

### **The Open Space, Wildlife Habitat, Clean Water and Increased Public Access Expenditure Plan**

#### **A. Summary**

Since its creation in 1993, the Santa Clara County Open Space Authority (OSA) has protected over 16,000 acres of open space and natural areas, preserving the natural beauty and health of our area, and protecting our region's water resources, air quality, wildlife and scenic views for residents today and future generations. Governed by a publicly elected board of directors, OSA has used funds wisely, bringing in state, federal, and private grant money, and providing annual audits in a transparent public process.

However, the Santa Clara County Open Space Authority currently faces significant challenges. As our region continues to grow, protecting hillsides and open spaces are increasingly important to our community. If adopted by voters, the Open Space, Wildlife Habitat, Clean Water, and Increased Public Access Measure (Measure) would allow OSA to protect and preserve natural open space areas for future generations by: improving parks, open spaces and trails; protecting land around creeks, rivers and streams to prevent pollution and improve local water quality; preserving wildlife habitat; expanding public access; enhancing environmental education; and protecting scenic hillsides.

The Santa Clara County Open Space Authority will ensure that the revenue generated is spent in the most efficient and effective manner possible, consistent with serving the public interest and in accordance with existing law. The Authority shall use the funding only for the purposes set forth in this Expenditure Plan ("Plan") and it shall give priority to projects in this Plan.

The high priority potential projects listed in the Plan are the result of a broad public engagement process to create a shared vision for the future of the region's open space. This vision plan developed by the Santa Clara County Open Space Authority, called the *Santa Clara Valley Greenprint*, identifies high priority open space and natural resource lands as identified in this Plan. If approved, the proceeds from the parcel tax would be allocated to fund high priority projects distributed throughout the Santa Clara County Open Space Authority's jurisdiction such as those listed below.

The Authority may annually review and propose amendments to the Plan to provide for the use of additional federal, state and local funds, to account for unexpected revenues, or to take into consideration unforeseen circumstances, provided, however, that all funds collected pursuant to the Measure shall be used solely for the purposes of this Plan as presented to the voters.

### B. Program Descriptions

#### 1. Protect Open Space, Redwood Forests, Wildlife Habitat, Scenic Hillside and Agricultural Land

The purpose of this program is to permanently protect new open space lands essential to completing connections in the region's park, open space and habitat systems as identified in the Authority's *Santa Clara Valley Greenprint*, the *County Parks Acquisition Plan*, *Santa Clara Valley Habitat Plan*, and other adopted plans.

- a. Ensure permanent protection of essential open space, water resources and wildlife habitat. Areas for open space protection can include but are not limited to Baylands, East San Jose Foothills, Upper Alameda Creek Watershed, Coyote Ridge, Coyote Valley, Upper Coyote Creek Watershed, Southern Santa Cruz Mountains, Sargent Hills, Upper Pajaro River Watershed, Pacheco Creek Watershed. Protect, restore and enhance critical habitat to implement the Valley Habitat Plan such as serpentine grasslands, wetlands, redwood forests and riparian areas along creeks, rivers and streams.
- b. Leverage public and private funding and coordinate protection efforts to complete critical open space preservation
- c. Conserve the region's last remaining farmland and rangelands in and around areas such as the Coyote Valley, Morgan Hill, Gilroy and Pajaro River to protect local food and maintain environmental benefits provided by agricultural lands including water supply, groundwater recharge, flood risk reduction, and habitat protection.
  - i. Conserve high priority farmland and rangelands through voluntary agreements with willing landowners.
  - ii. Provide grants to resource conservation districts (RCDs) and other agricultural organizations to work with farmers and ranchers to promote natural resource stewardship.

#### 2. Protect Land around Creeks, Rivers and Streams to Prevent Pollution and Improve Local Water Quality and Supply

The purpose of this program is to protect and restore natural areas that buffer our rivers, lakes and streams, including the Guadalupe River, Coyote Creek, Fisher Creek, Penitencia

Creek, Upper Alameda Creek, Uvas Creek, Llagas Creek, Pacheco Creek, Pescadero Creek and the Pajaro River to protect water supply and water quality.

- a. Protect clean, safe drinking water supplies by restoring and enhancing natural areas around local creeks, rivers and streams from their headwaters in the hills to the Bay.
- b. Preserve key open space areas to enhance local water supply and recharge groundwater.
- c. Protect water resources, floodplains, wetlands and riparian corridors.

### **3. Open, Improve and Maintain Parks, Open Space, and Trails**

The purpose of this program is to maintain existing Open Space Preserves, safeguard the health of natural areas and wildlife habitat; reduce the risk of wildfires; provide more hiking and walking trails and increase opportunities for environmental education experiences.

- a. Open and expand Preserves on existing lands, including more trails for walking, hiking and biking and more access points for residents. Develop science-based environmental education programs and facilities, trails, and other public access facilities in appropriate locations including East San Jose/Penitencia Creek/Milpitas Foothills, Coyote Ridge, Coyote Valley, Morgan Hill El Toro Peak, Almaden Valley/Santa Teresa Hills.
- b. Construct new trails and close gaps in regional hiking and bicycle trails (such as the Bay Area Ridge Trail, San Francisco Bay Trail, Coyote Creek Trail and Guadalupe River).
- c. Reduce the risk of wildfire near communities, protect air and water quality and control invasive, non-native weeds through vegetation management in coordination with fire districts, cities and the County.
- d. Provide safe, well-maintained Open Space Preserves and recreational trails, including the Bay Area Ridge Trail, San Francisco Bay Trail, Guadalupe River Trail and Coyote Creek Trail.
- e. Work with qualified organizations and entities, including, but not limited to, the California Conservation Corps, the San Jose Conservation Corps, AmeriCorps and others, to maintain facilities in Open Space Preserves including, but not limited to, cultural and historic structures, bridges, roads, and other infrastructure.
- f. Prevent pollution and vandalism of open space, water resources and wildlife habitat.

### **4. Urban Open Space, Parks and Environmental Education Program**

The purpose of this Grant Program is to assist municipalities, schools and applicable non-profit organizations within the cities of Milpitas, Santa Clara, San Jose, Campbell, Morgan Hill and urban County areas to create healthy and safe open space and park areas for their communities by creating or improving parks, preserving open space and maintaining or creating trails; enhancing and restoring habitat, natural resources and water resources; and enhancing access to healthy food through urban farms and gardens.

No more than 25 percent of the revenues generated by this funding measure will be made available for this Grant Program. The Grant Program would provide grants to cities, the County, schools and non-profit organizations on a competitive basis for the types of projects listed below within the boundaries of the OSA. Funds shall be available through an annual grant allocation process designed by the Santa Clara County Open Space Authority, in coordination with cities, the County, schools and non-profit organizations within the boundaries of the OSA. Grant allocations shall reward a diversity of projects and be balanced geographically across the Santa Clara County Open Space Authority's jurisdiction. The grant allocation process and the individual projects shall be subject to approval by the Authority's Governing Board of Directors ("Board").

#### **Urban Open Space Project Criteria:**

- a. Protect and enhance open space, wildlife habitat and wildlife corridors, and develop land for nature-based parks, open space preserves, trails and greenbelts.
- b. Create, develop and implement pedestrian and bicycle trail connections to connect urban communities to local and regional parks, Open Space Preserves, creeks and flood control channels, to improve public health (i.e. San Francisco Bay Trail, Coyote Creek, Guadalupe River, Silver Creek, Thompson Creek, Penitencia Creek, Three Creeks Trail, Five Wounds Trail).
- c. Implement urban tree planting and tree protection/maintenance.
- d. Create and expand urban farms and community gardens to support public health and local agriculture.
- e. Expand nature and science-based environmental education programs and hands-on youth engagement projects.

### EXAMPLES OF HIGH PRIORITY POTENTIAL PROJECTS AND GEOGRAPHIC DISTRIBUTION

1. San Francisco Baylands Restoration: Increase wildlife habitat and reduce pollution by restoring salt ponds to tidal marsh, provide enhanced flood control, and develop new public access to the Bay
2. Alviso Adobe and Higuera Adobe Parks: Establish Alviso Adobe as a historical museum, and refurbish the historic Caretaker's Cottage in Higuera Adobe Park in collaboration with the City of Milpitas
3. San Francisco Bay Trail: Increase public access by closing gaps in Bay Trail walking and biking trail connections
4. San Francisco Bay Area Water Trail: Provide Water Trail public access amenities at Alviso Marina
5. Ulistac Natural Area: Increase educational programming, and restore natural habitat
6. Sierra Vista: Establish staging area and trails, convert historic residence to visitor hostel, restore pond and wildlife habitats for endangered species
7. Penitencia Creek Trail: Complete trail linking Penitencia Creek community to Alum Rock Park and Sierra Vista Open Space Preserve
8. Guadalupe River Nature Center and Environmental Programming: Partner with nonprofits to establish outdoor environmental education learning center and interpretive programming for youth and families
9. Five Wounds Trail: Develop additional trails connecting to future public transit station
10. Coyote Creek Trail: Expand walking and biking trail connections and restore natural habitats
11. Silver Creek Trail: Increase walking and biking opportunities by creating connections to regional trails, parks and transit
12. Three Creeks Trail: Complete eastern trail alignment
13. San Tomas Aquino /Saratoga Creek Trail: Construct walking and biking trails through cities of Campbell and Santa Clara
14. Thompson Creek Trail Improvements: Complete walking and biking trail improvements
15. Guadalupe River Trail: Expand walking and biking trail connections
16. Martial Cottle Park: Partner with County Parks to develop trail link to Blossom Hill Light Rail Station and implement recreation and wetland restoration projects

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17. Santa Teresa Hills: Partner with City of San Jose, County and Santa Teresa Neighborhood Association to protect land and develop regional ridgeline trail connections to create more access to local trails
18. Coyote Ridge: Establish new open space preserve with parking and regional trails, and protect and restore habitat for endangered species
19. Calero County Park: Partner with County to establish a staging area, public access and trails at Rancho San Vicente and at McKean Road
20. Coyote Valley Open Space Preserve: Build an outdoor learning center and a loop trail accessible to seniors and people with disabilities, and restore and enhance wetland habitat
21. Coyote Valley Agriculture and Natural Resource Reserve: Preserve agricultural lands, enhance natural resources, establish public access, and protect wildlife corridor
22. Youth Agricultural Education and Demonstration Farm: Partner with Cities of San Jose, Morgan Hill, Sobrato High School, nonprofits and agricultural organizations to establish an agricultural education and demonstration farm in the Coyote Valley Greenbelt
23. Rancho Cañada del Oro Open Space Preserve: Restore wildlife habitat, build an interactive education center, and construct new staging area and regional trails for increased public access
24. El Toro Peak: Partner with City of Morgan Hill to establish an open space preserve with staging area and trails, and restore natural habitat
25. Southern Santa Cruz Mountains: Establish regional trail connections between Uvas Reservoir, Uvas County Park and Rancho Cañada del Oro Open Space Preserve, develop staging area, and protect wildlife corridor
26. Uvas Creek: Protect wildlife habitat and corridor, protect natural lands for water supply and water quality, and increase trails to close gaps in regional trails
27. Palassou Ridge: Establish open space preserve, restore historic stone house for visitor center, develop multi-use trails connecting to Henry Coe State Park; implement wildfire prevention and habitat restoration projects
28. Diablo Foothills: Establish open space preserve, restore wetlands and bird habitat, implement public access improvements
29. Sargent Hills: Protect wildlife corridor, create staging area, public access and regional trail connections to the Bay Area Ridge Trail

30. South County Agriculture: Conserve working farms and ranches near Morgan Hill, Gilroy and Pajaro River for greenbelts and agricultural viability and to enhance flood control, water quality, wildlife habitat and connectivity

### **C. Administrative Provisions and Fiscal Safeguards**

#### **1. Citizen Oversight and Independent Financial Audits**

In order to ensure accountability, transparency and public oversight of all funds collected and allocated under this Measure and to comply with state law, all of the following shall apply:

- a. On or before January 1 of each fiscal year, the Authority's chief fiscal officer shall file an annual report with the Board that explains (1) the amount of funds collected and expended under this Measure and (2) the status of the projects authorized to be funded by this revenue in compliance with Government Code Sections 50075.1(d), 50075.3.
- b. No later than June 30, 2015, or the first collection of revenue pursuant to the Measure, whichever is later, an Independent Oversight Committee shall be convened to review the expenditures of all parcel tax revenues collected under this Measure. The Board shall establish by resolution the terms, composition, and specific duties of the Oversight Committee, consistent with the "Citizen Oversight and Independent Financial Audits" provisions set forth in this Part C(1). The Oversight Committee will consist of seven at-large members. In making appointments to the Oversight Committee, the Board will seek to reflect the demographic diversity of its jurisdiction.
- c. Members of the Oversight Committee shall be appointed by the Board and shall be residents within the Santa Clara County Open Space Authority's jurisdiction who are neither elected officials of any government, nor employees from any agency or organization that directly benefits financially from the proceeds of the parcel tax.
- d. Oversight Committee meetings will be announced in advance and will be open to the public. The Oversight Committee shall meet at least once but no more than four times per year.

The responsibilities of this Committee include:

- Reviewing Plan expenditures on an annual basis to ensure they conform to the Plan.

- Reviewing the annual audit and report prepared by an independent auditor and submitting its recommendations and oversight report thereon.
- e. All actions, including decisions about selecting projects for funding, will be made by the Board in public meetings in compliance with the Brown Act
- f. Annual levies of the parcel tax would start in 2015.
- g. To the extent allowable by law, all residential and non-residential parcels will be uniformly taxed.
- h. The revenue raised by the Measure for the purposes described in this Plan will be administered by the Santa Clara County Open Space Authority. All funds shall be placed in a separate account to hold all funds collected pursuant to the Measure.

### 2. Additional Allocation Criteria and Community Benefits

The Santa Clara Open Space Authority shall ensure that the revenue generated by the Measure is spent in the most efficient and effective manner possible, consistent with serving the public interest and in accordance with existing law and this Plan.

- a. The Santa Clara Open Space Authority shall make all final decisions regarding implementation of the Plan and funding for any specific high priority projects. The Board shall give priority to projects within its jurisdiction that meet multiple objectives of the *Santa Clara Valley Greenprint*, including one or more of the following objectives:
  - i. Have a significant positive effect on the health of land, water, and wildlife habitat, safety and quality of life for OSA residents.
  - ii. Provide for geographic distribution of projects across OSA's jurisdiction.
  - iii. Increase impact by leveraging state and federal resources as well as public/private partnerships.
  - iv. Strengthen connections between communities and open space through regionally-significant trails and transit access.
  - v. Benefit the economy and sustainability of the region by investing in nature-based infrastructure and local workforce development.
  - vi. Engage youth and young adults in local workforce development and assist them in gaining skills and experience related to protection and stewardship of the natural environment, wildlife, water resources and agricultural lands.



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- b. The Board shall conduct one or more public meetings annually to gain public input on selection of project grants to expend revenues generated by the Measure.
- c. The Santa Clara County Open Space Authority may accumulate revenue over multiple years so that sufficient funding is available for larger and long-term projects. All interest income shall be used for the purposes identified in this Plan.
- d. No more than 5% of the revenue generated by this measure and provided to the Santa Clara County Open Space Authority may be used for administrative expenses.
- e. Costs of performing or contracting for project related work shall be paid from the revenues of the measure allocated to the appropriate purpose and project.
- f. An annual independent audit shall be conducted to assure that the revenues expended by the Santa Clara County Open Space Authority under this Plan are necessary and reasonable in carrying out its responsibilities under this Plan.
- g. To the extent permitted by law, up to one-tenth of one percent (0.1 %) of the gross proceeds of the parcel tax shall be made available for the Oversight Committee's activities.
- h. Parcel tax proceeds are intended to augment annual support for the Santa Clara County Open Space Authority and do not substitute for individual city or County obligations. Monies from this program may not go to a city's or the County's "General Fund."

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