

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

## A. Summary

Since its creation in 1993, the Santa Clara Valley Open Space Authority (Authority) has protected over 26,000 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, the Authority has used funds wisely, bringing in state, federal, and private grant money, and providing annual financial audits in a transparent public process.

However, the Authority currently faces significant challenges. As our region continues to grow, protecting hillsides and open spaces are increasingly important to our community. If extended by voters, the Open Space, Wildlife Habitat, Clean Water, and Increased Public Access Measure (Measure) would allow the Authority to continue to protect and preserve natural open space areas for future generations by: (1) protecting open space, redwood forests, wildlife habitat, scenic hillsides, and agricultural land; (2) protecting land around creeks, rivers, and streams to prevent pollution and improve local water quality and supply; (3) opening, improving and maintaining parks, open space, and trails; and (4) providing urban open space, parks, and environmental education through a competitive Urban Grant Program.

The Authority will ensure that the revenue generated is spent in an efficient and effective manner, 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 programs in this Plan.

The potential projects listed in the Plan were informed by the *Santa Clara Valley Greenprint*, a vision plan for the future of the region's open space developed by the Santa Clara Valley Open Space Authority. If approved, the proceeds from the parcel tax would be allocated to fund projects distributed throughout the Authority's jurisdiction including, but not limited to, 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 and agricultural 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*, *Santa Clara Valley Agricultural Plan*, *Santa Clara County Regional Conservation Investment Strategy*, 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, San Martin, Gilroy, and Pajaro River to protect local food sources and address food security, reduce impacts of climate change, and maintain environmental benefits provided by agricultural lands including water supply, groundwater recharge, flood risk reduction, habitat protection, and climate resilience.
  - 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, creeks, 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, water quality, and enhance resilience to climate change.

- 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, Juan Bautista de Anza National Historic Trail, and Guadalupe River Trail).
- 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, with connections to 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 nonprofit organizations with projects 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 Urban Grant Program would provide grants to cities, the County, schools, and nonprofit organizations on a competitive basis according to the Urban Open Space Project Criteria listed below. Funds shall be available through an annual grant allocation process designed by the Santa Clara Valley Open Space Authority, in coordination with cities, the County, schools, and non-profit organizations within the boundaries of the Authority. Grant allocations shall reward a diversity of projects, with the goal of achieving a reasonable geographic distribution across the Santa Clara Valley 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 and wildlife habitat, creeks and streams, and develop land for nature-based parks, open space preserves, trails, and greenbelts in urban areas.
- 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 (e.g., San Francisco Bay Trail, Bay Area Ridge 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 youth engagement projects.

**EXAMPLES OF PROJECTS THAT COULD POTENTIALLY BE FUNDED BY THE MEASURE  
INCLUDE BUT ARE NOT LIMITED TO:**

1. 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
2. Calera Creek Connection: Partner with City of Milpitas to connect the Bay Area Ridge Trail to the Higuera Adobe via a proposed Calera Creek Trail
3. San Francisco Bay Trail: Increase public access by closing gaps in Bay Trail walking and biking trail connections
4. Bay Area Ridge Trail: Increase public access by closing gaps in the Bay Area Ridge Trail
5. San Francisco Bay Area Water Trail: Provide Water Trail public access amenities at Alviso Marina
6. Ulistac Natural Area: Increase educational programming and restore natural habitat
7. Sierra Vista Open Space Preserve: Expand trail system and connections to regional trails, restore ponds and wildlife habitats for endangered species
8. BART/Penitencia Creek Trail Connection: Complete trail linking Berryessa BART station via Penitencia Creek to Alum Rock Park and Sierra Vista Open Space Preserve
9. Guadalupe River Nature Center and Environmental Programming: Partner with nonprofits to establish outdoor environmental education learning center and expand interpretive programming for youth and families
10. Five Wounds Trail: Acquire right of way to develop new trails connecting Coyote Creek Trail to Berryessa BART station in coordination with City of San Jose, County Parks, and Valley Transportation Authority
11. Coyote Creek Trail: Expand walking and biking trail connections and restore natural habitats, including connections to Coyote Valley

12. Silver Creek Trail: Increase walking and biking opportunities by creating connections to regional trails, parks, and transit
13. Three Creeks Trail: Complete eastern trail alignment
14. San Tomas Aquino/Saratoga Creek Trail: Construct walking and biking trails through cities of Campbell and Santa Clara
15. Thompson Creek Trail Improvements: Complete walking and biking trail improvements
16. Guadalupe River Trail: Expand walking and biking trail connections and trail amenities
17. Martial Cottle Park: Partner with County Parks to enhance trail connections to Blossom Hill Light Rail Station and implement recreation, farm demonstration, and wetland restoration projects
18. Santa Teresa Foothills: Partner with City of San Jose, County, and Santa Teresa Foothills Neighborhood Association to protect land and develop regional ridgeline trail connection to local and regional parks and open space
19. Coyote Ridge Open Space Preserve: Open new public trailhead and parking area with connections to Bay Area Ridge Trail, regional trails, and protect and restore additional open space and habitat for endangered species
20. Coyote Valley Open Space Preserve: Build trail accessible to seniors and people with disabilities, expand protected areas and trail system, and restore and enhance wetland and endangered species habitat
21. North Coyote Valley Conservation Area: Expand protected areas and create a regionally significant preserve system that includes wildlife movement corridors, enhanced floodplains, restored wetlands and habitats, public trails and nature-based recreational amenities, environmental education programs, and agritourism.
22. Youth Agricultural Education and Demonstration Farm: Partner with cities, schools, 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, expand educational opportunities, and construct new public access amenities and trail connection to Blair Ranch
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 new staging area, protect wildlife corridor, and manage wildland-urban interface for fire safety
26. Palassou Ridge: Establish open space preserve, restore historic stone house as a visitor amenity, develop multi-use trails connecting to Henry Coe State Park, implement wildfire prevention, and habitat restoration projects
27. Diablo Foothills: Enhance public access with new staging area and trails, restore grasslands, wetlands, and wildlife habitat
28. Sargent Hills: Protect wildlife corridor, create staging area, public access and regional trail connections to the Bay Area Ridge Trail
29. South County Agriculture: Conserve working farms and ranches near Morgan Hill, San Martin, and Pajaro River for greenbelts and agricultural viability and to enhance flood control, water quality, wildlife habitat, and connectivity
30. Youth Conservation Internship Program: Establish new internship program for youth from underserved communities to develop conservation and career skills
31. Backcountry Camping: Build new backcountry camping sites, increase access for underserved youth by partnering with community-based nonprofits
32. Work with Cities, County, parks, and transportation agencies on the feasibility of equitable and sustainable transportation alternatives to connect people to parks, open space, and trails

### **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. The Independent Oversight Committee created in 2015 to review the expenditures of all parcel tax revenues collected under Measure Q shall continue to review the expenditures of all parcel tax revenues collected under this Measure. The resolution the Board adopted on

April 23, 2015 to govern the terms, composition, and specific duties of the Oversight Committee shall continue to govern the Oversight Committee, unless amended, and any such amendments shall be 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 Valley 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 financial audit and report prepared by an independent financial 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. To the extent allowable by law, all residential and non-residential parcels will be uniformly taxed.
  - g. The revenue raised by the Measure for the purposes described in this Plan will be administered by the Santa Clara Valley 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 Authority shall ensure that the revenue generated by the Measure is spent in an efficient and effective manner, consistent with serving the public interest and in accordance with existing law and this Plan.

- a. The Authority shall make all final decisions regarding implementation of the Plan and funding for any specific project. 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 residents within the Authority's jurisdiction.
  - ii. Provide for geographic distribution of projects across the Authority'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, sustainability, and climate resiliency 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.
- 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 Valley 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. Revenue generated by this measure and provided to the Santa Clara Valley Open Space Authority may also be used for such administrative expenses as the Board determines are reasonable and necessary through its annual budget process or other appropriate mechanism.
  - e. Costs of performing or contracting for project-related work shall be paid from the revenues of the measure and allocated to the appropriate purpose and project.
  - f. An annual independent financial audit shall be conducted.
  - 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 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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