



bay restoration commission

STEWARDS OF SANTA MONICA BAY

santa monica bay restoration commission ✂ 320 west 4th street, ste 200; los angeles, california 90013
213/576-6615 phone ✂ 213/576-6646 fax ✂ www.smbrc.ca.gov

January 13, 2014

Agenda Item #3 a iii

To: Executive Committee, SMBRC
From: Shelley Luce, Executive Director
Subject: Watershed Advisory Council Appointment

Action Requested of the Executive Committee:

- Consider recommendation to the Governing Board of appointment of the Ballona Ecosystem Education Project to the Watershed Advisory Council

Background

The Watershed Advisory Council (WAC) is the broad stakeholder body of the SMBRC. The primary responsibility of the Watershed Advisory Council is to advise the Governing Board on Bay restoration priorities for funding, planning, project implementation, monitoring and further research.

The SMBRC Memorandum of Understanding (MOU, as amended February 21, 2013) authorizes the Governing Board to appoint additional, interested entities to the WAC if the entities meet the following criteria:

Watershed Advisory Council Eligibility Criteria. Existing and potential Watershed Advisory Council members shall be deemed “eligible to serve on the Watershed Advisory Council” if they meet one of the following criteria:

- A federal, state, or local agency active within the Santa Monica Bay watershed
- An incorporated city entirely or partially within the Santa Monica Bay watershed
- A county entirely or partially within the Santa Monica Bay watershed
- A for-profit business that operates entirely or partially within the Santa Monica Bay watershed
- A nonprofit organization that operates entirely or partially within the Santa Monica Bay watershed that is in good standing pursuant to Internal Revenue Code section 501 (c)(3)

(MOU, as amended February 21, 2013, Section III. B., page 7)





The MOU requires a qualified organization to take the following steps toward being nominated and voted onto the WAC:

Additional entities that would like to become a member of the Watershed Advisory Council and that meet the eligibility criteria shall forward a letter of interest to the Governing Board with a resolution from the interested entity's governing body (board of directors, etc.) authorizing the entity to seek membership and designating the entity's representative to the Watershed Advisory Council. The Governing Board may, by majority vote at its next regularly-scheduled meeting, consider election of the requesting entity to the Watershed Advisory Council.

(MOU, as amended February 21, 2013, Section III. B., page 6)

The Ballona Ecosystem Education Project (BEEP) has requested appointment to the WAC based on its qualifications and prior work within the Santa Monica Bay watershed. A non-profit organization in good standing pursuant to Section 501 (c) (3) of the Internal Revenue Code, BEEP was founded in 1993 and has been working continuously to acquire and protect the Ballona Wetlands ecosystem.

BEEP meets the eligibility criteria for WAC membership. A board resolution, introductory letter, and non-profit eligibility information have been provided by BEEP and are attached to this memorandum.

BALLONA ECOSYSTEM EDUCATION PROJECT
1122 Oak Street, Santa Monica, CA. 90405



Micheal O' Leary, Governing Board Chair
Watershed Advisory Council
Santa Monica Bay Restoration Commission
320 W. 4th St., Suite 200
Los Angeles, CA 90013

November 19, 2013

Dear Governing Board Chair:

This letter is to request that the Ballona Ecosystem Education Project (B.E.E.P.) be considered for nomination for one of the open environmental member positions on the Watershed Advisory Council.

The matter was discussed during our November 19, 2013 Board meeting. The Board authorized by resolution that the Ballona Ecosystem Education Project seeks membership and designated me as its liaison.

B.E.E.P. has been working continuously for the past 20 years, since 1993, to acquire and protect the Ballona wetlands ecosystem in Los Angeles. We have led demonstrations to alert people to the danger of development of our coastal wetlands, have given testimony at many hearings, and have educated people through our literature about the critical importance of saving this last 2% of our coastal wetlands along the California coast. Through our efforts, along with other organizations, half the remaining remnant of the Ballona ecosystem was saved.

We continue today to educate the public about the importance of protecting the plants and animals of this precious land.

Attached you will find our 501(c)(3) status document as well as a copy of the Board Resolution. We are a non-profit in good standing. Our Federal Tax ID# is 95-4457298. If you have any questions, please feel free to call me.

Sincerely,



Kathy Knight, Board Secretary
(310) 450-5961

Board Resolution of Ballona Ecosystem Education Project:

We, the undersigned, being all the directors of this corporation consent and agree that the following corporate resolution was made on November 19, 2013 at 10:15 am at 1122 Oak St., Santa Monica, CA 90405.

We do hereby consent to the adoption of the following at our meeting today: In accordance with the bylaws of this corporation, by unanimous consent, the Board of Directors decided that it is resolved, that the corporation shall take all necessary steps to become a member of the Santa Monica Bay Watershed Advisory Council, and that this Board authorizes President Rex Frankel and/or Secretary Kathy Knight to serve as the representative for the Ballona Ecosystem Education Project.

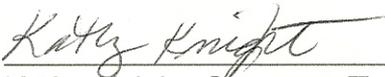
The officers of this corporation are authorized to perform the acts to carry out this corporate resolution.


Rex Frankel, President

11-19-13
Date

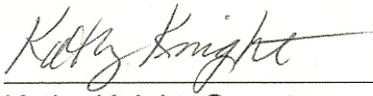

Terri English, Board Member

11-19-13
Date


Kathy Knight, Secretary/Treasurer

11-19-13
Date

The Secretary of the Corporation certifies that the above is a true and correct copy of the resolution that was duly adopted at a meeting of the dated meeting of the Board of Directors.


Kathy Knight, Secretary

11-19-13
Date

INTERNAL REVENUE SERVICE
P. O. BOX 2508
CINCINNATI, OH 45201

DEPARTMENT OF THE TREASURY

Date: **AUG 17 2001**

BALLONA ECOSYSTEM EDUCATION PROJECT
C/O REX FRANKEL
6038 W 75TH ST
LOS ANGELES, CA 90045

Employer Identification Number:
95-4457298
DLN:
17053095071031
Contact Person:
DAVID A BUKAY ID# 11017
Contact Telephone Number:
(877) 829-5500
Accounting Period Ending:
December 31
Foundation Status Classification:
509(a)(1)
Advance Ruling Period Begins:
March 29, 2001
Advance Ruling Period Ends:
December 31, 2005
Addendum Applies:
No

Dear Applicant:

Based on information you supplied, and assuming your operations will be as stated in your application for recognition of exemption, we have determined you are exempt from federal income tax under section 501(a) of the Internal Revenue Code as an organization described in section 501(c)(3).

Because you are a newly created organization, we are not now making a final determination of your foundation status under section 509(a) of the Code. However, we have determined that you can reasonably expect to be a publicly supported organization described in sections 509(a)(1) and 170(b)(1)(A)(vi).

Accordingly, during an advance ruling period you will be treated as a publicly supported organization, and not as a private foundation. This advance ruling period begins and ends on the dates shown above.

Within 90 days after the end of your advance ruling period, you must send us the information needed to determine whether you have met the requirements of the applicable support test during the advance ruling period. If you establish that you have been a publicly supported organization, we will classify you as a section 509(a)(1) or 509(a)(2) organization as long as you continue to meet the requirements of the applicable support test. If you do not meet the public support requirements during the advance ruling period, we will classify you as a private foundation for future periods. Also, if we classify you as a private foundation, we will treat you as a private foundation from your beginning date for purposes of section 507(d) and 4940.

Grantors and contributors may rely on our determination that you are not a private foundation until 90 days after the end of your advance ruling period. If you send us the required information within the 90 days, grantors and contributors may continue to rely on the advance determination until we make

Letter 1045 (DO/CG)