

1 [Accept and Expend State Grant - California State Ocean Protection Council - Heron's Head
2 Park Shoreline Resilience Project - \$1,667,000]

3 **Resolution authorizing the Port of San Francisco to accept and expend a grant in the**
4 **amount of \$1,667,000 from the California State Ocean Protection Council to fund the**
5 **Heron's Head Park Shoreline Resilience Project for the period of July 15, 2021, through**
6 **May 31, 2025.**

7
8 WHEREAS, The Port manages the San Francisco waterfront within its jurisdictional
9 boundaries as the gateway to a world-class city, and advances environmentally and financially
10 sustainable maritime, recreational and economic opportunities to serve the City, Bay Area,
11 and California; and

12 WHEREAS, The Port delivers vibrant and diverse waterfront experiences that enrich
13 the City and San Francisco Bay Area; and

14 WHEREAS, Heron's Head Park is a 22-acre open space and thriving wildlife habitat
15 located on Port property in the City's Southeast Sector; and

16 WHEREAS, Since its creation over 20 years ago the park has evolved, with the
17 addition of the EcoCenter in 2010 and additional expansion and improvements of the park
18 in 2012; and

19 WHEREAS, Heron's Head Park has also experienced significant erosion and invasion
20 by non-native plants, resulting in decreased acreage and ecological value of the tidal wetland;
21 and

22 WHEREAS, The Port has developed the Heron's Head Park Shoreline Resilience
23 Project to construct a living shoreline and restore wetland habitat in order to mitigate negative
24 impacts to the tidal wetland; and

1 WHEREAS, Proposition 68, The California Drought, Water, Parks, Climate. Coastal
2 Protection and Outdoor Access for All Act (“Proposition 68”) was passed by the voters
3 in 2018; and

4 WHEREAS, The Ocean Protection Council, a division of the California Natural
5 Resources Agency, is charged with awarding and administering grant funds generated by
6 Proposition 68 for projects that implement nature-based solutions and other sea-level rise
7 adaptation strategies to build coastal resiliency; and

8 WHEREAS, On November 13, 2020, the Port submitted an application for grant funds
9 from the Ocean Protection Council to construct a natural infrastructure-based shoreline to
10 prevent erosion and enable sea-level rise adaptation at Heron’s Head Park; and

11 WHEREAS, At its February 21, 2021, meeting, the Ocean Protection Council adopted
12 a resolution authorizing a grant to the Port in the amount of \$1,667,000 (“Grant Agreement”)
13 for the Heron’s Head Park Shoreline Resilience project; the resolution was adopted by the
14 Ocean Protection Council pursuant to, and is included in, the Ocean Protection Council’s
15 February 21, 2021 staff recommendation, a copy of which is on file with the Port of San
16 Francisco, the Ocean Protection Council, and the Clerk of the Board of Supervisors; and

17 WHEREAS, The Ocean Protection Council grant agreement provides
18 approximately 52% of the estimated cost to construct the Heron’s Head Park shoreline
19 stabilization and living shoreline elements of the project; and

20 WHEREAS, The Ocean Protection Council grant does not require matching funds fund
21 from the Port; and

22 WHEREAS, Port staff continue to seek additional funds in order to begin construction
23 of this important project; and

24 WHEREAS, The Heron’s Head Park Shoreline Resilience Project work to be funded by
25 the Grant Agreement is exempt from the California Environmental Quality Act; and

1 WHEREAS, On April 13, 2021, the San Francisco Port Commission through Resolution
2 No. 21-17 authorized Port to accept and expend the grant and the Port Executive Director or
3 her designee to negotiate and execute the Grant Agreement and all other instruments
4 necessary to obtain and expend the grant monies on behalf of the Port; now, therefore, be it

5 RESOLVED, That the Board of Supervisors authorizes the Port to accept and expend a
6 grant in the amount of \$1,667,000 from the Ocean Protection Council to fund Heron’s Head
7 Park Shoreline Resilience Project; and, be it

8 FURTHER RESOLVED, That, pursuant to Charter, Section 9.118, the Board of
9 Supervisors approves the Grant Agreement in substantially the form as on file with the Clerk
10 of the Board of Supervisors in File No. 210687 and authorizes the Port Executive Director or
11 her designee to conduct all negotiations, and execute and submit all documents, including but
12 not limited to applications, agreements, amendments, payment requests, and so on, that may
13 be necessary for acceptance and expenditure of the grant and fulfillment of the grant terms
14 that the Port Executive Director determines, in consultation with the City Attorney, are in the
15 best interests of the City and do not materially increase the obligations or liabilities of the City,
16 are necessary or advisable to effectuate the purposes of the grant or this Resolution, and are
17 in compliance with all applicable laws, including the City’s Charter; and, be it

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

20 FURTHER RESOLVED, That within thirty (30) days of the Grant Agreement being fully
21 executed by all parties, the Port Executive Director shall provide the final agreement to the
22 Clerk of the Board of Supervisors for inclusion into the official file.

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Recommended:

____/s/_____

Executive Director, Port of San Francisco

Approved:

____/s/_____

Mayor

Approved:

____/s/_____

Controller