

File No. 230936

Committee Item No. 6

Board Item No. \_\_\_\_\_

## COMMITTEE/BOARD OF SUPERVISORS

### AGENDA PACKET CONTENTS LIST

Committee: Budget and Finance Committee Date October 4, 2023

Board of Supervisors Meeting Date \_\_\_\_\_

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#### OTHER (Use back side if additional space is needed)

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Completed by: Brent Jalipa Date September 28, 2023

Completed by: Brent Jalipa Date \_\_\_\_\_

1 [Accept and Expend Grant - Retroactive - United States Environmental Protection Agency -  
2 San Francisco Bay Water Quality Improvement Fund - India Basin Shoreline Park Project -  
3 \$3,768,558]

4 **Resolution retroactively authorizing the Recreation and Park Department to accept and**  
5 **expend a San Francisco Bay Water Quality Improvement Fund Grant in the amount of**  
6 **\$3,768,558 from the United States Environmental Protection Agency for the India Basin**  
7 **Shoreline Park Project for a term of June 1, 2023, through December 31, 2026; to enter**  
8 **into the associated Grant agreement; and to enter into modifications and amendments**  
9 **to the Grant Agreement that do not materially increase the obligations or liabilities to**  
10 **the City and are necessary to effectuate the purposes of the Agreement or this**  
11 **Resolution.**

12  
13 WHEREAS, India Basin Shoreline Park (IBSP) was created in the 1990's as a result of  
14 airport mitigation measures when fill was brought into the property to expand the shoreline  
15 and create a park; and

16 WHEREAS, The City and County of San Francisco owns all the parcels (the "Property")  
17 that comprise IBSP and the park is operated and maintained by San Francisco Recreation  
18 and Park Department (RPD); and

19 WHEREAS, The current site conditions include ornamental turf, vegetated berms, aged  
20 playground infrastructures, a basketball court, deteriorated pathways, and parking lot; and

21 WHEREAS, The Property is adjacent to Essential Fish habitat and is a known key stop  
22 on the Pacific Flyway, with many bird species foraging in the tidal waters surrounding the  
23 Property throughout the year; and

24 WHEREAS, The condition of the shoreline and surrounding wetlands do not provide  
25 protection from storm surges and do not address impacts of Sea Level Rise; and

1           WHEREAS, The India Basin Shoreline Park Project (Project) will address these  
2 deficiencies by constructing a living shoreline that allows the wetlands to naturally accrete,  
3 shift, and expand upland as sea level rises, protecting this habitat and serving as a buffer to  
4 storm surge; and

5           WHEREAS, The Project will also install bio-retention structures to capture storm water  
6 and reduce the amounts of pollutants entering the San Francisco Bay; and

7           WHEREAS, The RPD applied for and was awarded a United States Environmental  
8 Protection Agency San Francisco Bay Water Quality Improvement Fund (SFBWQIF) Grant in  
9 the amount of \$3,768,558 to support the construction of the living shoreline and bio-retention  
10 features at IBSP; and

11           WHEREAS, As a condition of receiving the Grant, RPD is required to agree to the enter  
12 into a Grant Agreement, a copy of which is on file with the Clerk of the Board under File  
13 No. 230936 upon execution and which is hereby declared to be part of this Resolution as if set  
14 forth fully herein; and

15           WHEREAS, The grant performance period is June 1, 2023, through December 31,  
16 2026; and

17           WHEREAS, The indirect Costs are not included in the grant budget to maximize direct  
18 costs; and

19           WHEREAS, The Grant will not require an amendment to the Annual Salary Ordinance;  
20 now, therefore, be it

21           RESOLVED, That the Board of Supervisors authorizes the Recreation and Park  
22 Department to accept and expend the grant; and, be it

23           FURTHER RESOLVED, That the Board of Supervisors hereby waives inclusion of  
24 indirect costs as part of this Grant budget; and, be it

25

1 FURTHER RESOLVED, That the Board of Supervisors authorizes the RPD General  
2 Manager to enter into the Grant Agreement with the United States Environmental Protection  
3 Agency to administer the Grant; and, be it

4 FURTHER RESOLVED, That the Board of Supervisors authorizes the RPD General  
5 Manager to enter into any modifications and amendments to the Grant Agreement including to  
6 any of its exhibits, and authorizes the General Manager to execute further agreements related  
7 to the Project, that the General Manager determines, in consultation with the City Attorney,  
8 are in the best interests of the City and do not materially increase the obligations or liabilities  
9 of the City, are necessary or advisable to effectuate the purposes of the Project or this  
10 Resolution, and are in compliance with all applicable laws, including the City's Charter; and,  
11 be it

12 FURTHER RESOLVED, That within 30 days of the Grant Contract being fully executed  
13 by all parties, RPD shall provide the final Grant Agreement to the Clerk of the Board for  
14 inclusion into the official file.

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Recommended: Approved: /s/ \_\_\_\_\_  
Mayor

/s/ \_\_\_\_\_  
Recreation and Park Department  
Department Head Approved: /s/ \_\_\_\_\_  
Controller

<b>Item 6</b> <b>File 23-0936</b>	<b>Department:</b> Recreation and Parks Department (REC)
<b>EXECUTIVE SUMMARY</b>	
<p style="text-align: center;"><b>Legislative Objectives</b></p> <ul style="list-style-type: none"> <li>• The proposed resolution would retroactively authorize the San Francisco Recreation and Parks Department to accept and expend a San Francisco Bay Water Quality Improvement Fund Grant in amount of \$3,768,558 from the US Environmental Protection Agency (EPA) San Francisco Bay Water Quality Improvement Fund.</li> </ul> <p style="text-align: center;"><b>Key Points</b></p> <ul style="list-style-type: none"> <li>• In September 2022, the Department of Recreation and Parks applied for a US Environmental Protection Administration (EPA) San Francisco Bay Water Quality Improvement Fund grant for Phase 3 of the India Basin Waterfront Park Initiative. In December 2022, the EPA awarded the grant.</li> <li>• The EPA funding would be used to finance construction of the India Basin Shoreline Park, including bioretention basins (i.e., landscaped depressions that capture stormwater and trash), enhanced intertidal zones for sea level rise, shade structures, drought tolerant tree plantings, and new public trails. The anticipated start date for the construction improvements is July 1, 2024, and the end date is December 31, 2026.</li> </ul> <p style="text-align: center;"><b>Fiscal Impact</b></p> <ul style="list-style-type: none"> <li>• The grant requires that the Department match the federal funds at an equal dollar-for-dollar basis during the grant period. Matching funds in the amount of \$3,768,559 will come from a California State Park grant. No indirect costs are included in the budget.</li> <li>• All grant project costs must be incurred over an approximately three-year period, from June 1, 2023 through December 31, 2026, pending approval from the Board of Supervisors.</li> <li>• Total costs for Phase 3 of the India Basin Waterfront Park Initiative are estimated to be \$78.7 million, for which the Department has identified \$46.3 million in funding sources. The Department is working to identify additional funding sources, including private fundraising for all aspects of the India Basin Waterfront Park Initiative.</li> </ul> <p style="text-align: center;"><b>Recommendation</b></p> <ul style="list-style-type: none"> <li>• Approve the proposed resolution.</li> </ul>	

## MANDATE STATEMENT

City Administrative Code Section 10.170-1 states that accepting Federal, State, or third-party grant funds in the amount of \$100,000 or more, including any City matching funds required by the grant, is subject to Board of Supervisors approval.

## BACKGROUND

The India Basin Waterfront Park project connects 900 Innes Avenue, a city-owned parcel, with two existing parks, India Basin Shoreline Park and India Basin Open Space, to build a new 10-acre waterfront park. The project is comprised of three phases: Phase 1 was completed in August 2022 and involved cleaning up 900 Innes Avenue, an area that had contaminated soil from industrial boat building and vessel repair. The project removed marine debris, abandoned structures, and old concrete to enable new park development.

Phase 2 is underway from September 2022 through May 2024 to develop 900 Innes Park. Funding for Phase 3 is the subject of this item, which is the Indian Basin Shoreline Park construction.

The Park is located within the Bayview Hunters Point neighborhood, an area of San Francisco that has faced decades of environmental contamination, according to the City's grant application, including the decommissioned Hunters Point Naval Shipyard and a decommissioned PG&E facility. The goal of the Park is to transform the India Basin into a healthy shoreline and restore wetland and tidal habitats.

In September 2022, the Department of Recreation and Parks applied for a US Environmental Protection Administration (EPA) San Francisco Bay Water Quality Improvement Fund grant for Phase 3 of the project. In December 2022, the EPA awarded the grant.

### Funding Sources

The San Francisco Bay Water Quality Improvement Fund is a competitive grant program administered by the US Environmental Protection Administration (EPA) since 2008 to support projects that restore wetlands and watersheds to reduce polluted runoff impacting San Francisco Bay. This project was one of seven selected to share a total of approximately \$24 million in funding available in 2022.

Although the India Basin Waterfront Park project has received state and federal funding in the past, matching funds have not been required until now, and so the item has not triggered review from the Budget and Legislative Analyst's Office.

## DETAILS OF PROPOSED LEGISLATION

The proposed resolution would retroactively authorize the San Francisco Recreation and Parks Department to accept and expend a San Francisco Bay Water Quality Improvement Fund Grant in amount of \$3,768,558 from the US Environmental Protection Agency (EPA) San Francisco Bay Water Quality Improvement Fund. The grant requires that the Department match the federal funds at an equal dollar-for-dollar basis during the grant period. All grant project costs must be incurred over an approximately three-year period, from June 1, 2023 through December 31,

2026, pending approval from the Board of Supervisors. The funding would be used to finance a portion of the third phase of the Indian Basin Shoreline Park Project.

**Use of Funds**

The EPA funding would be used to finance construction activities of Phase 3 of the India Basin Shoreline Park Project, which includes constructing bioretention basins (i.e., landscaped depressions that capture stormwater and trash), enhanced intertidal zones for sea level rise, shade structures, drought tolerant tree plantings, and new public trails. See Exhibit 1 for details.

**Exhibit 1. Grant Budget- Construction Detail**

	<b>Grant</b>	<b>Match</b>	<b>Total</b>
Sage Slope Planting	\$509,112	\$509,112	\$1,018,224
Edge Planting	\$27,445	\$27,445	\$54,890
Trees	\$57,600	\$57,600	\$115,200
Marsh Planting	\$203,353	\$203,353	\$406,706
Pebble Beach	\$429,473	\$429,473	\$858,946
Stormwater Bioretention Planters	\$179,500	\$179,500	\$359,000
Bay Trail and Paths	\$229,249	\$229,249	\$458,498
Cookout Terrace Pergola Shade Structure	\$675,000	\$675,000	\$1,350,000
Marine Pathway	\$1,246,400	\$1,246,400	\$2,492,800
Shorewalk Promenade	\$211,428	\$211,428	\$422,856
<b>Total</b>	<b>\$3,768,560</b>	<b>\$3,768,560</b>	<b>\$7,537,120</b>

Source: EPA Grant Application Narrative

Note: Discrepancies in exact totals due to rounding

The proposed grant agreement authorizes the Recreation and Parks Department project manager to enter into any modifications and amendments to the grant agreement that do not materially increase the obligations or liabilities of the City.

**Timeline**

The anticipated start date for the construction improvements is July 1, 2024, and the end date is December 31, 2026. The grant agreement provides for pre-award costs approved back to June 1, 2023. Contractual services will be put out to bid December 2023. Advertising the construction contract for the proposed work and awarding the contract is expected to take 6-8 months. Construction is expected to last 24 months.

**Grant Reporting Requirements**

Under the draft grant agreement, the Recreation and Parks Department must submit to the federal EPA Project Officer timely quarterly reports that includes a discussion of the activities conducted during the previous two quarters, progress towards milestones, problems encountered with achieving outputs and outcomes specified in the workplan, a financial accounting of costs incurred during the reporting period, cumulative project costs for federal and

match amounts, and any special EPA assistance needed. The Department will be reimbursed quarterly for expenses.

## FISCAL IMPACT

India Basin Shoreline Park Project, (i.e., Phase 3 of the India Basin Waterfront Park project) is funded in part by the proposed EPA San Francisco Bay Water Quality Improvement Fund Grant, \$3,768,558, with the California State Park providing matching funds in the amount of \$3,768,559.<sup>1</sup> No indirect costs are included in the budget.

As shown below in Exhibit 2, the proposed EPA grant would fund approximately 6.3 percent of the estimated India Basin Shoreline Park Project construction cost of \$60,000,000.

### Exhibit 2: India Shoreline Basin Phase 3 Sources and Uses

<b>Sources</b>	
Pritzker Foundation (Private Philanthropy)	3,250,000
Proposed Grant	3,768,558
State Coastal Conservancy*	5,600,000
Proposition 68 Grant	5,768,000
2020 GO Bond (Health & Recovery)	8,514,619
CA State Park Grant	19,400,000
SF Foundation (Private Philanthropy)	32,366,465
<b>Total Sources</b>	<b>46,301,177</b>
<b>Costs</b>	
Soft Costs	6,667,642
Construction	60,000,000
Construction Contingency (20%)	12,000,000
<b>Total Costs</b>	<b>78,667,642</b>

Source: Recreation and Parks Department

Note: The State Coastal Conservancy grant has been recommended by staff and the State Coastal Conservancy is expected to vote on the proposed award in January 2024.

As shown above, Phase 3 total costs are estimated to be \$78.7 million, for which the Department has identified \$46.3 million in funding sources. All sources would fund construction costs, except for the funding from the San Francisco Foundation, which would fund construction, soft costs, and any construction contingency costs. The Department is actively fundraising for all aspects of the India Basin Waterfront Park Initiative.

The City's matching funds of \$3,768,559 have been appropriated from the California State Park FY 2022-23 Specified Grant Funds for India Basin. These funds were secured in early 2023 and

<sup>1</sup> The Grant Match is 1:1 but because RPD Staff created a rounding error, RPD agreed to cover one extra dollar in match funds and the California Specified Grant will serve as grant match the EPA funding.



approved for retroactive acceptance and expenditure by the Board of Supervisors in February 2023 (File 23-0069).

**RECOMMENDATION**

Approve the proposed resolution.

**File Number:** 230936  
(Provided by Clerk of Board of Supervisors)

**Grant Resolution Information Form**  
(Effective July 2011)

Purpose: Accompanies proposed Board of Supervisors resolutions authorizing a Department to accept and expend grant funds.

The following describes the grant referred to in the accompanying resolution:

1. Grant Title: San Francisco Bay Water Quality Improvement Fund – India Basin Shoreline Park

2. Department: Recreation and Park Department

3. Contact Person: Toni Moran Telephone: (415) 794-8173

4. Grant Approval Status (check one):

Approved by funding agency. Contract Pending  Not yet approved

5. Amount of Grant Funding Approved or Applied for: \$3,768,558

a. Matching Funds Required: Yes, \$3,768,559

b. Source(s) of matching funds (if applicable):  
California State Park FY 2022-23 Specified Grant Funds for India Basin

7a. Grant Source Agency: United States Environmental Protection Agency

b. Grant Pass-Through Agency (if applicable): N/A

8. Proposed Grant Project Summary: The project will create bioretention basins that will maximize the capture of stormwater and trash and enhanced intertidal areas. The Project will increase biodiversity by creating upland transition zones that will buffer future sea level rise and allow for the continued existence of the intertidal habitats. Native, drought-tolerant tree plantings and installation of shade structures will reduce impacts of high heat days. In addition, the park’s system of trails provides the public with direct access to the Bay via a constructed cobble beach.

9. Grant Project Schedule, as allowed in approval documents, or as proposed:

Start-Date: June 1, 2023 End-Date: December 31,2026

10a. Amount budgeted for contractual services: \$3,768,558.

- b. Will contractual services be put out to bid? Yes
- c. If so, will contract services help to further the goals of the Department’s Local Business Enterprise (LBE) requirements? No. The project has received federal funding; therefore, geographical preferences are prohibited.
- d. Is this likely to be a one-time or ongoing request for contracting out? One time only

11a. Does the budget include indirect costs?  Yes  No

- b1. If yes, how much? \$0
- b2. How was the amount calculated? Not Applicable
- c1. If not, why are indirect costs not included?

Not allowed by granting agency  To maximize use of grant funds on direct services.  
 Other (please explain):

c2. If no indirect costs are included, what would have been the indirect costs?

The cost of department and division overhead associated with Recreation and Park and Public Works Staff.

12. Any other significant grant requirements or comments: Grant funds are provided on a reimbursement basis.

**\*\*Disability Access Checklist\*\*\*(Department must forward a copy of all completed Grant Information Forms to the Mayor’s Office of Disability)**

13. This Grant is intended for activities at (check all that apply):

- Existing Site(s)                       Existing Structure(s)                       Existing Program(s) or Service(s)
- Rehabilitated Site(s)                       Rehabilitated Structure(s)                       New Program(s) or Service(s)
- New Site(s)                       New Structure(s)

14. The Departmental ADA Coordinator or the Mayor’s Office on Disability have reviewed the proposal and concluded that the project as proposed will be in compliance with the Americans with Disabilities Act and all other Federal, State and local disability rights laws and regulations and will allow the full inclusion of persons with disabilities. These requirements include, but are not limited to:

1. Having staff trained in how to provide reasonable modifications in policies, practices and procedures
2. Having auxiliary aids and services available in a timely manner in order to ensure communication access; and
3. Ensuring that any service areas and related facilities open to the public are architecturally accessible and have been inspected and approved by the DPW Access Compliance Officer or the Mayor’s Office on Disability Compliance Officers.

If such access would be technically infeasible, this is described in the comments section below:


Comments:

Departmental ADA Coordinator or Mayor’s Office of Disability Reviewer:

Arfaraz Khambatta, CASp  
(Name)

Disability Access Coordinator, Public Works Building (  
Title)

Date Reviewed: 7/13/2023

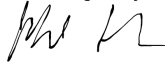
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(Signature Required)

**Department Head or Designee Approval of Grant Information Form:**

Philip A. Ginsburg  
(Name)

General Manager, Recreation and Park Department

Date Reviewed: 7/14/2023

DocuSigned by:  
  
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(Signature Required)

	<b>U.S. ENVIRONMENTAL PROTECTION AGENCY</b>  <b>Grant Agreement</b>	<b>GRANT NUMBER (FAIN):</b> 98T61901 <b>MODIFICATION NUMBER:</b> 0 <b>PROGRAM CODE:</b> W9	<b>DATE OF AWARD</b> 06/08/2023
		<b>TYPE OF ACTION</b> New	<b>MAILING DATE</b> 06/13/2023
		<b>PAYMENT METHOD:</b> ASAP	<b>ACH#</b> 90806
		<b>RECIPIENT TYPE:</b> Municipal	
<b>RECIPIENT:</b> City and County of San Francisco 501 Stanyan Street San Francisco, CA 94117-1898 <b>EIN:</b> 94-6000417		<b>PAYEE:</b> City and County of San Francisco dba Recreation and Park Department 501 Stanyan Street San Francisco, CA 94117-1898	
<b>PROJECT MANAGER</b> David Froehlich 49 South Van Ness Suite 1220 San Francisco, CA 94103-3795 <b>Email:</b> david.froehlich@sfgov.org <b>Phone:</b> 628-652-6649		<b>EPA PROJECT OFFICER</b> Kristen Isom 75 Hawthorne Street San Francisco, CA 94105 <b>Email:</b> isom.kristen@epa.gov <b>Phone:</b> 415-972-3305	
		<b>EPA GRANT SPECIALIST</b> Danielle Carr Grants Branch, MSD-6 75 Hawthorne Street San Francisco, CA 94105 <b>Email:</b> carr.danielle@epa.gov <b>Phone:</b> 415-972-3871	
<b>PROJECT TITLE AND DESCRIPTION</b> City and County of San Francisco- India Basin Shoreline Park - Phase 3 See Attachment 1 for project description.			
<b>BUDGET PERIOD</b> 06/01/2023 - 12/31/2026	<b>PROJECT PERIOD</b> 06/01/2023 - 12/31/2026	<b>TOTAL BUDGET PERIOD COST</b> \$7,537,117.00	<b>TOTAL PROJECT PERIOD COST</b> \$7,537,117.00
<b>NOTICE OF AWARD</b>  Based on your Application dated 09/20/2022 including all modifications and amendments, the United States acting by and through the US Environmental Protection Agency (EPA) hereby awards \$3,768,558.00. EPA agrees to cost-share 50.00% of all approved budget period costs incurred, up to and not exceeding total federal funding of \$3,768,558.00. Recipient's signature is not required on this agreement. The recipient demonstrates its commitment to carry out this award by either: 1) drawing down funds within 21 days after the EPA award or amendment mailing date; or 2) not filing a notice of disagreement with the award terms and conditions within 21 days after the EPA award or amendment mailing date. If the recipient disagrees with the terms and conditions specified in this award, the authorized representative of the recipient must furnish a notice of disagreement to the EPA Award Official within 21 days after the EPA award or amendment mailing date. In case of disagreement, and until the disagreement is resolved, the recipient should not draw down on the funds provided by this award/amendment, and any costs incurred by the recipient are at its own risk. This agreement is subject to applicable EPA regulatory and statutory provisions, all terms and conditions of this agreement and any attachments.			
<b>ISSUING OFFICE (GRANTS MANAGEMENT OFFICE)</b>		<b>AWARD APPROVAL OFFICE</b>	
<b>ORGANIZATION / ADDRESS</b> U.S. EPA, Region 9 , U.S. EPA, Region 9 Grants Branch, MSD-6 75 Hawthorne Street San Francisco, CA 94105		<b>ORGANIZATION / ADDRESS</b> U.S. EPA, Region 9, Water Division, WTR-1 R9 - Region 9 75 Hawthorne Street San Francisco, CA 94105	
<b>THE UNITED STATES OF AMERICA BY THE U.S. ENVIRONMENTAL PROTECTION AGENCY</b>			
Digital signature applied by EPA Award Official  Carolyn Truong			<b>DATE</b> 06/08/2023

## EPA Funding Information

FUNDS	FORMER AWARD	THIS ACTION	AMENDED TOTAL
EPA Amount This Action	\$0	\$3,768,558	\$3,768,558
EPA In-Kind Amount	\$0	\$0	\$0
Unexpended Prior Year Balance	\$0	\$0	\$0
Other Federal Funds	\$0	\$0	\$0
Recipient Contribution	\$0	\$0	\$0
State Contribution	\$0	\$3,768,558	\$3,768,558
Local Contribution	\$0	\$0	\$0
Other Contribution	\$0	\$0	\$0
Allowable Project Cost	\$0	\$7,537,117	\$7,537,117

Assistance Program (CFDA)	Statutory Authority	Regulatory Authority
66.126 - Geographic Programs - San Francisco Bay Water Quality Improvement Fund	Clean Water Act: Sec. 320	2 CFR 200, 2 CFR 1500 and 40 CFR 33

Fiscal									
Site Name	Req No	FY	Approp. Code	Budget Organization	PRC	Object Class	Site/Project	Cost Organization	Obligation / Deobligation
-	2309W32014	2223	B	09L2	000BK4	4158	-	-	\$3,768,558
									\$3,768,558

## Budget Summary Page

Table A - Object Class Category (Non-Construction)	Total Approved Allowable Budget Period Cost
1. Personnel	\$0
2. Fringe Benefits	\$0
3. Travel	\$0
4. Equipment	\$0
5. Supplies	\$0
6. Contractual	\$7,537,117
7. Construction	\$0
8. Other	\$0
9. Total Direct Charges	\$7,537,117
10. Indirect Costs: 0.00 % Base	\$0
11. Total (Share: Recipient <u>50.00</u> % Federal <u>50.00</u> %)	\$7,537,117
12. Total Approved Assistance Amount	\$3,768,558
13. Program Income	\$0
14. Total EPA Amount Awarded This Action	\$3,768,558
15. Total EPA Amount Awarded To Date	\$3,768,558

## **Attachment 1 - Project Description**

The India Basin Shoreline Park Project improves the health of the environment and supports bay access. The project will create bioretention basins that will maximize the capture of stormwater and trash and enhanced intertidal areas. It will provide coastal protection during storm surges and increase biodiversity. Upland transition zones will buffer future sea level rise and allow for the continued existence of the intertidal habitats. Native, drought-tolerant tree plantings and installation of shade structures will reduce impacts of high heat days. In addition, the park's system of trails provides the public with direct access to the Bay via a gravel beach. Funding from this agreement would support construction site development activities.

This agreement provides full federal funding in the amount of \$3,768,558. Preaward costs are approved back to 06/01/2023. To implement the San Francisco Estuary Partnership Comprehensive Conservation and Management Plan (CCMP), as part of this grant the City and County of San Francisco will accomplish the following activities: site development construction activities including earthwork and grading, shoreline contouring, construction of stormwater planters, and planting for stormwater planters, trees, and shoreline plantings. Anticipated deliverables include: earthwork and grading, shoreline contouring, construction of stormwater planters, and planting installations. Expected long-term outcomes include: improved overall wetlands ecology, increased biodiversity, and support for an interconnected habitat at India Basin Shoreline Park. The intended beneficiaries of this project are the Bayview/Hunters Point communities and the living resources of the San Francisco Bay and its watersheds. No subawards are included in this assistance agreement.

## **Administrative Conditions**

### **General Terms and Conditions**

The recipient agrees to comply with the current EPA general terms and conditions available at: <https://www.epa.gov/grants/epa-general-terms-and-conditions-effective-october-1-2022-or-later>.

These terms and conditions are in addition to the assurances and certifications made as a part of the award and the terms, conditions, or restrictions cited throughout the award.

The EPA repository for the general terms and conditions by year can be found at: <https://www.epa.gov/grants/grant-terms-and-conditions#general>.

### **A. Federal Financial Reporting (FFR)**

For awards with cumulative project and budget periods greater than 12 months, the recipient will submit an annual FFR (SF 425) covering the period from "project/budget period start date" to **June 30** of each calendar year to the EPA Finance Center in Research Triangle Park, NC. The annual FFR will be submitted electronically to [rtfpc-grants@epa.gov](mailto:rtfpc-grants@epa.gov) no later than **September 30** of the same calendar year. Find additional information at <https://www.epa.gov/financial/grants>. (NOTE: The grantee must submit the Final FFR to [rtfpc-grants@epa.gov](mailto:rtfpc-grants@epa.gov) within 120 days after the end of the project period.)

### **B. Procurement**

The recipient will ensure all procurement transactions will be conducted in a manner providing full and open competition consistent with 2 CFR Part 200.319. In accordance with 2 CFR Part 200.324, the grantee and subgrantee(s) must perform a cost or price analysis in connection with applicable procurement actions, including contract modifications.

*State recipients must follow procurement procedures as outlined in 2 CFR Part 200.317.*

### **C. MBE/WBE Reporting, 40 CFR, Part 33, Subpart E (EPA Form 5700-52A)**

The recipient agrees to submit a "MBE/WBE Utilization Under Federal Grants and Cooperative Agreements" report (EPA Form 5700-52A) annually for the duration of the project period. The current EPA Form 5700-52A with instructions is located at <https://www.epa.gov/grants/epa-grantee-forms>

This provision represents an approved exception from the MBE/WBE reporting requirements as described in 40 CFR Section 33.502.

Reporting is required for assistance agreements where funds are budgeted for procuring construction, equipment, services and supplies (including funds budgeted for direct procurement by the recipient or procurement under subawards or loans in the "Other" category) with a cumulative total that exceed the Simplified Acquisition Threshold (SAT) currently set at \$250,000 (the dollar threshold will be automatically revised whenever the SAT is adjusted; See 2 CFR Section 200.1), including amendments and/or modifications. All procurement actions are reportable when reporting is required, not just the portion which exceeds the SAT.

Recipients with expended and/or budgeted funds for procurement are required to report annually whether the planned procurements take place during the reporting period or not. If no budgeted procurements take place during the reporting period, the recipient should check the box in section 5B when completing the form.



When completing the annual report, recipients are instructed to check the box titled "annual" in section 1B of the form. For the final report, recipients are instructed to check the box indicated for the "last report" of the project in section 1B of the form. For section 2B, the Region 9 EPA DBA Coordinator is Alexandra Perez, email: [GrantsRegion9@epa.gov](mailto:GrantsRegion9@epa.gov), phone: 415-972-3826.

The annual reports are due by October 30th of each calendar year and the final report is due within 120 days after the end of the project period, whichever comes first. The recipient will submit the MBE/WBE report(s) and/or questions to [GrantsRegion9@epa.gov](mailto:GrantsRegion9@epa.gov) and the EPA Grants Specialist identified on page 1 of the award document.

#### **D. Indirect Costs**

The Cost Principles under 2 CFR Part 200, Subpart E apply to this award. Since there are no indirect costs included in the assistance budget, they are not allowable under this Assistance Agreement.

### **Programmatic Conditions**

**a. Reporting:** The recipient shall submit quarterly progress reports to the EPA Project Officer within 30 calendar days after the end of each Federal fiscal quarter (January 31, April 30, July 31, and October 31). The progress reports should include:

- a discussion of the activities conducted during the previous two quarters (including a comparison of actual accomplishments with the anticipated outputs and outcomes specified in the workplan),
- progress towards milestones,
- problems encountered with achieving outputs and outcomes, and their resolution,
- activities planned for the next two quarters,
- a financial accounting of costs incurred during the reporting period,
- cumulative project costs (EPA and match amounts) since the beginning of the project, by task, and
- identification of any special EPA assistance needed, and an explanation of any cost overruns.

The recipient will notify the EPA Project Officer if something materially impairs their ability to complete the tasks and deliver the products, outputs and outcomes identified in the workplan. Within 120 days of the end of the project period, the recipient must email a final report documenting project activities over the entire project period and the recipient's achievements with respect to the project's purposes and objectives. The final report must be emailed to the EPA Project Officer.

**b. Grant Source Recognition:** The recipient should publicly acknowledge the US EPA San Francisco Bay Water Quality Improvement Fund as the funding vehicle for the projects when the grantee is asked by public entities, federal agencies or state and local agencies about the projects and on-going results.

#### **c. Cybersecurity Grant Condition for Other Recipients, Including Intertribal Consortia:**

(a) The recipient agrees that when collecting and managing environmental data under this assistance agreement, it will protect the data by following all applicable State or Tribal law cybersecurity requirements.

(b)(1) EPA must ensure that any connections between the recipient's network or information

system and EPA networks used by the recipient to transfer data under this agreement, are secure. For purposes of this Section, a connection is defined as a dedicated persistent interface between an Agency IT system and an external IT system for the purpose of transferring information. Transitory, user-controlled connections such as website browsing are excluded from this definition.

If the recipient's connections as defined above do not go through the Environmental Information Exchange Network or EPA's Central Data Exchange, the recipient agrees to contact the EPA Project Officer (PO) no later than 90 days after the date of this award and work with the designated Regional/Headquarters Information Security Officer to ensure that the connections meet EPA security requirements, including entering into Interconnection Service Agreements as appropriate. This condition does not apply to manual entry of data by the recipient into systems operated and used by EPA's regulatory programs for the submission of reporting and/or compliance data.

(b)(2) The recipient agrees that any subawards it makes under this agreement will require the subrecipient to comply with the requirements in (b)(1) if the subrecipient's network or information system is connected to EPA networks to transfer data to the Agency using systems other than the Environmental Information Exchange Network or EPA's Central Data Exchange. The recipient will be in compliance with this condition: by including this requirement in subaward agreements; and during subrecipient monitoring deemed necessary by the recipient under 2 CFR 200.332(d), by inquiring whether the subrecipient has contacted the EPA Project Officer. Nothing in this condition requires the recipient to contact the EPA Project Officer on behalf of a subrecipient or to be involved in the negotiation of an Interconnection Service Agreement between the subrecipient and EPA.

**d. Geospatial Data Standards:**

All geospatial data created must be consistent with Federal Geographic Data Committee (FGDC) endorsed standards. Information on these standards may be found at <https://www.fgdc.gov/>.

**END-OF-DOCUMENT**

**India Basin Shoreline Park Living Shoreline Budget**

<b>Project Budget</b>		<b>Funding Sources</b>	
Construction Hard Costs	7,527,117	California State Parks Specified Grant- Pending	3,768,559
		San Francisco Bay Water Quality Improvement Fund	3,768,558
<b>Total Project Budget</b>	<b>7,527,117</b>		<b>7,537,117</b>



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**  
REGION IX  
75 Hawthorne Street  
San Francisco, CA 94105-3901

Philip Ginsburg  
City and County of San Francisco  
Recreation and Park Department  
501 Stanyan Street  
San Francisco, CA 94117-1898

Re: Notification of EPA Funding Status (EPA-R9-SFBWQIF-22-01)

Dear Mr. Ginsburg:


It is my pleasure to inform you that EPA has selected the City and County of San Francisco for funding under the San Francisco Bay Water Quality Improvement Fund (SFBWQIF) for your application of "India Basin Shoreline Park- Phase 3." We are pleased to support your application to construct bioretention basins, enhanced intertidal zones for sea level rise, shade structures, drought tolerant tree plantings, and new public trails for India Basin Shoreline Park restoration.

We received over \$53.4 million in project requests in response to this year's solicitation and your application is 1 of 7 selected to share the ~\$24 million available in Fiscal Year 2022. EPA looks forward to working with you to communicate the important benefits and impact that your project brings to local communities.

The SFBWQIF is a competitive grant program administered by EPA to support projects that restore wetlands and watersheds, to reduce polluted runoff impacting San Francisco Bay. Since 2008, the SFBWQIF has invested over \$71.4 million and 59 grants leveraging an additional \$191 million to achieve environmental results throughout the nine Bay Area counties.

Our SFBWQIF Program Lead, Luisa Valiela, will contact you soon to provide instructions for completing the grant application process. Congratulations and thank you for your important work to improve San Francisco Bay and its watersheds.

Sincerely,  
**TOMAS**  
**TORRES**  
Tomás Torres  
Director, Water Division

 Digitally signed by TOMAS  
TORRES  
Date: 2022.12.22 12:18:47 -08'00'



London N. Breed, Mayor  
Philip A. Ginsburg, General Manager

**TO:** Angela Calvillo, Clerk of the Board of Supervisors

**FROM:** Philip A. Ginsburg, General Manager  
Recreation and Park Department

**DATE:** July 3, 2023

**SUBJECT:** Accept and Expend Legislation for Subject Grant

**GRANT TITLE:** San Francisco Bay Water Quality Improvement Fund

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Attached please find the original and ~~4~~ copies of each of the following:

- Proposed grant resolution; original signed by Department, Mayor, Controller
- Grant information form, including disability checklist
- Grant budget
- Grant Award Letter
- Grant Agreement

**Special Timeline Requirements:**

**Departmental representative to receive a copy of the adopted resolution:**

Name: Toni Moran

Phone: 415 794-8173

Interoffice Mail Address: 49 South Van Ness, Suite 1220

Certified copy required Yes

No

(Note: certified copies have the seal of the City/County affixed and are occasionally required by funding agencies. In most cases ordinary copies without the seal are sufficient).



**From:** [Conine-Nakano, Susanna \(MYR\)](#)  
**To:** [BOS Legislation, \(BOS\)](#)  
**Cc:** [Paulino, Tom \(MYR\)](#); [Ng, Beverly \(REC\)](#); [Bishop, Lamonte" \(REC\)](#); [Lopez-Weaver, Lindsey \(BOS\)](#)  
**Subject:** Mayor -- Resolution -- India Basin Shoreline Project  
**Date:** Tuesday, September 5, 2023 4:46:21 PM  
**Attachments:** [Mayor -- Resolution -- India Basin Shoreline Project.zip](#)

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Hello Clerks,

Attached for introduction to the Board of Supervisors is a Resolution authorizing the Recreation and Park Department (RPD) to accept and expend a San Francisco Bay Water Quality Improvement Fund Grant in the amount of \$3,768,558 from the United States Environmental Protection Agency for the India Basin Shoreline Park Project; to enter into the associated Grant agreement; and to enter into modifications and amendments to the grant agreement that do not materially increase the obligations or liabilities to the City and are necessary to effectuate the purposes of the agreement or this Resolution.

Please note that Supervisor Walton is a co-sponsor of this legislation.

Best,  
Susanna

Susanna Conine-Nakano  
Office of Mayor London N. Breed  
City & County of San Francisco  
1 Dr. Carlton B. Goodlett Place, Room 200  
San Francisco, CA 94102  
415-554-6147