Members.** Members could help ensure SFEP remains a priority for the region if they are up-to-speed on *Estuary Blueprint* priorities and the ABAG/MTC consolidation. Most members have not been engaged recently so an SFEP update would be useful. Executive Council members may also have some ideas for expanding SFEP's work in the

Delta and leveraging resources. One idea is to have a joint Delta Stewardship Council/ SFEP meeting to provide this type of information. The Delta Stewardship Council's Delta Plan Interagency Implementation Committee (DPIC) and SFEP's Executive Council membership overlap significantly (though DPIC has several more members).

## 2) Address SFEP financial sustainability

- a) **Identify reliable, ongoing operational funds.** SFEP and the MTC Executive Team and Finance Department would benefit from exploring SFEP operational funding sources. At a minimum, SFEP needs a long-term funding source for the EPA NEP grant non-federal match. MTC and SFEP may be able to pursue additional sustainable funding sources so SFEP can be more strategic in the projects and grant funding it targets and allow more flexibility to work with other MTC Departments.

Interviewees shared a few ideas for operational funding resources, including to: 1) bill to overhead through the Executive Budget for MTC cross-departmental efforts; 2) bill the full indirect rate to grants (where possible), but give a certain percentage back to SFEP for a discretionary fund; and 3) draw from future revenues from the Advancing California Financing Authority (ACFA). MTC may have ideas on other operational funding sources.

- b) **Reconsider how to integrate MTC's indirect rate and clarify guidance.** Building upon examples from other NEPs, SFEP and the MTC Executive Team and Finance Department could consider different approaches for integrating the MTC's indirect rate. For example, SFEP could apply a lower indirect rate across the board or use different indirect rates based on the funding source or some other criteria.

Defining a set of guidelines and criteria would be useful to determine when and how to include the indirect rate, especially since SFEP would not be competitive on some projects unless it offered a lower billing rate. Guidelines could support more streamlined decision making on whether or not to pursue funding sources and minimize negotiations between SFEP and the Finance and Contracts Departments on specific grant opportunities. It would also clarify formal guidance in the ABAG and MTC Contract for Services Section 5.2 which states "The overhead and administrative rate applied to work performed by MTC staff will be the MTC ICAP Rate except for the *San Francisco Estuary Partnership*...." (emphasis added).

- c) **Improve systems to address day-to-day contract management challenges.** Establishing a process to address pertinent contracting and finance issues could create efficiencies within MTC and ensure SFEP staff continue to be recognized for SFEP contract management skills. The finance director and SFEP director (and key staff) could engage on topics, such as:
- Procedures and training for SFEP staff on how to use current systems to track invoices and project budgets.
  - Options to streamline review processes for small grants.

### 3) Integrate complementary SFEP and MTC work

The SFEP director and directors from relevant departments—Integrated Planning, Programming and Allocation, and Design and Project Delivery—would benefit from strategic conversations to identify synergies in project work that could support high-quality service and maximize value for the region. Directors (and key staff) could develop a deeper understanding of one another’s programs; identify opportunities to integrate expertise, experience and networks while staying focused on ABAG/MTC priorities; and clarify resources and operational support needed to be successful. Interviewees identified several potential areas of overlap across SFEP and MTC programs, such as resiliency, climate adaptation and sea level rise; stormwater management, green infrastructure and green streets; planning around conservation areas; and environmental justice and equity.

### 4) Develop a Memorandum of Understanding (MOU) to affirm the SFEP and ABAG/MTC relationship

Developing an MOU between SFEP and ABAG/MTC (as SFEP’s fiscal and administrative agent) would define roles and responsibilities since SFEP has requirements outside of ABAG/MTC. An MOU would proactively manage expectations related to potential conflicts of interest and conflict resolution procedures.

While SFEP is part of ABAG/MTC, it also serves a larger community of partners. As a federally-authorized NEP, SFEP must comply with EPA requirements. For example, SFEP must have a Management Conference (i.e., the Implementation Committee) that develops, updates and implements a Comprehensive Conservation and Management Plan (i.e., the *Estuary Blueprint*) and SFEP must report on specific program measures. SFEP must also have some autonomy from ABAG/MTC to be effective in its partnership building role. The credibility of NEPs is based on this autonomy, including supporting the health of the estuary as a whole and not prioritizing any partner’s interest over another.

SFEP has example MOUs from several NEPs. The following resources may be particularly useful: [EPA FAQs on DELEP Governance and the NEP](#) and MOUs for Barnegat Bay and Charlotte Harbor NEPs. It may also be helpful to draw from the MOU between MTC, the Bay Area Regional Collaborative (BARC), and the other BARC member agencies, since BARC staff are MTC employees while serving the other BARC Executive Board members equally.

## Conclusion

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SFEP has advanced restoration, collaboration, and funding for the San Francisco Bay-Delta Estuary. The recent ABAG/MTC consolidation is an opportunity to deepen the link between land use, transportation, and restoration activities. SFEP and ABAG/MTC could take full advantage of this opportunity through strategic efforts, including deepening understanding of SFEP’s niche and success, addressing financial sustainability, formalizing and clarifying its relationship via an MOU, and integrating programmatic work for mutual benefit.



## APPENDIX A: List of Interviews

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### **MTC Staff**

Alix Bockelman, Deputy Executive Director, Policy  
Andrew Fremier, Deputy Executive Director, Operations  
Ken Kirkey, Director, Integrated Planning Department  
Brad Paul, Deputy Executive Director, Local Government Services

### **SFEP Staff** (5 interviews, including 3 group interviews)

Josh Bradt, Environmental Planner  
Natasha Dunn, Environmental Planner  
Athena Honore, Grants and Contract Manager  
Darcie Luce, Environmental Planner  
Karen McDowell, Senior Environmental Planner  
James Muller, Environmental Planner  
Heidi Nutters, Environmental Planner  
Leslie Perry, Environmental Planner  
Sarina Seaton, Program Support  
Caitlin Sweeney, Director

### **SFEP Implementation Committee**

CA Department of Water Resources - John Andrew, Assistant Deputy Director  
CA Natural Resources Agency - Chris Potter, Coastal Grants and Wetlands Coordinator  
Citizens Committee to Complete the Refuge - Arthur Feinstein  
Coastal Conservancy - Sam Schuchat, Executive Officer  
Delta Stewardship Council - Jessica Law, Chief Deputy Executive Officer and Amanda Bowlen  
San Francisco Bay Regional Water Quality Control Board - Tom Mumley, Assistant Executive Officer  
San Francisco Estuary Institute - Warner Chabot, Executive Director  
San Francisco Bay Joint Venture - Sandra Scoggins, Coordinator  
US EPA Region 9 - Luisa Valiela and Sam Ziegler  
Zone 7 Water Agency - Carol Mahoney, Manager, Integrated Water Resources

### **Other Partners**

Association of Bay Governments - Julie Pierce, Immediate Past President of ABAG, Vice Mayor, City of Clayton  
Bay Area Regional Collaborative - Allison Brooks, Executive Director

### **National Estuary Partnership (NEP) Coordinators**

Barataria-Terrebonne NEP, LA - Susan Testroet-Bergaron  
Barnegat Bay NEP, NJ - Stan Hales  
New York-New Jersey NEP - Rob Pirani

## APPENDIX B: Interview Questions

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### Purpose of Assessment

The Environmental Protection Agency (EPA) has requested that the San Francisco Estuary Partnership (SFEP) conduct an assessment to help EPA understand organizational challenges that National Estuary Program partnerships face and best practices for addressing them. SFEP has gone through significant change in recent years with the staff consolidation of the Association of Bay Governments (ABAG), SFEP's administrative and fiscal agent, with the Metropolitan Transportation Commission (MTC). The changes bring great opportunity for increased coordination with regional planning, and as with any transition, it also brings some new challenges. The assessment is an opportunity to explore how to build upon and expand opportunities and address challenges to make SFEP even more strategic and effective. SFEP hired the Consensus Building Institute (CBI) to conduct this assessment.

***Interviews are confidential.*** CBI will report themes from the interviews without attribution; anything that interviewees wish to stay confidential will remain between the facilitator and interviewee.

### Potential Interview Questions

Discussions will likely vary depending on the interviewee's role with SFEP and relevant experience. General questions include the following.

- Briefly describe your role and history with SFEP.
- How would you describe SFEP's strengths and successes? What benefits does SFEP bring to the region? To your organization?
- How does SFEP's organizational framework impact its success? The organizational framework includes its structure within ABAG/MTC, its designation as a National Estuary Program under EPA, and its governance structure with an Implementation Committee and Executive Council.
- What opportunities or benefits are now available with the ABAG/MTC staff consolidation and SFEP's relocation to the Bay Area Metro Center? How can SFEP maximize these opportunities?
- What challenges arise with the ABAG/MTC structure? What ideas do you have for addressing them?
- Are there any other opportunities or areas for improvement that you'd like to share related to SFEP's work?
- What elements from similar partnership models could be integrated to support SFEP's long-term stability and success?

Recommendation	Component	Description	SFEP Response/Progress	Next Steps
<b>1) Deepen agency leaders and staff's understanding of SFEP programs</b>	MTC Staff	Intentional campaign to share information and educate MTC leadership and staff to enhance projects and increase support for SFEP	-SFEP has been working with ABAG/MTC staff from many other sections on various projects of mutual interest/benefit including: climate resilience, legislation, green stormwater strategies, water management, environmental justice and racial equity, and priority conservation areas/restoration. SFEP staff have made presentations to other sections on the work of SFEP and have invited Directors from other sections to come present at SFEP staff meetings.	Continue to build on this work and seek additional opportunities to share information such as holding a SFEP "Open House"
	ABAG General Assembly Members and MTC Commissioners	Develop relationships with ABAG and MTC governing body members by presenting briefs to the governing bodies as well as individuals or small groups outside of the larger meetings.	-SFEP staff have made presentations to ABAG Executive Board and will pursue opportunities to present to MTC Commissioners -SFEP Director presented to group of former MTC Executive Directors	Continue to seek opportunities to build relationships and educate ABAG and MTC governing body members
	Executive Council Members	Remind the members of the Executive Council about the Blueprint and the recent ABAG/MTC consolidation.	- Working with Delta Stewardship Council to hold coordinated DPIIC/Exec Council mtg (most Exec Council members also sit on DPIIC) - Met with Mark Gold (Resources) to discuss future collaborations, role of Resources Sec on Exec Comm	Develop strategy for Exec Council for next Estuary Blueprint Update, including SFEP Director meeting individually with each member
<b>2) Address SFEP financial sustainability</b>	Identify reliable, ongoing operational funds	Explore SFEP operational funding sources to find a long-term funding source for the EPA NEP grant non-federal match.	-Pursuing discussions with MTC executive staff regarding reliable operational funding source(s) and ABAG/MTC support of SFEP as a valuable component of a consolidated ABAG/MTC	Continue to pursue opportunities to secure operational funding and meet match requirements
	Reconsider how to integrate MTC's indirect rate and clarify guidance	Consider different approaches for integrating MTC's indirect rate in an effort to define a set of guidelines and criteria would be useful to determine when and how to include the indirect rate.	- Although internal guidelines and criteria for applying indirect costs would be useful, recent focus of discussions with Finance staff have been on how to provide consistent predictable benefit rates from month to month to allow for better grant fund budgeting and management. Whereas the indirect rate is a negotiated federal rate and is consistent, the benefit rate fluctuates, resulting in significant challenges with budgeting and tracking grant funds.	Focus efforts on working with Finance on solution for stable and predictable hourly billing rates
	Improve systems to address day-to-day contract management challenges	Address pertinent contracting and finance issues in an effort to create efficiencies within MTC.	- Worked with Finance to develop invoicing/payment systems for IRWM and CVA programs to increase efficiency and predictability for Finance and SFEP - Working closely with Contracts to identify ways SFEP can help alleviate delays and increase efficiencies. SFEP staff are still learning contracting procedures.	Build on successes thus far to continue to identify opportunities with Finance and Contracts to address challenges and increase efficiencies

<p><b>3) Integrate complementary SFEP and MTC work</b></p>	<p>Strategic conversations to identify synergies in project work to support high-quality service and maximize value for the region.</p>	<p>SFEP staff have been collaborating with ABAG/MTC staff from many other departments to identify synergies and maximize value for the region. Examples include: - Advancing "Resilient Transportation Project Planning and Implementation" with MTC Operations/Project Delivery to maximize resilience of transportation assets using nature-based infrastructure (Hwy 37, Bridge approaches, etc.) - Working with ABAG/MTC Planning and Programming/Allocations departments to advance RTP/Stormwater integration strategies including advancing stormwater regulation alternative compliance opportunities for TODs/PDAs and integrating stormwater assets into StreetSaver - Collaborating with BARC and ABAG/MTC Planning and Legislative and Public Affairs Depts to advance regional climate adaptation - Integrating with agency-wide equity work</p>	<p>Continue to work to integrate complimentary work with within ABAG/MTC</p>
<p><b>4) Develop a Memorandum of Understanding (MOU) to affirm the SFEP and ABAG/MTC relationship</b></p>	<p>Develop an MOU between SFEP and ABAG/MTC (as SFEP's fiscal and administrative agent) with roles and responsibilities</p>	<p>-Given the priority focus on addressing the financial stability of SFEP, this recommendation is not being pursued at this time.</p>	<p>SFEP staff will revisit this recommendation in the near future and assess the benefits of advancing it further.</p>