

Proposed Questions and Answers for SMBRC Frequently Asked Questions Document

1. What state programs are encompassed in the Commission's legislative authority to "monitor, assess, coordinate, and advise all state programs, and oversee funding that affects the beneficial uses, restoration, and enhancement of Santa Monica Bay and its watershed"?
2. Does the Commission have legislative authority to monitor, assess, coordinate and advise state projects for which the Commission is not the lead entity, such as the Ballona Wetlands Restoration Project?
3. To what funding was the Legislature referring when it mandated that the Commission would "oversee funding" relating to the restoration of the Santa Monica Bay and its watershed?
4. Aside from the Bay Foundation, what other organizations have received the annual National Estuary Program grant funds from US EPA, pursuant to Section 320 of the Clean Water Act, and for what purposes were the funds spent by those other entities?
5. What entity has the authority to develop and approve the Annual Work Plans that are submitted to US EPA as a condition of receiving National Estuary Program Section 320 grant funds?
6. Does the Commission have the authority to allocate all of, or a portion of, the National Estuary Program grant funds to pay for Commission staff or for other Commission needs?
7. What kind of decisions must be made by the Governing Board, and what decisions may be delegated to the Executive Committee or to staff?
8. What is the reporting relationship between individuals that are described as SMBNEP staff and the SMBNEP Management Committee?
9. Are there any aspects of the management or operation of the Santa Monica Bay National Estuary Program that can lawfully be kept confidential from the Commission, which serves as the NEP Management Conference? If so, what are they?
10. What function does the Santa Monica Bay Restoration Authority serve that could not be equally served by the Commission, the Bay Foundation, and/or the Los Angeles County Flood Control District directly?
11. Is the Commission able to accept funds from other agencies and from private sources?
12. Why has the Commission never attempted to solicit funds to directly support its work?
13. Why has the Commission never used the state treasury bank account created pursuant to its enabling legislation?

14. Who is the host entity of the SMBNEP? How and when was that selection of a host entity made?
15. What role does the host entity play in the SMBNEP? Is the SMBNEP autonomous from the host entity?
16. What is the role of Loyola Marymount University in the SMBNEP? Do some NEP staff also work for LMU?
17. What was the purpose of shifting the power to elect Watershed Advisory Council (WAC) members from the WAC to the Governing Board in a 2011 revision of the Memorandum of Understanding?
18. What is the process by which stakeholders can request and coordinate Work Groups or sub-committees to facilitate more detailed discussion of issues of importance to the Santa Monica Bay and its watershed?
19. What is the forum for collaboration between the Watershed Advisory Council and the Technical Advisory Committee as called for in the Memorandum of Understanding?
20. When and why was the Bay Foundation (legally known as the Santa Monica Bay Restoration Foundation) created?
21. What is the role of the Bay Foundation in the SMBNEP? Do Bay Foundation employees, acting as SMBNEP staff, follow the policies established by the SMBNEP Management Committee?
22. Is the Bay Foundation a distinct entity within the Management Conference of the SMBNEP, or does it merely have a non-voting membership on the Commission's Governing Board, similar to other Governing Board member entities.
23. When did the Bay Foundation first begin hiring employees?
24. When the SMBRC first chose to allocate National Estuary Program grant funds to the Bay Foundation, was there an agreement at that time that the Bay Foundation would use the funds to hire staff for the Commission?
25. How does the Commission ensure its mission and objectives are being complemented by the Bay Foundation? Do the governing bodies of the two entities ever meet jointly?
26. Does the US EPA evaluate the ecological outcomes of SMBNEP projects?
27. What is the purpose of the Dispute Resolution Procedures outlined in Attachment C to the Memorandum of Understanding and how are those procedures implemented?