

AB 1478 Match Program FAQs

1. What is AB 1478?

Among other things, this legislation created the match program and placed a two-year moratorium on closing State Parks. This legislation appropriated \$20.5 million to California State Parks for three purposes (Public Resources Code §541.5):

1. \$10 million for a dollar-for-dollar match for donor agreements and operating agreements, during the 2012/13 and 2013/14 fiscal years.
2. \$10 million to address critical needs throughout the State Parks System and to ensure parks remain open during the 2012/13 and 2013/14 fiscal years.
3. \$500,000 for ongoing audits and investigations.

2. How will the \$10 million in match funds be allocated?

As stated above, match funds are available for both donor agreements and operating agreements.

Donor agreements: Donations must be accompanied by a donor agreement, between the Department and donating entity, to be eligible for matching funds. The donor agreement must support a State Park for the 2012/13 fiscal year for which the Department receives funds by July 31, 2013 or agreements entered into during the 2013/14 fiscal year, to support a State Park. These agreements define the amount and payment schedule for the donor and the Department. The Department is required to receive the donation in order to apply match funds to that donation. Match funds are not given to the donating entity. Match funds are allocated to the specific park for which the donation is made.

For those donor agreements that have been finalized, the Department will consider amendments to accommodate the needs of both the donor and the Department. If you request a modification to an existing agreement or wish to initiate a donor agreement, please contact the District Superintendent overseeing the State Park. For the list of District Superintendents, please go to:

<http://www.parks.ca.gov/pages/26966/files/district%20superintendents%20contact%20information.pdf>

Operating agreements: Match funds are available for the operation of State Parks, identified for closure, which are operated by a non-profit entity, local agency or combination thereof, pursuant to an operating agreement between the operator and the Department. Match funds will be allocated to these State Parks for projects necessary to keep the State Park open and/or for services negotiated between the operator and the Department. Please contact the District Superintendent overseeing the State Park using the following link,:

<http://www.parks.ca.gov/pages/26966/files/district%20superintendents%20contact%20information.pdf>

3. Is the AB 1478 match program available for parks not identified for closure?

Yes. As specified in AB 1478, match funds shall support those parks that remain at risk of closure, during the 2012/13 and 2013/14 fiscal years. Pursuant to the Procedural Guides, proposals supporting those State Parks previously identified for closure will be considered immediately. Proposals to support other State Parks will be considered after March 1, 2013.

4. Are donations made, or donation or operating agreements entered into, prior to July 1, 2012 eligible for match?

Yes. Pursuant to AB 1478, the agreement must support a State Park for the 2012/13 fiscal year for which the Department receives funds by July 31, 2013 OR agreements entered into during the 2013/14 fiscal year, to support a State Park. If a donation was not originally accompanied by a donor agreement, the Department will develop a donor agreement with the donor to satisfy the requirements of AB 1478.

5. What is the process to finalize a match agreement?

The Department has developed Procedural Guides for match funds for both donor and operating agreements. In short, partners discuss with the District Superintendent of the park the respective matches of both the partner and the Department. Once agreed upon, the partner and the Department complete the match forms provided in the Procedural Guides, which will become exhibits to the resulting contract between the partner and the Department. Contracts are final upon signature by both the partner and the Department Director and upon approval by control agencies, if required.

6. What methodology will the Department utilize in determining the allocation of match funds?

As specified in AB 1478, match funds shall support those parks that remain at risk of closure, during the 2012/13 and 2013/14 fiscal years. Additionally, priority may be given to those State Parks subject to either a donor or operating agreement.

Pursuant to the Procedural Guides, proposals supporting those State Parks previously identified for closure will be considered immediately. Proposals to support other State Parks will be considered after March 1, 2013.

7. Does the Department give preference to governmental entities over non-governmental entities in determining the allocation of match funds?

No. The Department gives no preference to any entity over another for the match program. State Parks previously identified for closure will be given priority over the remainder of the State Park System.

8. What in-kind staff services can the Department provide as match?

It depends on the needs of the partner and the park unit. In-kind services can include: law enforcement, maintenance, environmental, cultural, seasonal staff, etc. Partners should discuss in-kind service needs with the District Superintendent of the park unit, <http://www.parks.ca.gov/pages/26966/files/district%20superintendents%20contact%20information.pdf>

9. How long will the match funds last?

Match funds are available for the 2012/13 and 2013/14 fiscal years. These funds must be utilized during that time period, as specified by the legislation.

10. Where will match fund donations to the Department be held pending expenditure?

Funds received under the match program will be held in a separate, secure contingent fund within the State Controller's Office. Donations will be used exclusively for the purposes identified by the donor.

11. Does this funding solve State Parks' budget problems?

No. AB 1478 provides one-time funding that must be utilized during the 2012/13, 13/14 fiscal years. Financial needs of the Department far exceed this funding. In 1980, 91% of the Department's annual budget was General Fund. General Fund support for the Department has declined by 37% since fiscal year 2007/08 and in 2012, the Department's General Fund support was 29%. Moreover, the State Park System faces a deferred maintenance backlog of over \$1.6 billion.

12. Do the match funds replace budget reductions State Parks has experienced recently, specifically the \$22 million reduction during the 2011/12 and 2012/13 fiscal years?

No. The \$22 million budget reduction reduced State Parks' ongoing General Fund allocation. The \$20.5 million allocation in AB 1478 is one-time funding and shall be utilized in accordance with that legislation.

13. Is funding from partners and donors critical to keeping the 70 State Parks, previously identified for closure, open?

Yes. Although AB 1478 places a two-year moratorium on closing State Parks, due to budget reductions, the Department continues to explore alternative funding opportunities which include financial assistance from partners and donors.

14. What is the status of the 70 State Parks originally identified for closure?

AB 1478 places a two-year moratorium on closing State Parks. In accordance with AB 1478 and other statutes, the Department is developing sustainable funding strategies to keep State Parks open. Pending future budget negotiations, partnerships and donations, it is unknown whether or not the Department will recommend closing State Parks in the future.

15. Could the Department's match to the donor be in the form of equipment, such as a "Gator"?

No. AB 1478 requires matching funds to be used exclusively in the park unit subject to the agreement. A donation of equipment to the donor would be considered a gift of public funds in violation of the California Constitution, Article XVI, Section 6.

16. Would a donation from a partner of a vehicle, for example, a "Gator", to the Department qualify for matching funds?

In theory, yes, however, donations of vehicles require a review by the Department of General Services, therefore, many factors must be considered before the Department could agree to accept a vehicle donation. Partners should discuss vehicle donations with the District Superintendent of the park unit.

17. Are donations or grants to a donor eligible for match funds?

Yes. However, the donor/grant recipient must be in compliance with the donation/grant requirements. The donor must inform the Department of any restrictions in order for the Department to determine match eligibility.

18. Under the match fund program, may partners utilize state contracts for procurement?

No. However, partners are free to contact those vendors who provide services and materials to the Department, via contract, and negotiate directly with the vendor.

19. The Procedural Guide references an “Operating Cost Threshold”, how were those costs determined?

The Department budgets on the District level. The operating cost thresholds represent costs of an estimated level of service provided at each park unit based on an allocation of operation and maintenance services which are driven in part by facilities, visitation and demand.

20. How will match funds be spent at the park unit? How will those funds be accounted for?

Match funding will be spent at each park unit in accordance with the donor or operating agreement. The Department maintains records on the source and expenditure of funds for projects throughout the State Park System.

21. Is a partner only required to raise half of the funds necessary to complete a project as the Department may have the opportunity to match those funds?

Match funds will be allocated for projects necessary to keep the State Park open and/or for services negotiated between the partner and the Department. Please contact the District Superintendent overseeing the State Park, to discuss match opportunities for projects. The following link contains contact information for District Superintendents:

<http://www.parks.ca.gov/pages/26966/files/district%20superintendents%20contact%20information.pdf>

23. Can a partner utilize the match program to foster fundraising for a deferred maintenance project?

Match funds will be allocated for projects necessary to keep the State Park open and/or for services negotiated between the partner and the Department. Please contact the District Superintendent overseeing the State Park, to discuss match opportunities for deferred maintenance projects. The following link contains contact information for District Superintendents:

<http://www.parks.ca.gov/pages/26966/files/district%20superintendents%20contact%20information.pdf>