

*PROPOSITION 84*

***AREAS OF SPECIAL BIOLOGICAL  
SIGNIFICANCE (ASBS)  
GRANT PROGRAM GUIDELINES***



CALIFORNIA

**Water Boards**

STATE WATER RESOURCES CONTROL BOARD  
REGIONAL WATER QUALITY CONTROL BOARDS

**ADOPTED APRIL 1, 2008**

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## **ACRONYMS USED IN THESE GUIDELINES AND APPENDICES**

ASBS	Areas of Special Biological Significance
Basin Plan	Regional Water Quality Control Plan
BMP	Best Management Practice
Cal/EPA	California Environmental Protection Agency
CALFED	California Bay-Delta Authority
CBTF	Clean Beaches Task Force
CCA	Critical Coastal Area
CCC	California Coastal Commission
CEQA	California Environmental Quality Act
COP	California Ocean Plan
CRO	Cultural Resources Officer
CWA	Clean Water Act
CWC	California Water Code
DCR	Disadvantaged Community Ratio
DAC	Disadvantaged Community
DFG	Department of Fish and Game
DFA	Division of Financial Assistance
EIR	Environmental Impact Report
EJC	Environmental Justice Community
FAAST	Financial Assistance Application Submittal Tool
GIS	Geographic Information System
GPS	Global Positioning System
ICWMP	Integrated Coastal Watershed Management Plans
LID	Low Impact Development
MHI	Median Household Income
MMP	Mitigation Monitoring Plan
MND	Mitigated Negative Declaration
MOU	Memorandum of Understanding
MPA	Marine Protected Area
ND	Negative Declaration
NOD	Notice of Determination
NOP	Notice of Preparation
NPS	Nonpoint Source
OPC	Ocean Protection Council
PAEP	Project Assessment and Evaluation Plan
PRC	Public Resources Code
QAPP	Quality Assurance Project Plan
Regional Water Board	Regional Water Quality Control Board
RFP	Request for Proposal
SCH	State Clearinghouse
State Water Board	State Water Resources Control Board
SWAMP	Surface Water Ambient Monitoring Program
TMDL	Total Maximum Daily Load
USCB	United States Census Bureau
USEPA	United States Environmental Protection Agency

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# **PROPOSITION 84 AREAS OF SPECIAL BIOLOGICAL SIGNIFICANCE (ASBS) GRANT PROGRAM GUIDELINES (GUIDELINES)**

## **I. PURPOSE**

The purpose of these Guidelines is to establish the process and criteria that the State Water Resources Control Board (State Water Board) will use to solicit applications, evaluate proposals and award grants for the Proposition 84 ASBS Grant Program. These Guidelines include the information and documentation applicants will be required to submit when applying for grant funding.

## **II. BACKGROUND**

Proposition 84, the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006, was passed by the voters of California in the general election on November 7, 2006. Proposition 84 provides approximately \$33.25 million in grants to assist local public agencies to comply with the discharge prohibition into ASBS contained in the California Ocean Plan (COP).

Proposition 84 also requires that the State Water Board use the Clean Beaches Task Force (CBTF) to review proposals and recommend projects for funding. In October 2007, the State Water Board added ten (10) members to the existing CBTF that have technical expertise in ASBS. This subgroup hereafter referred to as the ASBS Task Force, represents ASBS experts from local agencies, environmental advocacy groups, academia, government, and scientific research organizations representing the breadth and diversity of coastal communities. The ASBS Task Force will review and recommend projects to the State Water Board for funding.

State Water Board staff held a series of public workshops to solicit input on the proposed requirements including setting minimum and maximum grant amounts, required cost match, and geographic distribution, which are contained in these Guidelines.

Dischargers that have waste discharges into an ASBS must still comply with their responsibilities under the COP and with the Special Protections Policy (once adopted).

## **III. OVERVIEW**

The Proposition 84 ASBS Grant Program provides funding for projects that restore and protect the water quality and the environment of coastal waters, estuaries, bays, and near shore waters which affect a particular ASBS.

### **In order to be eligible for funding:**

- ❖ The applicant must be an eligible entity identified in [Section IV.B](#);
- ❖ The projects must be an eligible project type, as identified in the law ([Section IV.C](#)); and,
- ❖ In order to be eligible for funding, the applicant must have completed an application for an exception to the COP ASBS waste discharge prohibition or requested conditional approval of an incomplete application by December 31, 2007.

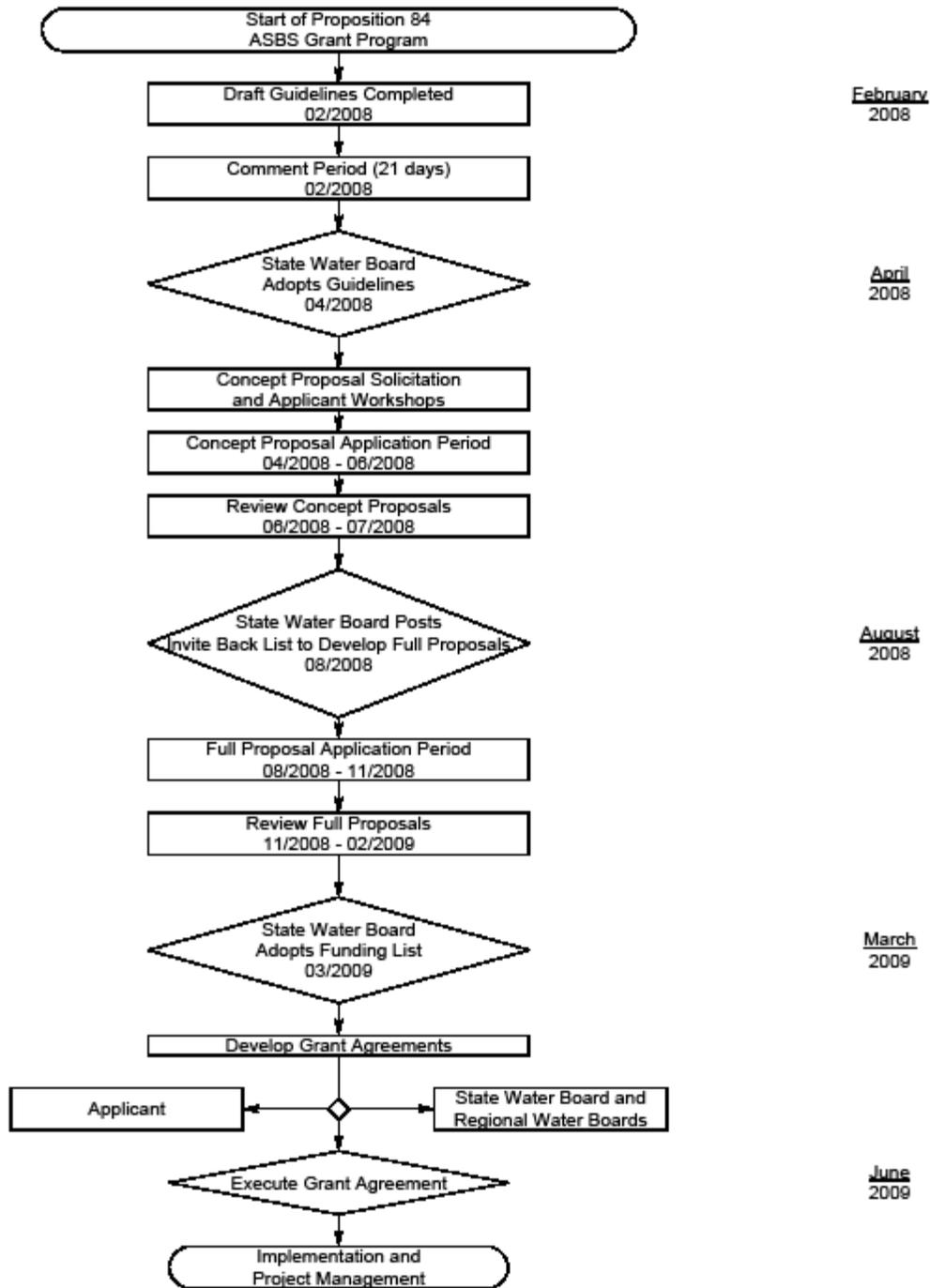
**Funding priority will be given to projects that:**

- ❖ Address the high threat discharges into ASBS;
- ❖ Provide the greatest water quality improvement;
- ❖ Protect beneficial uses of ASBS;
- ❖ Address the specific constituents of concern of ASBS listed in ASBS by 303 (d) Listed Waterbodies excel spreadsheet posted at <http://www.waterboards.ca.gov/funding/asbs.html>; and,
- ❖ Help meet the Water Quality Objectives defined in the COP.

The Proposition 84 ASBS solicitation will be a two-step process. In the first step, applicants will submit Concept Proposals through the State Water Board's on-line Financial Assistance Application Submittal Tool (FAAST). Applicants with the highest-ranking Concept Proposals will be invited to submit a Full Proposal. An overview of the Proposition 84 ASBS Grant Program process and timeline is presented in the flowchart in Figure 1.

**Figure 1  
 Proposition 84 Areas of Special Biological Significance (ASBS)  
 Grant Program Timeline**

**MILESTONES**



*Note: Timeline may be adjusted as needed.*

## IV. ELIGIBILITY REQUIREMENTS AND PROGRAM PRIORITIES

Applications will be evaluated for compliance with the eligibility requirements during the Concept Proposal phase. Eligibility is based on program funding limits, project timing, match requirements, applicant type, and project type. Proposals that do not meet the eligibility requirements will not be reviewed or considered for funding. Projects may not include overhead. Only direct costs associated with implementing the project are eligible.

### A. PROJECT TIMING, PROGRAM FUND LIMITS, AND COST MATCH REQUIREMENTS

Project timing must take into account planning, permitting, construction and effectiveness monitoring. The schedule for project completion does not relieve any discharger of its obligations for compliance with the COP and Special Protections Policy (once adopted). The project timing, maximum and minimum grant amounts, and the match requirements are presented in Table 1 and are discussed in more detail below.

**Table 1 – Project Timing, Maximum and Minimum Grant Amounts, and Cost Match**

Grant Program	Anticipated Project Timing <sup>1</sup>	Project Type	Maximum Grant Amount	Minimum Grant Amount	Minimum Cost Match Requirement <sup>2</sup>
Proposition 84 ASBS Grant Program	Encumber by June 30, 2010	Sewer Projects <sup>3</sup>	\$2,500,000	\$100,000	75%
	Complete Projects by March 31, 2013 Disburse funds by June 30, 2013	All Other Projects	\$2,500,000	\$500,000	5% cost match if population less than 10,000 <b>OR</b> DAC with less than 60% MHI <sup>4</sup>  10% cost match if population greater than 10,000 and less than 20,000 <b>OR</b> DAC with less than 80% MHI <sup>5</sup>  20% cost match if population greater than 20,000 <b>OR</b> DAC with greater than 80% MHI

<sup>1</sup> Project timing is subject to appropriation of funds.

<sup>2</sup> The cost match is calculated based on the total project cost. All sewer projects require a 75% cost match, and all the other projects' cost match requirements will be based on the above-indicated criteria.

<sup>3</sup> Projects that make improvements to existing sewer collection systems and septic systems.

<sup>4</sup> Less than 60% median household income (MHI) is considered extremely disadvantaged, PRC, Section 75005(g).

<sup>5</sup> Less than 80% MHI is considered disadvantaged, PRC, Section 75005(g).

## **COST MATCH REQUIREMENTS**

The grantee is required to provide a cost match. A reduced cost match will be available for disadvantaged and severely disadvantaged communities, as outlined in [Table 1](#). “Cost Match” means funds made available by the applicant from various sources. The cost match may include, but is not limited to, Federal funds, local funding, or donated and volunteer services and other funding sources.

Eligible expenses incurred after the passage of Proposition 84 on November 7, 2006, and prior to the project completion date, may be applied to the cost match. Disadvantaged communities (DAC) and environmental justice communities (EJC) can request to receive a reduced cost match. See [Appendix I](#) and Attachment 10 of the Full Proposal, respectively, for additional information. The State Water Board reserves the discretion to review and approve funding expenditures. The Proposition 84 ASBS Grant Program encourages applicants to use education and outreach activities as cost match.

## **B. ELIGIBLE APPLICANTS**

Proposition 84 states that eligible applicants are restricted to “local public agencies” which includes any of the following (PRC Section 30910):

- ❖ City;
- ❖ County;
- ❖ City and County; and
- ❖ District.

## **C. ELIGIBLE PROJECT TYPES**

**Projects that are eligible for funding under the Proposition 84 ASBS Grant Program are capital improvement projects that protect beaches and coastal water quality by eliminating or significantly reducing pollution into ASBS.**

Eligible projects must implement at least one of the following:

- ❖ Improve water quality at public beaches and make improvements to ensure that coastal waters adjacent to public beaches meet bacteriological standards set forth in Article 2 (commencing with Section 115875) of Chapter 5 of Part 10 of Division 104 of the Health and Safety Code. Refer to [Appendix B](#) for web links to these statutes;
- ❖ Make improvements to existing sewer collection systems and septic systems for the restoration and protection of coastal water quality; or,
- ❖ Implement stormwater and runoff pollution reduction and prevention programs, or for the implementation of best management practices, for the restoration and protection of coastal water quality.

The implementing statute requires that projects:

- ❖ Are consistent with State’s Nonpoint Source (NPS) control program, as revised to meet the requirements of Section 6217 of the Federal Coastal Zone Act Reauthorization Amendments of 1990, Section 319 of the Federal Clean Water Act (33 U.S.C. Section 1329), and the requirements of Division 7 (commencing with Section 13000). Refer to [Appendix B](#) for web links to these statutes;

- ❖ Demonstrate capability of contributing to sustained, long-term water quality or environmental restoration or protection benefits for a period of 20 years, address the causes of degradation, rather than the symptoms, and be consistent with water quality and resource protection plans prepared, implemented, or adopted by the State Water Board, the applicable Regional Water Board, and the State Coastal Conservancy; and
- ❖ Are consistent with recovery plans for Coho salmon, steelhead trout, or other threatened or endangered species, and to the extent feasible, must seek to implement actions specified in those plans where those plans exist.

Also requires grantees to:

- ❖ Submit to the State Water Board a monitoring and reporting plan that does all of the following: 1) identifies the nonpoint source or sources of pollution to be prevented or reduced by the project; 2) describes the baseline water quality or quality of the environment to be addressed; 3) describes the manner in which the project will be effective in preventing or reducing pollution and in demonstrating the desired environmental results, and 4) describes the monitoring program, including, but not limited to, the methodology and the frequency and duration of monitoring;
- ❖ Upon completion of the project, submit a report to the State Water Board that summarizes the completed activities and indicates whether the purposes of the project have been met. The report must include information collected by the grantee in accordance with the project monitoring and reporting plan, including a determination of the effectiveness of the project in preventing or reducing pollution and the results of the monitoring program. The State Water Board will make the report available to the public, watershed groups, and federal, state, and local agencies; and
- ❖ Inform the State Water Board of any necessary public agency approvals, entitlements, and permits that may be necessary to implement the project. The application must certify to the State Water Board, at the appropriate time that those approvals, entitlements, and permits have been granted.

Education and outreach activities that communicate the significance and value of the natural resources in a way that increases understanding and enjoyment of the resources, are eligible for funding.

#### **D. INELIGIBLE PROJECT TYPES**

Projects not eligible for funding under the Proposition 84 ASBS Grant Program include:

- ❖ Relocating a discharge point outside ASBS without treatment;
- ❖ Land Acquisitions (e.g., purchase, leases, easements, etc.);
- ❖ Planning; and
- ❖ Ongoing Operation and Maintenance (O&M).

#### **E. PROGRAM PREFERENCES**

In addition to reducing pollution into ASBS, funding priority will be given to projects that address the high threat discharges, water quality and beneficial use issues, and constituents of concern listed in [Appendix C](#). Bonus points will be given to projects that address any of the program preferences listed below. These preferences are reflected in the Concept Proposal Application and Evaluation Criteria ([Appendix D](#)). The program preferences are projects that:

- ❖ Are located within Marine Protected Areas;
- ❖ Integrate into a larger project and provide multiple-benefits (i.e. ASBS, Water Quality at Public Beaches, 303(d) List, stream and habitat protection, etc.);
- ❖ Are consistent with adopted Integrated Coastal Watershed Management Plans (ICWMP) and/or Integrated Regional Water Management Plans (IRWMP);
- ❖ Are Low Impact Development (LID), or support smart growth, transit-oriented development, infrastructure re-use, green building and the like that contribute to stormwater quality improvements, particularly if the nature of the project is reflected in local agency commitment via policy or ordinance;
- ❖ Implement the Ahwahnee Principles for Resource Efficient Land Use, or similar land use or planning principles;
- ❖ Capture and treat stormwater for re-use, consistent with supporting beneficial uses and existing water rights;
- ❖ Contribute expeditiously and measurably to the long-term attainment and maintenance of water quality standards by implementing a Total Maximum Daily Load (TMDL);
- ❖ Provide local cost-sharing or leverage local bond measure funds;
- ❖ Improve ocean water quality near disadvantaged communities; and
- ❖ Address environmental justice community needs and issues.

## **F. GEOGRAPHIC SCOPE**

Proposals from all California coastal areas with ASBS will be considered for this funding program. The Proposition 84 ASBS Grant Program funds will be split 40/40/20. That means that 40 percent will be available for eligible projects in Southern California (Counties of San Diego, Orange, Los Angeles, and Ventura), 40 percent for eligible projects in Northern California (Counties of Santa Barbara, San Luis Obispo, Monterey, Santa Cruz, San Mateo, San Francisco, Marin, Sonoma, Mendocino, Humboldt, and Del Norte) and 20 percent will be awarded to the most competitive remaining projects without regard to location.

## **V. PROPOSAL SOLICITATION, REVIEW, AND SELECTION PROCESS**

The Proposition 84 ASBS solicitation will be a competitive two-step process: 1) Concept Proposals; and 2) submission of Full Proposals, which are detailed applications. The solicitation process, review process, and selection process are described below. Concept Proposal content requirements and review criteria are included in [Appendix D](#). Full Proposal content requirements and review criteria are included in [Appendix E](#).

### **A. SOLICITATION AND SUBMITTAL OF CONCEPT PROPOSALS**

The State Water Board will release a Concept Proposal Solicitation Notice upon adoption of the Guidelines. The Concept Proposal Solicitation Notice will identify the due date and time for Concept Proposal submittals, and will provide detailed instructions on the mechanics of submitting the Concept Proposal.

The Concept Proposal Solicitation Notice will be posted on the State Water Board website at:

<http://www.waterboards.ca.gov/funding/asbs.html>

A Concept Proposal Solicitation Notice will also be e-mailed to all interested parties on the State Water Board's Proposition 84 ASBS Grant Program electronic mailing list. Interested parties may sign up for the electronic mailing list at:

[http://www.waterboards.ca.gov/lyrisforms/swrcb\\_subscribe.html](http://www.waterboards.ca.gov/lyrisforms/swrcb_subscribe.html)

The Concept Proposal application will consist of an on-line application submitted using the State Water Board's FFAST system. The on-line FFAST application for the Concept Proposal can be found at the following secure link:

<https://faast.waterboards.ca.gov/>

Applications must contain all required items listed in the Concept Proposal Solicitation Notice. **All applications, including attachments and supporting documentation, must be provided by the submittal deadline. Any material submitted after the deadline will not be reviewed or considered for funding.**

## **B. SOLICITATION AND SUBMITTAL OF FULL PROPOSALS**

Solicitation for Full Proposals will be by invitation to applicants with the highest ranking Concept Proposals. The Full Proposal review process will also be competitive since the number of Concept Proposals invited back will exceed the total available funding. The Full Proposal Solicitation Notice will include information on the due date and time for Full Proposal submittals, and will provide detailed instructions on the mechanics of submitting the Full Proposal. Applicants will be invited to submit detailed Full Proposals using the FFAST system.

The Full Proposal will allow the applicant to expand upon the Concept Proposal submitted previously, provide the detail needed for the State Water Board to make a final funding decision, and also allow for an expedited grant agreement process. An expedited grant agreement process is achieved through the submission of a detailed, concise, and specific scope of work that will be used for preparing the grant agreement should the project be selected for funding.

Applications must include all required elements in the Full Proposal Solicitation Notice. All applications, including attachments and supporting documentation, must be provided by the submittal deadline. Any material submitted after the deadline will not be reviewed or considered for funding.

Applications may include attachments with supplemental materials such as design plans and specifications, detailed cost estimates, feasibility studies, pilot projects, additional maps, geographic information system (GIS) shape files, diagrams, letters of support, copies of agreements, or other applicable items. All supporting documentation will be requested in an electronic format through FFAST, unless specified otherwise. Details on what information will be required and Full Proposal evaluation criteria are presented in [Appendix E](#).

## **C. APPLICANT ASSISTANCE WORKSHOPS**

Technical assistance workshops will be conducted to address questions and to provide general assistance to applicants in preparing their Concept Proposals. Concept Proposal Technical Assistance Workshops will focus on priorities and will include a presentation of general program information. Regional Water Boards and State Water Boards staff will be available to assist applicants during the workshops. The dates and locations of Concept Proposal workshops will be provided on the State Water Board website at:

<http://www.waterboards.ca.gov/funding/asbs.html>

In addition to the informational workshops, applicants are encouraged to seek assistance from Water Board staff in understanding the funding priorities, program requirements, and completing grant applications.

#### **D. COMPLETENESS REVIEW**

Each Concept Proposal application will first be evaluated and screened for completeness. **Applications not containing all required information will not be reviewed or considered for funding, and applicants will be notified.**

#### **E. ELIGIBILITY REVIEW**

Complete applications will be evaluated for compliance with eligibility criteria during the Concept Proposal phase. All proposals must meet the Eligible Applicants requirements in [Section IV.B](#), and Eligible Project Types requirements in [Section IV.C](#). **Applications that are determined to be ineligible will not be reviewed or considered for funding, and applicants will be notified.**

#### **F. REVIEW AND SCORING PROCESS**

##### **CONCEPT PROPOSAL**

All Concept Proposals must be submitted in FFAST by the posted date and time deadline. As the Concept Proposals arrive in FFAST, the Concept Proposals will be assigned to State Water Board staff for completeness and eligibility review. State Water Board staff, and the ASBS Task Force will provide technical review of all eligible Concept Proposals.

Each Concept Proposal will be scored by at least three (3) ASBS Task Force members using the FFAST system. ASBS Task Force members will not be able to review or participate in discussion of proposals for which they have a conflict of interest. All reviewers will be required to submit a statement disclosing any conflict of interest. The standards for determining potential conflict of interest are in [Appendix J](#).

All eligible Concept Proposals will be scored based on technical feasibility, ability to address the identified high threat discharge, readiness to proceed, and other criteria outlined in the *Concept Proposal Evaluation: Scoring Criteria* form ([Appendix D](#)).

The ASBS Task Force will meet to discuss the projects and determine the final score for a Concept Proposal and group the Concept Proposals into the following three categories:

- ❖ Invite Applicant to Submit Full Proposal;
- ❖ Applicant Not Invited to Submit Full Proposal; and
- ❖ Ineligible Concept Proposal Submittal.

The lists will be posted on the State Water Board's DFA website ([Appendix B](#)) and notification e-mails will be sent to all applicants.

Concept Proposal scores will be used to select the most competitive projects and to determine whether an applicant should be invited to submit a Full Proposal. At the Full Proposal stage, proposals will be evaluated and scored based on the information provided in the Full Proposal and the expertise of the reviewers, without regard to the Concept Proposal score. However, the Full Proposals will be evaluated for consistency with what was submitted in the Concept Proposal and major changes to the scope of work may disqualify the proposal.

## **FULL PROPOSAL**

Full Proposals will be evaluated by the ASBS Task Force and Water Board staff.

Full Proposals will be evaluated and individually scored based on their geographic locations with respect to Northern and Southern California. All Northern California Full Proposals received will be evaluated and individually scored by ASBS Task Force members, representing Southern California. Conversely, all Southern California Full Proposals received will be evaluated and scored by ASBS Task Force Members representing Northern California. This process will alleviate any potential conflict of interests between ASBS Task Force members and proposed projects.

In addition to ASBS Task Force members' review of projects, all Full Proposals will also be reviewed by Water Board staff that will individually score Full Proposals in accordance with the evaluation criteria presented in [Appendix E](#). Each Full Proposal will be evaluated and scored based on the information the applicant provides in FFAST. Previous knowledge, conversations, or outside information that is not provided in the Full Proposal will not be used to evaluate and score Full Proposals. However, an applicant's past performance and track record may be taken into consideration.

Following the ASBS Task Force and Water Board staff reviews, a final Northern California and Southern California list will be developed. Both of these lists will be merged into one final recommended funding list for presentation to the State Water Board for adoption. This funding list will recommend an allocation of 40 percent of the funding go to Northern California and 40 percent to Southern California. The remaining 20 percent of funding will be a selection of projects from both Northern and Southern California.

The ASBS Task Force may recommend reducing individual grant amounts from the requested amount. However, such reductions will be considered only if technical reviewers have indicated in their review comments that the budget is too high or some tasks are not necessary. A reduction would also be weighed against whether the reduced funding would impede project implementation.

The ASBS Task Force may recommend that a portion of the funds, not to exceed three (3) percent of the available funds, be used to augment regional monitoring efforts in order to determine successful implementation of the projects.

## **G. APPLICANT NOTIFICATION**

The list of projects recommended for funding will be posted on the State Water Board website: <http://www.waterboards.ca.gov/funding/asbs.html> and applicants will be notified of the availability of the recommended funding list.

## **H. FUNDING AWARDS**

The State Water Board will consider adoption of the funding recommendations developed by the ASBS Task Force at a State Water Board meeting. Following approval by the State Water Board, the selected applicants will be notified.

## **I. GRANT AGREEMENT**

Following funding awards, the State Water Board will execute a grant agreement with the grantee. Grant agreements are not executed until signed by authorized representatives of the grantee and the State Water Board. A copy of a Grant Agreement Template will be available on the State Water Board website at: <http://www.waterboards.ca.gov/funding/asbs.html>.

It is HIGHLY advisable that applicants review the Grant Agreement Template prior to submission of their Full Proposal. If applicants are not able to abide by the terms and conditions contained therein, they should not submit a Full Proposal. Only under extreme and unusual circumstances will modifications to the Grant Agreement Template's terms and conditions be made.

Grant agreements will be executed with one eligible grantee per project. This grantee can subcontract with partners that are responsible for implementation of the component projects. The grant funding and the implementation responsibilities will be the province of the grantee. The State Water Board will not have a funding relationship with collaborators. State Water Board staff will provide grant agreement oversight.

Non-responsiveness has been an issue with a handful of past grant recipients. Such non-responsiveness slows down the funding process. In several cases, non-responsiveness has resulted in grant funds being left unused for a substantial and unwarranted amount of time and has caused the termination of grant agreements. For this reason, lack of responsiveness prior to finalizing and executing a grant agreement may result in withdrawal of the grant award. These funds will be made available to other competitive proposals that have submitted a full proposal.

## **J. REIMBURSEMENT OF COSTS**

Reimbursable costs are defined in [Appendix A](#). Only direct costs related to the project are allowed (no overhead). Only work performed after execution of the grant agreement and within the terms of the grant agreement will be eligible for reimbursement. **Advance funds will not be provided.**

## **VI. GENERAL REQUIREMENTS**

### **A. CONFLICT OF INTEREST**

All applicants are subject to State and Federal conflict of interest laws. Failure to comply with these laws, including business and financial disclosure provisions, will result in the application being rejected and any subsequent grant agreement being declared void. Other legal action may also be taken. Before submitting an application, applicants are urged to seek legal counsel regarding conflict of interest requirements. Applicable statutes include, but are not limited to, California Government Code Section 1090, California Public Contract Code Sections 10410 and 10411.

### **B. CONFIDENTIALITY**

Once the proposal has been submitted to State Water Board, any privacy rights as well as all other confidentiality protections afforded by law with respect to the application package will be waived.

The location of all projects awarded funding must be reported to the State Water Board and will be available to the public in the project files. Additionally, the State Water Board reports project locations to the public through internet-accessible databases. The locations of all monitoring points and all monitoring data generated for ambient monitoring, must be provided to the State Water Board and will not be kept confidential. The State Water Board uses Global Positioning System (GPS) coordinates for project/sampling locations. See Monitoring and Reporting ([Section VI.G](#)) for additional information on monitoring and reporting requirements.

## **C. LABOR CODE COMPLIANCE**

California Labor Code, Section 1771.8 requires the body awarding any contract for a public works project financed in any part with funds made available by Propositions 84 to adopt and enforce a labor compliance program pursuant to California Labor Code Section 1771.5. Compliance with applicable laws, including California Labor Code provisions, will become an obligation of the grantee under the terms of the grant agreement between the grantee and the State Water Board. California Labor Code Section 1771.8 provides, where applicable, that the grantee's Labor Compliance Program must be in place at the time of awarding of a contract for a public works project by the grantee.

Before submitting an application, applicants are urged to seek legal counsel regarding California Labor Code compliance. For more information visit the California Department of Industrial Relations website at <http://www.dir.ca.gov/>.

## **D. CEQA COMPLIANCE**

All projects funded under the Proposition 84 ASBS Grant Program must comply with the California Environmental Quality Act (CEQA) (PRC § 21000 et seq.). See [Appendix B](#) for links to CEQA information and the State Clearinghouse Handbook.

Grantees are responsible for complying with all applicable laws and regulations for their projects, including CEQA, if applicable. State Water Board selection of a project for a grant does not foreclose appropriate consideration of alternatives or mitigation measures that would reduce or eliminate adverse environmental effects of that project during the CEQA review process. No work that is subject to CEQA may proceed until clearance is given by the State Water Board, a responsible agency. Details about the State Water Board's environmental review process can be found in [Appendix F](#). In most cases, CEQA clearance will be requested prior to agreement execution.

## **E. WAIVER OF LITIGATION RIGHTS**

Under no circumstances may a Grantee use funds from any disbursement under its Grant Agreement to pay costs associated with any litigation the Grantee pursues against the Regional Water Boards and/or State Water Board. Regardless of the outcome of any such litigation, and not withstanding any conflicting language in the agreement, the Grantee agrees to complete the project funded by the agreement or to repay all grant funds plus interest.

## **F. PROJECT ASSESSMENT AND EVALUATION PLANS**

All Full Proposals must include the performance measure tables ([Appendix G.III](#)) that form the basis of the Project Assessment and Evaluation Plan (PAEP) to summarize how project performance will be assessed, evaluated, and reported. The goals of the PAEP are to:

- ❖ Provide a framework for assessment and evaluation of project performance;
- ❖ Identify measures that can be used to monitor progress towards achieving project goals and desired outcomes;
- ❖ Provide a tool for grantees and grant managers to monitor and measure project progress and guide final project performance reporting that will fulfill the grant agreement requirements;
- ❖ Provide information to help improve current and future projects; and
- ❖ Quantify the value of public expenditures to achieve environmental results.

The PAEP will be submitted after the grant agreement is executed, and will include a summary of project goals, the desired project outcomes, the appropriate performance measures to track the project progress, and measurable targets that the applicant thinks are feasible to meet during the project period. The PAEP is not intended to be a monitoring plan. PAEP guidance is presented in [Appendix G](#) and more detailed information is available on-line at:

<http://www.swrcb.ca.gov/funding/paep.html>

## **G. MONITORING AND REPORTING**

Monitoring data must be integrated into the Surface Water Ambient Monitoring Program (SWAMP). Under SWAMP, all projects must complete and implement a monitoring plan ([Section IV. C.](#)) and a Quality Assurance Project Plan (QAPP). For surface water monitoring, the QAPP must be prepared in accordance with the SWAMP QAPP template, which is available on-line at:

<http://www.waterboards.ca.gov/swamp/index.html>

Projects must include the development and submittal of progress reports and a final report. The proposals should identify the frequency of progress report submittal.

## **H. DATA MANAGEMENT**

Projects must include appropriate data management activities so that project data can be incorporated into appropriate statewide data systems. Project-generated data will be available to the stakeholders, agencies, and the public in the State Water Board's project files. Web links to additional information on the State Water Board's statewide data management efforts are provided in [Appendix B](#).

## **I. GRANT MANAGER NOTIFICATION**

Grantees will be required to notify the Grant Manager at the State Water Board prior to conducting construction, monitoring, demonstration, or other implementation activities, so that State Water Board staff may observe to verify activities are conducted in accordance with the grant agreement. State Water Board staff may document the inspection with photographs or notes, which may be included in the project file.

## **J. DIVISION OF FINANCIAL ASSISTANCE (DFA) ADDITIONAL AUTHORITY**

Funds may become available from projects which are withdrawn or completed under budget. The Deputy Director of the DFA shall have the authority to utilize these funds for funding additional projects recommended by the ASBS Task Force or augmenting the scope of and budget of projects previously awarded. Additional activities funded under existing grants will be subject to these Guidelines and must complement or further the goals of the existing projects.

In addition, upon recommendation by the ASBS Task Force, the State Water Board reserves the authority to fund up to \$1 million in regional project effectiveness monitoring, to ensure successful and coordinated implementation of projects funded through the competitive grant process.

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## **APPENDIX A: DEFINITIONS**

**Applicant** – means an entity that files an application for funding under the provisions of Proposition 84 with the State Water Resources Control Board (State Water Board).

**Application** – refers to the electronic submission to the State Water Board that requests grant funding for the project that the applicant intends to implement. It includes the responses to the questions included in the on-line application system as well as the proposal.

**Areas of Special Biological Significance (ASBS)** – means areas designated by the State Water Board as requiring protection of species or biological communities to the extent that alteration of natural water quality is undesirable. All Areas of Special Biological Significance are State Water Quality Protection Areas as defined in PRC § 36700(f). There are 34 designated Areas of Special Biological Significance (ASBS), which are listed in the California Ocean Plan.

**Areas of Special Biological Significance (ASBS) Task Force** – a State Water Board appointed group that reviews and recommends projects to the State Water Board for funding from Proposition 84. The subgroup of Clean Beaches Task Force represents the “breadth and diversity” of California’s coastal communities and was selected from local agencies, environmental advocacy groups, academia, government, and scientific research organizations.

**Beneficial Uses** – The beneficial uses of the ocean waters of the State that shall be protected include industrial water supply; water contact and non-contact recreation, including aesthetic enjoyment; navigation; commercial and sport fishing; mariculture; preservation and enhancement of designated ASBS; rare and endangered species; marine habitat; fish migration; fish spawning and shellfish harvesting.

**Critical Costal Areas (CCA) Program** – means an innovative program, required by California’s Nonpoint Source Pollution Plan to foster collaboration among local stakeholders and government agencies, to better coordinate resources and focus efforts on coastal-zone watershed areas in critical need of protection from polluted runoff.

**Disadvantaged Community** – means a community with an annual median household income that is less than 80 percent of the statewide annual median household income (CWC § 79505.5 (a)).

**Encumbrance** – means the commitment of part or all of an appropriation by a governmental unit for goods or services not yet received. These commitments are expressed by such documents as contracts or agreements, and cease to be encumbrances when they are paid or otherwise cancelled.

**Environmental Justice** – means the fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income with respect to the development, adoption, implementation, and enforcement of environmental laws, regulations, and policies. Fair treatment means that no group of people, including racial, ethnic, or social-economic groups should bear a disproportionate share of the negative environmental consequences resulting from industrial, municipal, and commercial operations, or the execution of Federal, State, local, and tribal programs and policies.

## **APPENDIX A: DEFINITIONS**

**Evaluation Criteria** – means the set of requirements used to choose a project for a given program or for funding; the specifications or criteria used for selecting or choosing a project based on available funding.

**Grantee** – refers to a grant recipient such as a local public agency, as defined in this Appendix, which are eligible for grant funding.

**Granting Agency** – means the agency that is funding a proposal and with which a grantee has a grant agreement. The State Water Board will be the granting agency for the ASBS Grant Program.

**Higher Threat Discharges** – include (but are not necessarily limited to) municipal, transportation (including stream crossings), construction and industrial storm water, marine operations and piers, agricultural discharges, contaminated surface seeps, sources of human sewage, fish cleaning stations, and marine laboratories and aquaria.

**Impaired Water Body** – means surface waters identified by the Regional Water Boards as impaired because water quality objectives are not being achieved or where the designated beneficial uses are not fully protected after application of technology-based controls. A list of impaired water bodies is compiled by the State Water Board pursuant to section 303(d) of the Clean Water Act.

**Local Public Agency** – is any city, county, city and county, or district.

**Cost Match** – means funds made available by the applicant from various sources. The cost match may include, but is not limited to, Federal funds, local funding, or donated and volunteer services and other funding sources.

**Low Impact Development (LID)** – is a sustainable practice that benefits water supply and contributes to water quality protection. Unlike traditional stormwater management, which collects and conveys storm water runoff through storm drains, pipes, or other conveyances to a centralized storm water facility, LID takes a different approach by using site design and storm water management to maintain the site's pre-development runoff rates and volumes.

**Management Measures** – means economically achievable measures for the control of the addition of pollutants from existing and new categories and classes of nonpoint sources of pollution, which reflect the greatest degrees of pollutant reduction achievable through the application of the best available nonpoint pollution control practices, technologies, processes, siting criteria, operating methods, or alternatives.

**Marine Protected Areas** – are discrete geographical marine or estuarine areas designed to protect or conserve marine life and habitat. A few examples include Tomales Bay State Marine Park, James V. Fitzgerald State Marine Park, Point Lobos State Marine Reserve, Painted Cave State Marine Conservation Area, and Crystal Cove State Marine Conservation Area.

## **APPENDIX A: DEFINITIONS**

**Nonpoint Source (NPS) Pollution** – NPS Pollution is water pollution that does not originate from a discrete point, such as a sewage treatment plant outlet. NPS pollution is a by-product of land use practices, such as those associated with farming, timber harvesting, construction management, marina and boating activities, road construction and maintenance, mining, and urbanized areas not regulated under the point source stormwater program. Primary pollutants include sediment, fertilizers, pesticides and other pollutants that are picked up by water traveling over and through the land and are delivered to surface and ground water via precipitation, runoff, and leaching. From a regulatory perspective, pollutant discharges that are regulated under the National Pollutant Discharge Elimination System Permit (NPDES) are considered to be point sources. By definition, all other discharges are considered nonpoint sources of pollution.

**Northern California** – means those counties of Santa Barbara, San Luis Obispo, Monterey, Santa Cruz, San Mateo, San Francisco, San Jose, Alameda, Marin, Napa, Sonoma, Mendocino, Humboldt, and Del Norte.

**Pollutant Load Reduction** – means the decrease of a particular contaminant in the impaired waterbody resulting from the implementation of the project.

**Project** – refers to the entire set of actions, including planning, permitting, constructing, monitoring, and reporting on all of the proposed activities, including structural and non-structural implementation of management measures and practices.

**Project Area** – refers to the geographical boundaries, as defined by the applicant, which encompass the area where the project will be implemented/constructed, including the area where the benefits and impacts of project implementation or planning activities extend. For projects to develop local watershed management plans, the project area includes the entire area included in the planning activities.

**Proposal** – refers to all of the supporting documentation submitted that details the project and actions that are proposed for funding pursuant to an application for a grant.

**Proposition 84** – is the “Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006”, as set forth in Division 43 of the PRC.

**Public Official** – means every member, officer, employee or consultant of a state or local government agency. (Gov. Code, § 82048.) A “member” includes, but is not limited to, salaried or unsalaried members of committees, boards or commissions with decision making authority. A committee, board or commission possesses decision making authority whenever it makes substantive recommendations that are, and over an extended period of time have been, regularly approved without significant amendment or modification by another public official or governmental agency. (Cal. Code Regs., tit. 2, § 1870.)

**Public Works** – as defined in the California Labor Code, Section 1720.

## **APPENDIX A: DEFINITIONS**

**Reimbursable Costs** – means costs that may be funded under Proposition 84. Reimbursable costs include the reasonable costs of engineering, design, legal fees, preparation of environmental documentation, environmental mitigation, project startup and effectiveness monitoring and project implementation.

Costs that are not reimbursable with grant funding include, but are not limited to:

- a. Costs, other than those noted above, incurred outside the terms of the grant agreement with the State;
- b. Purchase of equipment not integral to the project;
- c. Establishing a reserve fund;
- d. Replacement of existing funding sources for ongoing programs;
- e. Expenses incurred in preparation of the Concept Proposal and Full Proposal;
- f. Purchase of land (e.g., purchase, leases, easements, etc.);
- g. Payment of principal or interest of existing indebtedness or any interest payments unless the debt is incurred within the terms of the grant agreement with the State, the granting agency agrees in writing to the eligibility of the costs for reimbursement before the debt is incurred, and the purposes for which the debt is incurred are otherwise reimbursable project costs; and,
- h. Overhead or indirect costs.

**Source Tracking** – means biological, chemical or spatial analysis tools that identify the geographical location or biological origins of fecal contamination.

**Southern California** – means the Counties of San Diego, Orange, Los Angeles, and Ventura.

**Stakeholder** – is an individual, group, coalition, agency, or others who are involved in, affected by, or have an interest in the implementation of a specific program or project.

**Total Maximum Daily Load (TMDL)** – identifies the maximum quantity of a particular pollutant that can be discharged into a water body without violating a water quality standard, and allocates allowable loading amounts among the identified pollutant sources.

**303(d) List** – refers to section 303(d) of the Clean Water Act that requires each state to periodically submit to the United States Environmental Protection Agency a list of impaired waters. Impaired waters are those that are not meeting the State's water quality standards. Once the impaired waters are identified and placed on the list, section 303(d) requires that the State establish TMDLs that will meet water quality standards for each listed water body.

## **APPENDIX B: USEFUL WEB LINKS**

**Areas of Special Biological Significance (ASBS)** <http://www.swrcb.ca.gov/plnspols/asbs.html>  
ASBS Map: <http://www.waterboards.ca.gov/funding/asbs.html>  
ASBS Map by 303 (d) Listed Waterbody: <http://www.waterboards.ca.gov/funding/asbs.html>  
ASBS by 303 (d) Listed Waterbody Excel Spreadsheet: <http://www.waterboards.ca.gov/funding/asbs.html>

**California Coastal Marine Protected Areas** <http://www.dfg.ca.gov/mlpa/>

**Marine Protected Areas Maps** <http://www.dfg.ca.gov/mlpa/maps.asp>

**Final Report: Discharges into State Water Quality Protection Areas**  
[http://www.waterboards.ca.gov/plnspols/docs/asbs/swqpa\\_finalsurveyreport\\_wlayouts.pdf](http://www.waterboards.ca.gov/plnspols/docs/asbs/swqpa_finalsurveyreport_wlayouts.pdf)

**Discharge Report GIS Layers** - information on each discharge, ID number, source and type, where it drains to, etc.  
<ftp://swrcb2a.waterboards.ca.gov/pub/swrcb/oit/gis/oceans/>

### **CEQA Information**

Environmental Information: <http://ceres.ca.gov/index.html>  
California State Clearinghouse Handbook: <http://ceres.ca.gov/planning/sch/>  
CEQA Guidelines: [http://ceres.ca.gov/topic/env\\_law/ceqa/guidelines/](http://ceres.ca.gov/topic/env_law/ceqa/guidelines/)

**California Legislative Information** <http://www.leginfo.ca.gov/>

California Water Code (CWC): <http://www.leginfo.ca.gov/cgi-bin/calawquery?codesection=wat&codebody=&hits=20>  
Public Resources Code (PRC): <http://www.leginfo.ca.gov/cgi-bin/calawquery?codesection=prc>

**Department of Industrial Relations** <http://www.dir.ca.gov/>

### **Environmental Justice Websites**

Environmental Justice: <http://www.waterboards.ca.gov/education/justice.html>  
Environmental Justice Coalition for Water: <http://www.ejcw.org>  
Environmental Justice Program (USEPA's): <http://www.epa.gov/compliance/environmentaljustice/index.html>

**Natural Resources Conservation Services Technical Resources** <http://www.nrcs.usda.gov/technical>

## ***APPENDIX B: USEFUL WEB LINKS***

### **Performance Assessment and Evaluation Plan Websites**

PAEP Tools and Project Performance Measures Table(s): <http://www.waterboards.ca.gov/funding/paep.html>

Project Planning, Research, Monitoring, and Assessment (many of these resources also apply to BMP implementation or habitat restoration effectiveness monitoring)

<http://www.waterboards.ca.gov/nps/volunteer.html>

<http://www.waterboards.ca.gov/swamp/qapp.html>

<http://www.calfish.org/DesktopDefault.aspx?tabId=112>

Education and Outreach

[http://www.michigan.gov/deq/0,1607,%207-135-3313\\_3682\\_3714-75944--,00.html](http://www.michigan.gov/deq/0,1607,%207-135-3313_3682_3714-75944--,00.html)

[http://cecommerce.uwex.edu/pdfs/G3658\\_10.PDF](http://cecommerce.uwex.edu/pdfs/G3658_10.PDF)

Pollutant Load Reduction Activities

<http://it.tetratex.com/stepl/>

<http://www.sccwrp.org/pubs/annrpt/96/ar-04.htm>

Habitat Restoration

<http://www.dfg.ca.gov/nafwb/manual.html>

<http://www.dfg.ca.gov/nafwb/pubs.html>

[http://www.dfg.ca.gov/hcpb/species/stds\\_gdl/survmonitr.shtml](http://www.dfg.ca.gov/hcpb/species/stds_gdl/survmonitr.shtml)

<http://www.epa.gov/watertrain>

<http://www.waterboards.ca.gov/sanfranciscobay/Agenda/04-16-03/Stream%20Protection%20Circular.pdf>

<http://water.usgs.gov/nawqa/protocols/OFR-93-408/habit1.html>

**Proposition 84 Bond Language** [http://resources.ca.gov/bonds\\_prop84.html](http://resources.ca.gov/bonds_prop84.html)

**Ahwahnee Principle(s)** <http://water.lgc.org/ahwahnee-water-principles-1>

## ***APPENDIX B: USEFUL WEB LINKS***

### **Regional Water Boards Watershed Management Initiative Chapters**

- Region 1: <http://www.waterboards.ca.gov/northcoast/programs/watermanageinit.html>
- Region 2: <http://www.waterboards.ca.gov/sanfranciscobay/watershedmanagement.htm>
- Region 3: <http://www.waterboards.ca.gov/centralcoast/WMI/WMI 2002, Final Document, Revised 1-22-02.pdf>
- Region 4: [http://www.waterboards.ca.gov/losangeles/html/programs/regional\\_programs.html](http://www.waterboards.ca.gov/losangeles/html/programs/regional_programs.html) - Watershed
- Region 8: <http://www.waterboards.ca.gov/santaana/html/wmi.html>
- Region 9: <http://www.waterboards.ca.gov/sandiego/programs/wmc.html>

### **Regional Water Quality Control Plans (Basin Plans)**

- Region 1: <http://www.waterboards.ca.gov/northcoast/programs/basinplan/basin.html>
- Region 2: <http://www.waterboards.ca.gov/sanfranciscobay/basinplan.htm>
- Region 3: <http://www.waterboards.ca.gov/centralcoast/BasinPlan/Index.htm>
- Region 4: [http://www.waterboards.ca.gov/losangeles/html/meetings/tmdl/Basin\\_plan/basin\\_plan.html](http://www.waterboards.ca.gov/losangeles/html/meetings/tmdl/Basin_plan/basin_plan.html)
- Region 8: [http://www.waterboards.ca.gov/santaana/html/basin\\_plan.html](http://www.waterboards.ca.gov/santaana/html/basin_plan.html)
- Region 9: <http://www.waterboards.ca.gov/sandiego/programs/basinplan.html>

### **State Water Board Program Information**

- 303d List: [http://www.waterboards.ca.gov/tmdl/303d\\_lists.html](http://www.waterboards.ca.gov/tmdl/303d_lists.html)
- Critical Coastal Areas Program: <http://www.coastal.ca.gov/nps/cca-nps.html>
- California Ocean Plan: <http://www.waterboards.ca.gov/plnspols/oplans.html>
- Division of Financial Assistance: <http://www.waterboards.ca.gov/funding/index.html>
- NPS Plan: <http://www.waterboards.ca.gov/nps/5yrplan.html>
- NPS Program: <http://www.waterboards.ca.gov/nps/protecting.html>
- Stormwater Program: <http://www.waterboards.ca.gov/stormwtr/index.html>
- TMDL List: <http://www.waterboards.ca.gov/funding/docs/tmdlolist.doc>

### **State Water Board Statewide Data Management Programs**

- Surface Water Ambient Monitoring Program: <http://www.waterboards.ca.gov/swamp/index.html>
- SWAMP QAPP Template: [http://www.waterboards.ca.gov/swamp/docs/swampqapp\\_template032404.doc](http://www.waterboards.ca.gov/swamp/docs/swampqapp_template032404.doc)

- US Census 2000** <http://www.census.gov/main/www/cen2000.html>

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**APPENDIX C: DRAFT PROPOSITION 84 ASBS HIGH THREAT DISCHARGES  
STATUS AND PRIORITIZATION OF INDIVIDUAL ASBS**

<b>ASBS No.</b>	<b>ASBS Name</b>	<b>Regional Water Board</b>	<b>No. of Higher Threat Discharges<sup>1</sup></b>	<b>Sources of Threats<sup>2</sup></b>
1	Jughandle Cove	1	1	Highway runoff; logging; septic
2	Del Mar Landing	1	4	Residential runoff; septic
3	Gerstle Cove	1	8	Septics; parking lot runoff; fish cleaning
4	Bodega	1	7	Storm water runoff
5	Saunders Reef	1	13	Highway runoff; septic; parking lots
6	Trinidad Head	1	17 +	29 contaminated seeps; dense on-site septic; marina; boat cleaning; commercial fishing; parking
7*	King Range, specifically in the immediate vicinity of Shelter Cove	1	17	Septics; parking; fish cleaning; boating operations; sewage treatment plant; residential runoff
8*	Redwood National Park	1	41	Highway runoff; Day use/camping facilities, adjacent grazing
9*	James V. Fitzgerald	2	28 +	Sewage treatment plant - sewage spills
10	Farallon Islands	2	6	Storm water runoff
11	Duxbury Reef	2	10	Residential runoff; septic; seeps; parking lot
12	Point Reyes Headlands	2	7 +	Septics; adjacent grazing
13	Double Point	2	0	---
14	Bird Rock	2	0	---
15	Ano Nuevo	3	14	Agriculture runoff
16	Point Lobos	3	16	Boat launch; residential runoff
17	San Miguel, Santa Rosa, Santa Cruz Islands	3	0	Legacy sediment contamination; road runoff
18	Julia Pfeiffer Burns	3	25	Highway runoff; residential runoff; sedimentation
19*	Pacific Grove	3	246	
20	Salmon Creek Coast	3	35	Highway runoff
21	San Nicolas Island, Begg Rock	4	12	Military operations; desal plant

**APPENDIX C: DRAFT PROPOSITION 84 ASBS HIGH THREAT DISCHARGES  
Status and Prioritization of Individual ASBS**

ASBS No.	ASBS Name	Regional Water Board	No. of Higher Threat Discharges <sup>1</sup>	Sources of Threats <sup>2</sup>
22	Santa Barbara and Anacapa Islands	4	3	Boat landing; septic
23	San Clemente Island	4	23	Military operations; sewage treatment plant
24*	Laguna Point to Latigo Point	4	499	Septics; residential runoff; leach fields on beach; legacy sediment; highway runoff
25	Northwest Santa Catalina Island	4	38	Marina facilities; sewage treatment plant
26	Western Santa Catalina Island	4	3	Boating; road runoff
27	Farnsworth Bank	4	0	----
28	Southeast Santa Catalina Island	4	2	Quarry operations; barge landing
29*	La Jolla	9	184	Residential runoff; road runoff
30*	Heisler Park	9	14	Road runoff; septic; sediment, trash, irrigation runoff and untreated stormwater runoff
31*	San Diego-Scripps	9	93	Pier; residential runoff; road runoff; aquarium discharges
32*	Robert E. Badham	8	18	Residential runoff
33*	Irvine Coast	8 and 9	16	Highway runoff; residential runoff
34	Carmel Bay	3	348	Golf course runoff; sewage treatment plant; road runoff; seeps

<sup>1</sup> Number of higher threat discharges are from the Southern California Coastal Water Research Project's (SCCWRP) "Final Report: Discharges into State Water Quality Protection Areas" (July 2003).

<sup>2</sup> Sources of threats are compiled by the State Water Board Ocean Unit.

\*Please note all highlighted ASBSs are affected by 303 (d) listed water bodies. For additional information regarding these ASBSs, see ASBS by 303 (d) Listed Waterbodies excel spreadsheet posted at <http://www.waterboards.ca.gov/funding/asbs.html>.

***APPENDIX D: CONCEPT PROPOSAL APPLICATION AND EVALUATION CRITERIA***

**APPENDIX D-1: CONCEPT PROPOSAL APPLICATION**

**APPENDIX D-2: CONCEPT PROPOSAL EVALUATION CRITERIA**

## **APPENDIX D-1: CONCEPT PROPOSAL APPLICATION**

### **APPLICATION INSTRUCTIONS**

This section provides instructions for preparing and submitting an application. It is important that the applicants follow the instructions to ensure that their application will address all of the required elements. Applicants are reminded that, once the application has been submitted to the State Water Board, any privacy rights as well as other confidentiality protections afforded by law with respect to the application package will be waived.

Applicants must submit a complete application online using the State Water Board Financial Assistance Application Submittal Tool (FAAST) at the following secure link: <https://faast.waterboards.ca.gov>. The due date for concept proposal applications will be outlined in the Solicitation Notice, to be posted on the State Water Board's website at <http://www.waterboards.ca.gov/funding/asbs.html>.

Applicants are encouraged to review the FAAST User Manual and Frequently Asked Questions, available at the above link, before creating a user account and completing the online application. When an applicant has created a user account and begins to fill out an application, FAAST assigns a unique Proposal Identification Number (PIN). Applicants should make note of this number as it is used when an applicant needs assistance with FAAST.

FAAST allows an applicant to save an application in progress online and submit the application when the applicant has gathered and entered all requested information. After the application is submitted, an automated confirmation email will be sent to the applicant confirming the date and time of submission. Applicants are strongly encouraged to avoid last minute submittals to allow time for FAAST staff assistance, should any submittal problems occur. **Applicants are also strongly encouraged to review their complete application prior to executing the submit function in FAAST. Once an application has been submitted no further modifications, additions, or deletions will be allowed.**

To print out a blank copy of the entire application:

1. Initiate a new application and fill out the following three fields on the first page: "Project Title", "Project Description", and "Responsible Regional Water Board." Applicants can come back to edit these fields later.
2. Click on the "Save and Continue" button to initiate the application process.
3. Click on the "Preview/Submit Application" button and select the "Print" option from the browser "File" menu.

The grant application in FAAST is outlined below. Within FAAST, pull-down menus, text boxes, or multiple-choice selections will be used to receive answers to the questions. FAAST will allow applicants to type text or cut and paste information from other documents directly into a FAAST submittal screen.

## **APPENDIX D-1: CONCEPT PROPOSAL APPLICATION**

FAAST tracks attachments by an **attachment title, not by file name**. The file name section in FAAST requires a computer path to the file location on the applicant's computer. While there is no specific naming convention given here for the file name, applicants should consider using a name similar to the attachment title to simplify personal file management. **Do not use special characters such as dashes, asterisks, symbols, spaces, percentage signs, etc. Underscores are acceptable.**

The checklist below is provided as a guide for applicants to ensure that they have submitted the required information.

<b>Table 1 – FAAST Checklist</b>	
<b>1.</b>	<b>GENERAL INFORMATION</b> The following fields must be completed:
	<u>Project Title</u> – Provide title of the Proposal. <b>If this item is not completed, FAAST will not accept the application.</b>
	<u>Project Description</u> – Provide a brief description of the Proposal. The length of the Project Description is limited to 1,000 characters including spaces and returns. <b>If this item is not completed, FAAST will not accept the application.</b>
	<u>Applicant Details</u> – Provide the name and address of the applicant organization.
	<u>Project Director</u> – The Project Director is the person responsible for filing an application and executing a grant agreement and subsequent amendments for the applicant. Persons that are subcontractors to be paid by the grant cannot be listed as the Project Director.
	<u>Project Manager</u> – The Project Manager is the day-to-day contact on this project from Applicant Organization.
	<u>Grant Funds Requested</u> – Provide amount of grant funds requested for the Proposal in dollars.
	<u>Cost Match</u> (Identified in FAAST as local cost match) – Provide cost match for the Proposal in dollars.
	<u>Total Budget</u> – Grant fund requested, cost match and total projects.
	<u>Latitude/Longitude</u> – Enter latitude/longitude coordinates of the approximate midpoint of the Project Location in degrees using decimal format.
	<u>Watershed</u> – Provide name(s) of the watershed(s) where the Project is located. If the Project covers multiple watersheds, list the primary watershed first.
	<u>County</u> – Provide the county in which the Project is located. If the Project covers multiple counties, select "Multiple Counties" from the drop down list.
	<u>Responsible Regional Water Board</u> – Provide the name of the Regional Water Quality Control Board (Regional Water Board) in which the Project is located. If the Project extends beyond one Regional Water Board boundary, select "Statewide" from the drop down list. <b>If this item is not completed FAAST will not accept the application.</b>
<b>2.</b>	<b>LEGISLATIVE INFORMATION</b> Enter the State Assembly, State Senate, and U.S. Congressional Districts in which the Project is located. For Projects that include more than one district, please enter each district. Look at tables provided in FAAST to assist with determining the appropriate districts.
<b>3.</b>	<b>COOPERATING ENTITIES</b> Include entities that have/will assist the applicant in Proposal development or implementation. Provide name(s) of cooperating entity(ies), role/contribution to Proposal, first and last name of entity contact, phone number, and email address.

## APPENDIX D-1: CONCEPT PROPOSAL APPLICATION

<b>4.</b>	<p><b>AGENCY CONTACTS</b></p> <p>If the applicant has been collaborating with State and Federal agencies (Department of Water Resources [DWR], Regional Water Board, State Water Board, U.S. Environmental Protection Agency (USEPA), etc.) in Proposal development, please provide agency name, agency contact first and last name, phone, and email address. This information is used to identify individuals who may have an understanding of a Proposal and in no way indicates an advantage or disadvantage in the ranking process.</p>
<b>5.</b>	<p><b>APPLICATION QUESTIONNAIRE</b></p> <p>The answers to these questions will be used in processing the application and determining eligibility and completeness.</p>
<b>6.</b>	<p><b>PROJECT CLASSIFICATION</b></p> <p>These questions allow State Water Board to categorize the type of activities the project is proposing to do.</p>
<p><b>I. ELIGIBILITY DETERMINATION</b> - Answer the following questions to determine your project's eligibility.</p>	
	<p>Select the applicant's organization type from the drop-down menu. In order to be considered eligible, the applicant must meet the definition of "local public agency" and be a city, county, city and county, or district.</p>
	<p>Describe how the project meets the eligible project types outlined for the ASBS Grant Program:</p> <ul style="list-style-type: none"> <li>• A project designed to improve water quality at public beaches;</li> <li>• A project to make improvements to, or upgrades or conversions of, existing sewer collection systems and septic systems for the restoration and protection of coastal water quality; or,</li> <li>• A project designed to implement stormwater and runoff pollution reduction and prevention programs, or for the implementation of best management practices for the restoration and protection of coastal water quality.</li> </ul>
	<p>In order to be eligible for this funding source, the local public agency must be undertaking the project to comply with a discharge prohibition into an ASBS. Please list the name of the ASBS your project is addressing in the box below. If you are unsure of your eligibility, please contact your State Water Board representative listed in <a href="#">Appendix D-1</a>. For more information about an ASBS see "Discharges into State Water Quality Protection Areas"  <a href="http://www.waterboards.ca.gov/plnspols/docs/asbs/swqpa_finalsurveyreport_wlayouts.pdf">http://www.waterboards.ca.gov/plnspols/docs/asbs/swqpa_finalsurveyreport_wlayouts.pdf</a></p>
	<p>In order to be eligible for this funding source, you will need to submit Attachments:</p> <p>Attachment 1: Explain how you plan to address the ASBS problem and how the project will affect high threat discharges, water quality issues, beneficial uses, and the constituents in <a href="#">ASBS by 303 (d) Listed Waterbodies</a> excel spreadsheet posted at <a href="http://www.waterboards.ca.gov/funding/asbs.html">http://www.waterboards.ca.gov/funding/asbs.html</a>. Also, provide a description of the ASBS this project is affecting, information about each discharge your project is addressing (include the discharge ID number, source and type of discharge, and where the discharge drains to). (max. 2 pages)</p> <p>Attachment 2: Attach a map or diagram and photographs of the proposed project area and affected ASBS location.</p> <p>Additional information about each discharge, ID number, source and type, where it drains to, etc, can be found at <a href="ftp://swrcb2a.waterboards.ca.gov/pub/swrcb/oit/gis/oceans/">ftp://swrcb2a.waterboards.ca.gov/pub/swrcb/oit/gis/oceans/</a>.</p>
	<p>In order to be eligible for this funding source, the applicant must have completed an application for an exception to the California Ocean Plan ASBS waste discharge prohibition or requested conditional approval of an incomplete application by December 31, 2007.</p>

## **APPENDIX D-1: CONCEPT PROPOSAL APPLICATION**

<b>II. PROJECT TIMELINE</b>	
	Provide a list and brief description of all major project work items and the associated schedule for completion of all major project work items.
	Please enter the estimated "Start Date" and "End Date" for the proposed project in mm/yyyy format. For the "End Date" provide the submittal date(s) of the final report and final invoice. (The draft report and final report are typically due two (2) months and one (1) month prior to the work completion date, respectively.)
<b>III. PROBLEM DEFINITION</b> - Answer the following questions to describe the ASBS water quality problem the Project is addressing.	
	Describe the impaired ASBS, beneficial uses, and the water quality problem(s) that interfere with the beneficial uses of the ASBS, as defined below. "The beneficial uses of the ocean waters of the State that shall be protected include industrial water supply; water contact and non-contact recreation, including aesthetic enjoyment; navigation; commercial and sport fishing; mariculture; preservation and enhancement of designated ASBS; rare and endangered species; marine habitat; fish migration; fish spawning and shellfish harvesting."
	Describe the approach the project is proposing to use to solve the problem(s) and the technical basis for the selected approach, and any associated risks to water quality.
	For a project that encompasses multiple ASBS sites, list the name and portion/segment of each ASBS sites covered by the project.
	For a project that extends beyond more than one Regional Water Board boundary, please list the Regional Water Boards your project spans.
<b>IV. SOURCE OF DISCHARGE</b> – Use the following questions to explain how well you understand the source of the discharge.	
	What are possible or known sources of discharge? Describe any studies or data collection efforts that have been done to confirm these conclusions.
	What is the quantity and origin of the discharge to be treated? If necessary, provide additional information about the source of discharge that was not addressed in the previous questions.
<b>V. SUCCESS OF THE TECHNOLOGY/SOLUTION</b> – Describe the proposed Project and discuss why you think it will be successful.	
	Is this a phased project or part of a larger project effort? Please explain the objectives, framework, and scheduling for the larger project. Note whether there is a commitment to complete the entire project.
	Describe any computer models, management practices, specialized testing, or other extraordinary methods and materials that will be implemented or used as part of this project.
	If necessary, provide additional information about the proposed solution that was not addressed in the previous questions.
<b>VI. PROJECT EFFECTIVENESS</b> – Explain how you propose to measure the Project effectiveness.	
	Indicate the expected project benefits to the ASBS's water quality and beneficial uses.
	How do you propose to measure and document your project's benefits to water quality and beneficial uses (e.g., before and after concentrations of a constituent, acres ASBS protected or restored, percent discharge load reduction, data that conforms to the Surface Water Ambient Monitoring Program template and Quality Assurance Project Plan, amount of stormwater captured, amount of septic discharges reduced, etc.)?

## APPENDIX D-1: CONCEPT PROPOSAL APPLICATION

<b>7.</b>	<b>BONUS POINTS</b>
	Indicate if this project is located within a Marine Protected Area.
	If applicable, describe if the project is an integral part of a larger project, or how it provides multiple benefits.
	Is the project consistent with an Integrated Coastal Watershed Management Plan (ICWMP) and/or Integrated Regional Water Management Plan (IRWMP)? Select “Yes” or “No” from the drop-down menu and explain below.
	Indicate if this project is Low Impact Development (LID) or supports smart growth. If yes, identify the LID technique(s) or redevelopment strategies used.
	Indicate if this project is implementing the Ahwahnee Principles for Resource Efficient Land Use. If yes, Identify the Ahwahnee Principle(s), <a href="http://water.lgc.org/ahwahnee-water-principles-1">http://water.lgc.org/ahwahnee-water-principles-1</a>
	Indicate if the project captures and treats stormwater for re-use.
	Indicate if this project is implementing a Total Maximum Daily Load (TMDL). If yes, identify the TMDL by name.
	Does the applicant/proposal include local resources from local bond measure or other local revenue sources?
	Does the project improve ocean water quality near disadvantaged communities? If yes, explain.
	Does the project improve ocean water quality near environmental justice communities? If yes, explain.
<b>8.</b>	<b>READINESS TO PROCEED</b>
	Provide the status of all environmental documents required for the project. All projects require CEQA compliance and will be allowed to use grant funds for reimbursement of CEQA costs, provided the costs were incurred after the adoption of the Recommended Project List.
	Will the project require state or federal permits (e.g., 401 certification, 404 permit, or Department of Fish and Game [DFG] Streambed Alteration Agreement)? What is the status of the permit application(s), if applicable?
	Describe the anticipated source and amount of proposed cost match for the project. Please indicate if the cost match is secured or pending. (Note: Indicating the availability of cost match that later becomes unavailable will be considered a deviation from the proposed project and may result in the grant being withdrawn or as a determination of non-eligibility).
	Has the project described in this Concept Proposal been funded, in part or in full, previously by other grants? If so, explain.
	Is project planning and design complete?
<b>9.</b>	<b>APPLICANT INFORMATION</b>
	Have you applied for other funds from another program for this specific project? (This includes programs not administered by the State Water Board.) If yes, identify the agency and program.
	Has the Applicant or any Cooperating Entities entered into a contract or grant agreement: (1) that was terminated; (2) in which funds were withheld by the State Water Board; or (3) that has been the subject of an audit in which there were findings regarding the management of the project or funds by the Applicant or a Cooperating Entity? If so, please explain in the box below, including actions taken to address the problem(s).
	Is the Applicant or was the Applicant a party to a current or pending legal challenge to any State Water Board or Regional Water Board regulation or order, which either requires performance of the project, or though not required, whose terms or conditions would be satisfied in whole or in part by performance of the project? If so, please explain in the box below (include the name and case number in your explanation).

## APPENDIX D-1: CONCEPT PROPOSAL APPLICATION

<b>10.</b>	<b>DISCLAIMER</b>
<p>_____ (Initials): The <u>Project Director</u> has read and understands the General Terms and Conditions of the Grant Agreement. If the Project Director does not agree with the terms and conditions, a grant award may be denied. (All Applicants will be required to check the box and initial next to the statement.)</p>	

### APPLICATION ATTACHMENTS

Provide the attachments listed below by attaching files to the FFAST application. For instructions on attaching files, please refer to the FFAST User Manual. When attaching files, applicants must use the naming convention noted on FFAST.

File size for each attachment submitted via FFAST is limited to 10 Megabytes (MB). Acceptable file formats are: MS Word, MS Excel, MS Project, or PDF. If the application has files larger than 10 MB, files must be mailed to the State Water Board on a CD.

The mailing address is:

Ms. Julé Rizzardo  
 State Water Resources Control Board  
 Division of Financial Assistance  
 1001 I Street, 16th floor  
 Sacramento, CA 95814

All CDs and the cover page of any hardcopy documents must be clearly labeled with the applicant name, project title, grant program name, and PIN.

Attachment #	Attachment Title	Description
<input type="checkbox"/>	Attachment 1	<p style="text-align: center;">Project Description</p> <p>Explain how you plan to address the ASBS problem and how the project will affect high threat discharges, water quality issues, beneficial uses, and the constituents in <u>ASBS by 303 (d) Listed Waterbodies</u> excel spreadsheet posted at <a href="http://www.waterboards.ca.gov/funding/asbs.html">http://www.waterboards.ca.gov/funding/asbs.html</a></p> <p>Also, provide a description of the ASBS this project is affecting, information about each discharge your project is addressing (include the discharge ID number, source and type of discharge, and where the discharge drains to). (max. 2 pages)</p>
<input type="checkbox"/>	Attachment 2	<p style="text-align: center;">Project Site - Location Map and Photos</p> <p>Map or diagram and photographs of the proposed site area and affected ASBS location.</p>

## APPENDIX D-2: CONCEPT PROPOSAL EVALUATION CRITERIA

<b>PROPOSITION 84 ASBS GRANT PROGRAM ELIGIBILITY REVIEW</b>		
<b>ELIGIBILITY CRITERIA</b>	<b>YES / NO</b>	<b>KEY</b>
<p><b>General Financial Assistance Application Submittal Tool (FAAST) Information</b></p> <p>1. Does the Concept Proposal contain all the required information requested in the FAAST? (e.g., <i>General Details, Project Budget, Project Location, Funding Source, Legislative Information, Contact Agency Information, Cooperating Entity Information, etc.</i>)</p>		<p><b>Applicant must receive “Yes” for ALL questions to be eligible for invite back.</b></p> <p>Yes = Applicant eligible to be invited back to submit Full Proposal</p> <p>No = Applicant is not eligible to be invited back to submit Full Proposal</p>
<p><b>Eligibility</b></p> <p>2. Is the applicant eligible for the funding source? (Question 6.I)</p>		
<p>3. Is the project an eligible project type for the funding source? (Questions 6.I)</p>		
<p>4. Is the local public agency undertaking this project to comply with a discharge prohibition into ASBS?</p>		
<p>5. Did applicant submit Attachment 1 (project description), Attachment 2 (location maps and photos) of proposed site and ASBS involved?</p>		
<p>6. Did applicant submit an application for an exception to the California Ocean Plan ASBS waste discharge prohibition or requested conditional approval of an incomplete application by December 31, 2007?</p>		
<p><b>Readiness to Proceed</b></p> <p>7. Does the project’s estimated “Start Date” and “End Date” fall within the appropriations for the funding source? (Question 6.II)</p>		
<p><b>Applicant Information</b></p> <p>8. Has the applicant checked the box and initialed that the Project Director has read and understands the General Terms and Conditions of the Grant Agreement? (Question 10)</p>		
<p><b>Overall Evaluation</b></p> <p>9. Indicate if the Concept Proposal should be scored, based on answers to Questions 1 through 8 above?</p>		<p>Yes = Concept Proposal should be scored.</p> <p>No = Concept Proposal should not be scored.</p>

**APPENDIX D-2: CONCEPT PROPOSAL EVALUATION CRITERIA**

<b>PROPOSITION 84 ASBS GRANT PROGRAM CONCEPT PROPOSAL EVALUATION SCORING CRITERIA</b>		
<b>SCORED CRITERIA</b>	<b>SCORE</b>	<b>POINTS POSSIBLE <sup>1</sup></b>
1. How well does the Concept Proposal describe the threats and pollutants discharging into the ASBS?		0 - 10
2. How well does the project reduce or eliminate waste discharges to the ASBS?		0-20
3. Does the project address more than one high threat discharge listed in <a href="#">Appendix C</a> and is consistent with California Ocean Plan Water Quality Objectives?		1 points if it meets one  5 points if it meets two  10 points if it meets 3 or more
4. Does the approach appear to be technically feasible? Does it include a description of how benefits will be achieved? Does it include a description of methods to be used? (Question 6.V)		0 - 20
5. How well does the project address program preferences? (Question 7) <ul style="list-style-type: none"> <li>• Are located within Marine Protected Areas.</li> <li>• Integrate into a larger project and provides multiple-benefits (i.e. ASBS, Water Quality at Public Beaches, 303(d) List, etc).</li> <li>• Are consistent with adopted Integrated Coastal Watershed Management Plans (ICWMP) and/or Integrated Regional Water Management Plans (IRWMP).</li> <li>• Are Low Impact Development (LID) that contributes to stormwater quality improvements, or supports smart growth.</li> <li>• Implement the Ahwahnee Principles for Resource Efficient Land Use or similar land use or planning principles.</li> <li>• Capture and treat stormwater for re-use.</li> <li>• Contribute expeditiously and measurably to the long-term attainment and maintenance of water quality standards by implementing a TMDL.</li> <li>• Leverage local resources from local bond measures or other local revenue sources to implement the project.</li> <li>• Improve ocean water quality near disadvantaged communities.</li> <li>• Contribute to the water quality needs of the environmental justice communities.</li> </ul>		0 - 10
6. How well does the applicant address their readiness to proceed? (Questions 6.II and 8)		10
7. How well does the project address project effectiveness? (Question 6.VI)		10

**APPENDIX D-2: CONCEPT PROPOSAL EVALUATION CRITERIA**

<b>PROPOSITION 84 ASBS GRANT PROGRAM CONCEPT PROPOSAL EVALUATION: SCORING CRITERIA</b>		
<b>SCORED CRITERIA</b>	<b>SCORE</b>	<b>POINTS POSSIBLE</b> <small><sup>1</sup></small>
8. Does the applicant have a good track record? If not, are the proposed actions taken to address the problem(s) sufficient? (Question 9)		0 pts if Negative 5 pts if Neutral 10 pts if Good
<b>Overall Evaluation</b>		
9. What is the score of this Concept Proposal?		
10. Should the applicant be invited back to submit a Full Proposal?		Yes =  No=
11. Discuss any concerns with respect to the responses to (Questions 6. III-V).		
12. If this applicant is invited to submit a Full Proposal, discuss suggestions on how to improve the proposal/project. (Note to Reviewers: This text will be provided to the applicant. Be clear and concise.)		

<sup>1</sup> Unless otherwise noted, each criterion will be scored on a scale of 0 to 10 or 0 to 20 with a 0 being “low” and a 10 or 20 being “high,” with points assigned to the Concept Proposal for each criterion as follows:

<b>CONCEPT PROPOSAL SCORING TABLE</b>		
Score Range		Scoring Rationale
0-10	0-20	
10	20	Criterion is fully addressed and supported by logical rationale.
7-9	14-19	Criterion is fully addressed but marginally supported by logical rationale.
4-6	7-13	Criterion is marginally addressed and marginally supported by logical rationale.
1-3	1-6	Criterion is marginally addressed and not supported by logical rationale.
0	0	Applicant is not responsive (i.e., the criterion is not addressed and no rationale is presented).

## **APPENDIX E: FULL PROPOSAL SUBMITTAL REQUIREMENTS AND EVALUATION CRITERIA**

### **E-1: Full Proposal Submittal Requirements**

### **E-2: Full Proposal Evaluation Criteria**

*Please note that the application and/or review questions outlined in Appendix E may be slightly reworded, combined, or separated as the information is transferred to the online Financial Assistance Application Submittal Tool (FAAST). The technical content and requirements will not change.*

## ***APPENDIX E-1: FULL PROPOSAL SUBMITTAL REQUIREMENTS***

Applicants will be asked to organize their Full Proposal in a format that will be consistent with the evaluation criteria. This approach should assist applicants in providing complete documentation and will streamline the review process. Applicants should use consistent terminology throughout their Full Proposal application. Full Proposals will be submitted online using the State Water Resources Control Board's (State Water Board's) Financial Assistance Application Submittal Tool (FAAST).

The following information will be requested as part of the Full Proposal submittal:

I. Eligibility Requirements: This information will be requested in a question and answer format in FAAST. This format will allow the reviewers to verify the continued eligibility of the Full Proposal for the applicable funding source. The eligibility section has been placed first so that applicants may confirm eligibility prior to application completion.

II. General Submittal Requirements: This documentation will be requested as an attachment in FAAST. This part of the application documents, among other things, scope of work, schedule, budget, benefits and impacts, technical and scientific merit, monitoring and data collection, project performance and assessment and stakeholder involvement, and disadvantaged community information.

III. Additional Application Information / General Program Questions: This information will be requested in a question and answer format in FAAST. The information will be important for the Selection Panels to have available when making funding recommendations.

More details on the minimum information that must be provided in the Full Proposal for each of the sections are discussed in the corresponding sections below.

## APPENDIX E-1: FULL PROPOSAL (FP) SUBMITTAL REQUIREMENTS

I. ELIGIBILITY REQUIREMENTS	
1.	Is the applicant a local public agency as defined in <a href="#">Appendix A</a> of this document? Explain whether the Applicant has legal authority to enter into a grant agreement with the State Water Board.
2.	Describe how the project meets the eligible project types outlined for the ASBS Grant Program: <ul style="list-style-type: none"> <li>▪ A project designed to improve water quality at public beaches;</li> <li>▪ A project to make improvements to, or upgrades or conversions of, existing sewer collection systems and septic systems for the restoration and protection of coastal water quality; or,</li> <li>▪ A project designed to implement stormwater and runoff pollution reduction and prevention programs, or for the implementation of best management practices, for the restoration and protection of coastal water quality.</li> </ul>
3.	Is the Project being undertaken to comply with a discharge prohibition into an ASBS? List the ASBS the Project is addressing.
4.	Describe how the minimum cost match requirement will be met, or if the Applicant is requesting a reduction based on the disadvantaged community status, submit information requested in Attachment 9.
5.	Describe any changes made since the submittal of the Concept Proposal and how they have impacted the scope of work. If applicable, outline the Concept Proposal reviewer comments that have been incorporated. If reviewer comments have not been incorporated, explain why.
II. GENERAL SUBMITTAL REQUIREMENTS	
6.	Describe how the Applicant will coordinate and cooperate with the relevant local, state, and federal agencies during implementation of the proposed Project.
7.	Provide the status of all environmental documents required for the project. All projects that require CEQA compliance will be allowed to use grant funds for reimbursement of CEQA costs, provided the costs were incurred after board approval of the project. If draft or final CEQA documents are available, please submit documents as part of Attachment 6.
8.	Attach a map or diagram depicting the project and ASBS, and photographs of the proposed site, as Attachment 2. Provide information about each discharge your project is addressing as Attachment 1. Include the discharge ID number, source and type of discharge, and where the discharge drains to. Additional information about each discharge, ID number, source and type, where it drains to, etc can be found at <a href="http://swrcb2a.waterboards.ca.gov/pub/swrcb/oit/gis/oceans/">http://swrcb2a.waterboards.ca.gov/pub/swrcb/oit/gis/oceans/</a> .
9.	Describe how the Applicant demonstrates the experience, knowledge, and skills necessary to successfully complete the Project. The Applicant may provide examples of past successes in completing previous grant funded projects, or other relevant supporting information.
10.	Provide documentation indicating a feasible program of continued financing for implementation, operation, and maintenance of the Project and the Applicant's ability to meet or exceed the minimum-cost match. <b>Indicating the availability of matching funds that later become unavailable will be considered a deviation from the proposed Project and may result in the grant being withdrawn.</b>
11.	If requesting a reduction of the cost match, provide the information requested in Attachment 9 and a discussion of how much direct benefit the Project provides to disadvantaged communities.
12.	Discuss the reliability of the proposed cost-sharing partner commitments, including whether the matching funds are dependent on actions by other entities.
13.	Describe the Applicant's ability to leverage other funds to complete the Project in the event cost match becomes unavailable.
14.	Discuss the mechanisms for ongoing support and financing to continue operation and maintenance of the implemented Project beyond the grant period.
15.	Explain how costs were estimated, and provide a reasonable estimate of cost for each work item (i.e., line item) contained in the Proposal, including planning and design costs, construction costs, and cost match. Provide a detailed budget in Attachment 4.
16.	Enter the expected start and end date for this project. The projects funded by this funding source need to be completed by March 31, 2013.

## **APPENDIX E-1: FULL PROPOSAL (FP) SUBMITTAL REQUIREMENTS**

17.	Provide a detailed, concise, and specific scope of work as Attachment 3. This scope of work will be used for preparing the grant agreement should the Project be selected for funding.
18.	Indicate whether this Proposal is eligible for environmental justice points. If yes, provide the required information per Attachment 10.
19.	Describe the approach the project is proposing to use to solve the problem(s) and the technical basis for the selected approach, and any associated risks to water quality.
20.	What are known or possible sources of discharge? Describe any studies or data collection efforts that have been done to confirm these conclusions. Attach copies of reports (or any data that might be available but unreported-to-date) on the "Attachments" tab of the FAAST application.
21.	Identify and describe innovative practices or approaches utilized by the Project that will serve as demonstrations for future implementations.
<b>III. ADDITIONAL APPLICANT INFORMATION / GENERAL PROGRAM QUESTIONS</b>	
22.	Are you aware that, once the Proposal has been submitted to State Water Board, any privacy rights as well as other confidentiality protections offered by law with respect to the application package and project location are waived?
23.	Are you aware that grant agreements funded by the State Water Board will specify that acceptance of grant funds constitutes a waiver of any existing or pending legal challenge to any State Water Board or Regional Water Board regulation or order, which either requires performance of the Project, or though not required, whose terms or conditions would be satisfied in whole or in part by performance of the Project.
24.	Is the Applicant or was the Applicant a party to a current or pending legal challenge to any State Water Board or Regional Water Board regulation or order, which either requires performance of the Project, or though not required, whose terms or conditions would be satisfied in whole or in part by performance of the Project.
25.	Does the proposed plan/project have any implications with respect to conflict between water users, water rights disputes, and/or interregional water rights issues? Please discuss briefly and if applicable reference sections of the Proposal where additional detail is provided.
26.	Are the Applicant and/or cooperating entities in violation of any water right permit requirements including, payment of fees? If yes, please elaborate and discuss the status or progress towards resolving the violation.
27.	Indicate if this project is located within a Marine Protected Area (MPA). If yes, explain how your proposed project will benefit or impact the MPA.
28.	If applicable, describe if the project is an integral part of a larger project, or how it provides multiple benefits.
29.	Is the project is consistent with the Integrated Coastal Watershed Management Plan (ICWMP) and/or Integrated Regional Water Management Plans (IRWMP)? If yes, please describe how your proposed project is consistent with the applicable ICWMP and/or IRWMP.
30.	Indicate if this is a Low Impact Development (LID) project. If yes, identify the applicable LID technique(s).
31.	Indicate if this project is implementing the Ahwahnee Principles. If yes, identify the applicable Ahwahnee Principle(s).
32.	Indicate if the project captures and treats stormwater for re-use. If yes, explain technique(s) used for capture and treatment of stormwater. Discuss how the re-use impacts or supports beneficial uses of nearby water bodies. Discuss existing water right permits and how the project would impact them.
33.	Indicate if this project is implementing a Total Maximum Daily Load (TMDL). If yes, identify the TMDL by name.
34.	Does the applicant/proposal include local resources from local bond measure or other local revenue sources? If yes, explain the source of the funds and how the funds will be used to expand the project benefits.
35.	Does the project improve ocean water quality near disadvantaged communities? Yes or No. If yes, the applicant must complete Attachment 9 – Request for Reduction of Cost Match.
36.	Does the project improve ocean water quality near environmental justice communities? Yes or No. If yes, the applicant must complete Attachment 10 – Environmental Justice.

## **APPENDIX E-1: FULL PROPOSAL (FP) SUBMITTAL REQUIREMENTS**

### **APPLICATION ATTACHMENTS**

Provide the attachments listed below by attaching files to the FFAST application. For instructions on attaching files, please refer to the FFAST User Manual. When attaching files, applicants must use the naming convention noted on FFAST.

File size for each attachment submitted via FFAST is limited to 10 Megabytes (MB). Acceptable file formats are: MS Word, MS Excel, MS Project, or PDF. If the application has files larger than 10 MB, files must be mailed to the State Water Board on a CD.

The mailing address is:

Ms. Julé Rizzardo  
State Water Resources Control Board  
Division of Financial Assistance  
1001 I Street, 15th floor  
Sacramento, CA 95814

All CDs and the cover page of any hardcopy documents must be clearly labeled with the applicant name, project title, grant program name, and PIN.

<b>Attachment #</b>	<b>Attachment Title</b>
<input type="checkbox"/> Attachment 1	<b>PROJECT DESCRIPTION</b>
<input type="checkbox"/> Attachment 2	<b>PROJECT SITE - LOCATION MAP AND PHOTOS</b>
<input type="checkbox"/> Attachment 3	<b>GRANT AGREEMENT SCOPE OF WORK</b>
<input type="checkbox"/> Attachment 4	<b>BUDGET</b>
<input type="checkbox"/> Attachment 5	<b>SCHEDULE</b>
<input type="checkbox"/> Attachment 6	<b>ENVIRONMENTAL CLEARANCE CHECKLIST AND CEQA DOCUMENTATION</b>
<input type="checkbox"/> Attachment 7	<b>MONITORING ASSESSMENT AND PERFORMANCE MEASURE</b>
<input type="checkbox"/> Attachment 8	<b>TECHNICAL REPORT(S)</b>
<input type="checkbox"/> Attachment 9	<b>REQUEST FOR REDUCTION OF COST MATCH</b> (if applicable)
<input type="checkbox"/> Attachment 10	<b>ENVIRONMENTAL JUSTICE</b> (if applicable)
<input type="checkbox"/> Attachment 11	<b>LETTERS OF SUPPORT OR OPPOSITION</b> (if applicable)

## **APPENDIX E-1: FULL PROPOSAL (FP) SUBMITTAL REQUIREMENTS**

### **Attachment 1 – PROJECT DESCRIPTION**

Explain how you plan to address the ASBS problem and how the project will affect high threat discharges, water quality issues, beneficial uses, and the constituents in ASBS by 303 (d) Listed Waterbodies excel spreadsheet posted at <http://www.waterboards.ca.gov/funding/asbs.html>.

Also, provide a description of the ASBS this project is affecting, information about each discharge your project is addressing (include the discharge ID number, source and type of discharge, and where the discharge drains to). (max. 2 pages)

### **Attachment 2 – PROJECT SITE - LOCATION MAP AND PHOTOS**

Additional information about each discharge, ID number, source and type, where it drains to, etc can be found at <ftp://swrcb2a.waterboards.ca.gov/pub/swrcb/oit/gis/oceans/>.

### **Attachment 3 – GRANT AGREEMENT SCOPE OF WORK**

### **Attachment 4 – BUDGET**

See [Appendix H](#) for detailed guidance on preparation of this attachment.

### **Attachment 5 – SCHEDULE**

Provide a schedule for implementation of the Project showing the sequence and timing of the proposed work items. The schedule should show the start and end dates and milestones. The schedule should illustrate any dependencies or predecessors by showing links between work items. At a minimum, the following work items should be included on the schedule:

- ❖ Development of financing;
- ❖ Development of environmental documentation and CEQA/NEPA compliance;
- ❖ Project design and bid solicitation process;
- ❖ Identification and acquisition of all necessary permits;
- ❖ Construction start and end dates with significant milestones included;
- ❖ Implementation of any environmental mitigation or enhancement efforts; and
- ❖ Post construction performance monitoring periods.

Work items may overlap. Applicants should show any dependence on predecessors by showing links between work items. The schedule does not need to include the post-implementation monitoring period.

### **Attachment 6 – ENVIRONMENTAL CLEARANCE CHECKLIST AND CEQA DOCUMENTATION**

See [Appendix F](#) for more information.

### **Attachment 7 – MONITORING ASSESSMENT AND PERFORMANCE MEASURE**

Applicants are required to submit Project Performance Measures Tables specific to their Proposal. Project Performance Measures Tables should include: project goals, desired outcomes, output indicators (measures to effectively track output), outcome indicators (measures to evaluate change that is a direct result of the work), measurement tools and methods, and targets (measurable targets that are feasible to meet during the life of the Proposal). See [Appendix G](#) for more information.

## **APPENDIX E-1: FULL PROPOSAL (FP) SUBMITTAL REQUIREMENTS**

### **Attachment 8 – TECHNICAL REPORT(S)**

Technical Reports are used to verify that appropriate background data gathering and studies have been performed in the development of the Proposal and to assess the Proposal's ability to produce the benefits claimed. Applicants should note that the technical information provided in this Attachment will also be used in evaluating the Budget, and Schedule (Attachments 4 and 5). Furthermore, applicants must provide detailed technical information enabling a reviewer to understand and verify Water Quality Benefits that are claimed.

### **Attachment 9 – REQUEST FOR REDUCTION OF COST MATCH**

Applicants requesting waiver or reduction of the cost match requirements for disadvantaged communities must demonstrate that the Proposal is designed to provide significant direct benefits to disadvantaged communities. Appendix I provides information on the procedures to be used for applicants to receive credit for providing benefits to disadvantaged communities. For assistance regarding requesting a cost match waiver, please contact State Water Board staff at (916) 341-5822. See [Appendix I](#) for detailed guidance on preparation of this attachment.

### **Attachment 10 – ENVIRONMENTAL JUSTICE**

Applicant's response to the following questions will be used to determine whether the proposal should receive any points for environmental justice.

- ❖ Discuss the demographics of environmental justice communities in the Project area.
  - Explain the methodology used in determining the total population in the project area. The applicant must include what census geographies (i.e., census designated place, census tract, census block) were used, and how they were applied.
- ❖ Discuss how land-use in Project area impacts the environmental justice communities.
- ❖ Discuss efforts made to identify and address environmental justice communities need and issues within the Project area.
- ❖ Explain how the Project will address the environmental issues that disproportionately impact environmental justice communities.
- ❖ Explain proposed Project's direct benefits to the environmental justice communities.
- ❖ Discuss any negative impact the proposed Project may have on the environmental justice communities.

### **Attachment 11 – LETTERS OF SUPPORT OR OPPOSITION**

Attachment 11 must be used to submit electronic copies of any letters of support for or opposition to the Proposal or individual projects contained within the Proposal. General letters of support or opposition will not be considered. Letters of support or opposition must clearly state how the implementation of the Proposal/Project will benefit or adversely impact the individual or entity providing the letter. All letters should be addressed to:

*Ms. Julé Rizzardo  
State Water Resources Control Board  
Division of Financial Assistance  
1001 I Street, 16th Floor  
Sacramento, CA 95814*

## **APPENDIX E-2: FULL PROPOSAL ELIGIBILITY AND EVALUATION CRITERIA**

This Section includes the Full Proposal eligibility and evaluation criteria that will be used by reviewers. The maximum possible score is 100 points. This Section is broken into the following tables, which contain the criteria that will be used by reviewers to determine eligibility and score Full Proposals.

<b>FULL PROPOSAL EVALUATION TABLES</b>		
<b>TABLE</b>	<b>TITLE</b>	
Table I	Eligibility Review Criteria	Eligible/Ineligible
Table II	General Evaluation Criteria	Maximum Score = 100 points
Table III	Additional Information/General Program Questions (To be completed by reviewers and consensus reviewers.)	Not Scored (For Selection Panel Review and Consideration)

### **SCORING**

Unless otherwise noted, each criterion will be scored on a scale of 0 to 10, 0 to 20, 0 to 30 or 0 to 40 with a 0 being “low” and a 10, 20, 30 or 40 being “high.” Points are then assigned to the Full Proposal for each criterion, as indicated in the Full Proposal Scoring Table below.

<b>FULL PROPOSAL SCORING TABLE</b>			
<b>Score Range</b>			<b>Scoring Rationale</b>
0-10	0-20	0-40	
10	20	40	Criterion is fully addressed and supported by logical rationale.
7-9	14-19	26-39	Criterion is fully addressed but marginally supported by logical rationale.
4-6	7-13	13-25	Criterion is marginally addressed and marginally supported by logical rationale.
1-3	1-6	1-12	Criterion is marginally addressed and not supported by logical rationale.
0	0	0	Applicant is not responsive (i.e., the criterion is not addressed and no rationale is presented).

**APPENDIX E-2: FULL PROPOSAL ELIGIBILITY AND EVALUATION CRITERIA**

<b>TABLE I ELIGIBILITY REVIEW CRITERIA</b>	
<b>Criteria</b>	<b>Response/Comments</b>
<p><b>I. ELIGIBILITY CRITERIA</b>  <i>The Eligibility Criteria listed below will be used to screen Full Proposals for all of the funding programs. State Water Board staff will do this portion of the eligibility review. A "No" response to any of the following may deem the Proposal ineligible for funding. The Review Liaison should be notified and the Full Proposal should not be scored until the Review Liaison makes a determination.</i></p>	
1. Is the <u>Applicant</u> a Local Public Agency (City, County, City and County or District)?	Yes/No
2. Is the <u>Project</u> eligible for funding under the selected Program?	Yes/No
3. Is the <u>Applicant</u> requesting a reduction of the minimum cost match requirement as a disadvantaged community?	Yes/No
4. Does the Proposal meet the cost match percentage requirements?	Yes/No
5. Is the <u>Application</u> complete?	Yes/No
6. Is the <u>Project</u> listed in the Full Proposal consistent with the Concept Proposal and reviewer's comments? Explain your response in the text box provided.	Yes/No

## *APPENDIX E-2: FULL PROPOSAL ELIGIBILITY AND EVALUATION CRITERIA*

<b>TABLE II GENERAL EVALUATION CRITERIA</b>		
<b>Criteria</b>	<b>Score</b>	<b>Points Possible</b>
<p><b>II. GENERAL CRITERIA</b>  <i>Proposals will be scored based on how well the proposal and project address the criteria as a whole. There is no direct correlation between topics and points, but reviewers will consider the items listed under criterion as a whole.</i></p>		
<p><b>Qualification of Project Team</b>  <i>Scoring will be based on whether the applicant has resources, experience and the ability to successfully complete the project.</i></p> <ul style="list-style-type: none"> <li>• Does the Proposal discuss coordination and cooperation with the relevant local, state, federal agencies and stakeholders during implementation of the proposed Project?</li> <li>• Does the Proposal demonstrate the experience, knowledge, and skills necessary to successfully complete the Project?</li> <li>• Does the Proposal describe the partnership agreements, corresponding roles, and institutional structure that will ensure successful completion of the Project?</li> </ul>	10	
<p><b>Readiness and Planning</b>  <i>Scoring will be based on how ready the project is to be implemented. We are looking for projects that are ready to go shortly after the grant agreement is executed.</i></p> <ul style="list-style-type: none"> <li>• Does the Proposal provide a schedule showing the sequence and timing for implementation of the Project? Does it seem reasonable and can the Project be completed within the timeframe of this grant funding (funds must be disbursed by June 30, 2013)?</li> <li>• Does the Proposal discuss the related elements of the Project, their current status, and how the Applicant plans to ensure the timely completion of these related elements?</li> <li>• Is the Project identified in an adopted Watershed or other Plans (i.e., Coho recovery plan) identified in the Bond law? Does the Proposal include documentation of formal adoption of a Plan or a schedule of adoption?</li> </ul>	20	
<p><b>Scope of Work and Budget</b>  <i>Scoring will be based on how well the Proposal addresses the scope of work, and budget.</i></p> <ul style="list-style-type: none"> <li>• Is the Proposal grant agreement ready? Does the Scope of Work provide enough details, tasks, and deliverables to show how this Project will be implemented?</li> <li>• Does the Proposal provide a reasonable estimate of costs for each work item (i.e., line item) contained in the Proposal, including planning and design costs, construction costs, and cost match?</li> <li>• Are all costs directly related to Project implementation (i.e., no overhead)?</li> </ul>	10	

## ***APPENDIX E-2: FULL PROPOSAL ELIGIBILITY AND EVALUATION CRITERIA***

<b>Criteria</b>	<b>Score</b>	<b>Points Possible</b>
<p><b>Technical Details of Project</b>  <i>Scoring will be based on whether the Proposal is based on sound scientific and technical analysis and includes measures to assess performance and benefits.</i></p> <ul style="list-style-type: none"> <li>• Does the Proposal include map or diagram depicting the Project and ASBS, and photographs of the proposed site and the affected ASBS?</li> <li>• Does the Proposal include information about each discharge the Project is addressing, including the discharge ID number, source and type of discharge, and where the discharge drains to?</li> <li>• Does the Proposal identify possible or known sources of discharge, and describe any studies or data collection efforts that have been done to confirm these conclusions.</li> <li>• Does the Proposal present a technical or scientific basis for achieving the stated objective(s) and outcome(s)? Does the Proposal express a clear understanding of the problems and impacts to the affected ASBS?</li> <li>• Are the proposed methods, approaches, technology, and analyses appropriate for the Project? Does the Proposal cite any literature on the technical and scientific design of the Project? Are the proposed methods appropriate for the discharges being addressed?</li> <li>• Does the Proposal quantify the anticipated environmental benefits (i.e., water quality improvements to be achieved by the Project)? Will there be other multiple benefits? Benefits beyond the immediate Project Area? Long-term attainment and maintenance of water quality objectives? Does the Proposal include a description of the beneficial uses of the water body(ies) affected, as referenced in the applicable State Water Board Plan (Ocean Plan)?</li> </ul>		40
<p><b>Effectiveness/Monitoring</b>  <i>Scoring will be based on how well the Proposal addresses project effectiveness and includes appropriate monitoring to determine the success of the project.</i></p> <ul style="list-style-type: none"> <li>• How well does the Proposal describe how the Project effectiveness will be monitored and assessed (i.e., Project Performance Measures Table)?</li> <li>• Does the Proposal contain specific indicators and/or measures of effectiveness that can be used to evaluate the successful achievement of both the Project and overall watershed goals?</li> <li>• Are the performance measures appropriate and will they adequately demonstrate Project outcomes?</li> </ul>		10
<p><b>Bonus Points</b>  <i>Scoring will be based on how well the Proposal addresses the Program Preferences (Section IV.E) under this grant program. Bonus points will be given for those Proposals that address the following:</i></p> <ul style="list-style-type: none"> <li>• Are located within Marine Protected Areas.</li> <li>• Integrate into a larger project and provides multiple-benefits (i.e. ASBS, Water Quality at Public Beaches, 303(d) List, etc.).</li> <li>• Are consistent with adopted Integrated Coastal Watershed Management Plans (ICWMP) and/or Integrated Regional Water Management Plans (IRWMP).</li> <li>• Are Low Impact Development (LID) that contributes to stormwater quality improvements.</li> </ul>		10

***APPENDIX E-2: FULL PROPOSAL ELIGIBILITY AND EVALUATION CRITERIA***

<b>Criteria</b>	<b>Score</b>	<b>Points Possible</b>
<b>Bonus Points (continued)</b> <ul style="list-style-type: none"><li>• Implement the Ahwahnee Principles or similar land use or planning principles.</li><li>• Capture and treat stormwater for re-use.</li><li>• Contribute expeditiously and measurably to the long-term attainment and maintenance of water quality standards by implementing a TMDL.</li><li>• Leverage local resources from local bond measures or other local revenue sources to implement the project.</li><li>• Improve ocean water quality near disadvantaged communities.</li><li>• Contribute to the water quality needs of the environmental justice communities.</li></ul>		

**APPENDIX E-2: FULL PROPOSAL ELIGIBILITY AND EVALUATION CRITERIA**

<b>TABLE III ADDITIONAL INFORMATION/GENERAL PROGRAM QUESTIONS</b>	
<b>Criteria</b>	<b>Response/ Comments</b>
<b><i>The Selection Panel will review the responses to the following questions as part of review of the consensus scores.</i></b>	
1. Has the Applicant been responsive to the Concept Proposal reviewers' comments? Explain your response in the text box provided.	
2. Does the Proposal address compliance with all applicable environmental review requirements? Does the reviewer have any concerns regarding environmental compliance requirements for the proposed Project?	
3. Does this Project satisfy, in part or in full, the requirements of any State Water Board or Regional Water Board regulation, permit, or order?	Response taken from Application.
4. Is the proposed completion time reasonable?	
5. Does the reviewer believe the proposed Project is technically and financially feasible?	
6. Does the reviewer believe that the same results could be accomplished at a lower total Project cost?	
7. Do you have any concerns about the Applicant's ability to secure all of the required funding for accomplishing the expected outcomes of this Proposal?	
8. Is the Applicant or was the Applicant a party to a current or pending legal challenge to any State Water Board or Regional Water Board regulation or order, which either requires performance of the Project, or though not required, whose terms or conditions would be satisfied in whole or in part by performance of the Project.	Response taken from Application.
9. Does the proposed Plan/Project have any implications with respect to conflict between water users, water rights disputes, and/or interregional water rights issues?	Response taken from Application.
10. Is the Applicant and/or a cooperating entity in violation of any water rights permit requirements, including payment of fees?	Response taken from Application.
11. Would you recommend the proposed Project for funding? Answer Yes or No. Explain your answer.	
12. Does the reviewer have any concerns about funding this Project? If you answer yes, please explain.	

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## **APPENDIX F: ENVIRONMENTAL REVIEW PROCESS**

### **I. PURPOSE**

This document details steps the applicants must take to comply with environmental review requirements for the Clean Beaches Initiative Grants Program administered by the State Water Resources Control Board (State Water Board), Division of Financial Assistance (DFA).

Generally, the process is accomplished through compliance with the California Environmental Quality Act (CEQA). Detailed requirements are given in the CEQA Guidelines (California Code of Regulations, Title 14, Division 6, Chapter 3). For information on how to obtain a copy of CEQA and the CEQA Guidelines, contact the State Clearinghouse at (916) 445-0613.

This document is intended to supplement the CEQA Guidelines with specific requirements for environmental documents acceptable to the State Water Board when reviewing applications for funding; they are not intended to supersede or replace the CEQA Guidelines.

Questions regarding environmental procedures and practices should be directed to DFA's Regional Programs Unit (RPU), at (916) 341-5686 or (916) 341-5667. Questions regarding cultural resources should be directed to DFA's Cultural Resources Officer (CRO) at (916) 341-5690.

Additional information is available at the web links listed under "CEQA Information" in [Appendix B](#).

### **A. CEQA REQUIREMENTS**

As defined under CEQA, the applicant may be the *Lead Agency* and will be responsible for the preparation, circulation, and consideration of the environmental document prior to approving the project. The State Water Board and other agencies having jurisdiction over the proposed project are *Responsible Agencies* and are accountable for reviewing and considering the information in the environmental document prior to approving any portion of the project.

The applicant may use a Negative Declaration (ND), a Mitigated Negative Declaration (MND), or an Environmental Impact Report (EIR) to comply with CEQA requirements. The applicant may use a previously prepared document accompanied by a checklist to determine if the project is adequately covered. If the project is not adequately covered by an existing document, an updated or subsequent document should be prepared. Applicants should contact DFA before they decide to use an existing final document.

Public participation: For all projects, public participation and review are essential to the CEQA process (CEQA Guidelines, section 15087). An earnest public participation program can improve the planning process and reduce the chance of delays due to public controversy. Each public agency, consistent with its existing activities and procedures, should include formal and informal public involvement and receive and evaluate public reactions to environmental issues related to its project. Public comments or controversies not addressed during the planning of a proposed project could result in the need for a subsequent environmental document at a later stage or lead to legal challenges, delaying the project and raising the cost significantly. For assistance in this area, the applicant should call the RPU.

## **APPENDIX F: ENVIRONMENTAL REVIEW PROCESS**

### **B. EXEMPTIONS FROM CEQA**

In many circumstances, the applicant's project may be approved under a statutory or categorical exemption from CEQA. Applicants should submit the exemption findings to DFA for these projects. After the Lead Agency approves the statutory or categorical exemption for the project, the Lead Agency should file a Notice of Exemption with the County Clerk and provide a copy of the Notice to DFA.

A *Notice of Exemption* should include:

- ❖ A brief description of the project;
- ❖ A finding that the project is exempt;
- ❖ References stating the applicable statutory or categorical exemption in the law or State guidelines; and
- ❖ A brief statement supporting the finding of exemption.

Categorical Exemptions cannot be used if the project is in an environmentally sensitive area. Compliance with applicable federal environmental regulations including consultation with federal authorities is required for some exempt projects.

## **II. DETAILED PROCEDURES**

### **A. PREPARATION OF AN INITIAL STUDY (CEQA GUIDELINES, SECTION 15063)**

An *Initial Study* is a preliminary analysis prepared by the Lead Agency to determine whether an EIR or a ND should be prepared. The Initial Study uses the fair argument standard to determine if a project may have a significant environmental effect that cannot be mitigated before public release of the environmental document. The criteria for "significance" of impacts (CEQA Guidelines, sections 15064 et seq.) must be based on substantial evidence in the record and includes:

- ❖ Direct effects;
- ❖ Reasonably foreseeable indirect effects;
- ❖ Expert disagreement;
- ❖ Considerable contribution to cumulative effects; and
- ❖ Special thresholds for historical and archaeological resources.

If an applicant can determine that an EIR will clearly be required for the project, an Initial Study is not required but may still be desirable to focus the analysis of impacts.

The Initial Study must include:

- ❖ A project description;
- ❖ An environmental setting;
- ❖ Potential environmental impacts;
- ❖ Mitigation measures for any significant effects;
- ❖ Consistency with plans and policies; and
- ❖ The names of preparers.

## **APPENDIX F: ENVIRONMENTAL REVIEW PROCESS**

If a checklist is used, it must be supplemented with explanations for all applicable items, including the items that are checked "no impact." Checklists should follow the format used in Appendix G of the most recent revision (1999 or later) of the CEQA Guidelines.

If the project has no significant effect on the environment, the applicant should prepare a ND (or MND) and Initial Study (CEQA Guidelines, section 15371).

### **B. NEGATIVE DECLARATION**

A *Negative Declaration* is a written statement, briefly explaining why a proposed project will not have a significant environmental effect. It must include:

- ❖ A project description;
- ❖ The project location;
- ❖ The identification of the project proponent;
- ❖ A proposed finding of no significant effect; and
- ❖ A copy of the Initial Study.

For MNDs, the mitigation measures included in the project to avoid significant effects must be described.

The applicant must provide a notice of intent to adopt a ND (CEQA Guidelines, Section 15072) specifying:

- ❖ The review period;
- ❖ The time and location of any public meetings or hearings on the proposed project;
- ❖ A brief project description; and
- ❖ The location that copies of the proposed ND or MND is available for review.

A copy of the notice of intent and the proposed ND must be mailed to responsible and trustee agencies, agencies with jurisdiction, and all parties previously requesting notice. Since the State Water Board will be a Responsible Agency, the ND/Initial Study also needs to be circulated through the State Clearinghouse (CEQA Guidelines, sections 15072 and 15073). The notice of intent must be posted in the county clerk's office and sent to the State Clearinghouse with fifteen (15) copies of the ND.

After the review period ends, the applicant should review and address comments received. The applicant's decision-making body should make a finding that the project will have no significant effect on the environment based on the commitment to adequately mitigate significant effects disclosed in the Initial Study or the lack of significant effects, and the absence of significant comments received, and adopt the ND.

### **C. NOTICE OF COMPLETION**

Draft environmental documents must be submitted to the State Clearinghouse for review by state agencies (CEQA Guidelines, section 15205). The applicant needs to send fifteen (15)

## **APPENDIX F: ENVIRONMENTAL REVIEW PROCESS**

copies of the ND to the State Clearinghouse, unless the State Clearinghouse approves a lower number in advance (Section 15205(e)).

The applicant may use the standard *Notice of Completion and Environmental Document Transmittal Form* included in the CEQA Guidelines (Appendix B), or develop a similar form to be used when submitting the documents. The Notice of Completion must include:

- ❖ A brief project description;
- ❖ The project location;
- ❖ The address where the draft environmental document is available; and
- ❖ The public review period.

On the backside of the form, applicants should put a check on any of the "REVIEWING AGENCIES" that they would like draft documents to be sent to including "State Water Board – Financial Assistance," otherwise the State Clearinghouse will select the appropriate review agencies.

The applicant must also send a formal transmittal letter to the State Clearinghouse giving them the authority to distribute the copies of the document. If a consultant is preparing the draft environmental document, the consultant must obtain a formal transmittal letter from the applicant stating that they give permission to the consultant to send the copies of the document to the State Clearinghouse. The letter should include the State Clearinghouse number (SCH#).

If the applicant needs a shorter review period than the 30 or 45-day period required by the CEQA Guidelines, the applicant, not the consultant, must submit a written request. This formal request can be included in the transmittal letter stating the reasons for a shorter review period. Use the following address to send documents to the State Clearinghouse:

STATE CLEARINGHOUSE  
OFFICE OF PERMIT ASSISTANCE  
GOVERNOR'S OFFICE OF PLANNING AND RESEARCH  
P.O. Box 3044  
SACRAMENTO, CA 95812-3044

The focal point of the CEQA review is the State Clearinghouse. The review starts when the State Clearinghouse receives your ND/Initial Study or MND at which time it will assign a SCH number to the project. If a Notice of Preparation (NOP) was previously filed, the State Clearinghouse will use the SCH# assigned to the NOP. This ten-digit number (e.g. SCH# 2002061506) is very important and should be used on all documents, such as inquiry letters, supplemental drafts, final environmental documents, etc. The State Clearinghouse will send the applicant an *Acknowledgment of Receipt* card when the document is received. If applicants have questions about the State Clearinghouse procedures, they should call (916) 445-0613.

To ensure that responsible agencies, including DFA, will receive copies of the environmental document for review, the applicant should send them directly to the agencies. This submittal does not replace the requirement to submit environmental documents to the State Clearinghouse for distribution (CEQA Guidelines, section 15205(f)). The applicant is also responsible for sending copies of the environmental documents to any local or federal responsible agency with jurisdiction over any part of the proposed project.

## **APPENDIX F: ENVIRONMENTAL REVIEW PROCESS**

After the review period ends, the State Clearinghouse should send the applicant a letter stating that the review process is closed and that they have complied with the review requirements. Any comments from state agencies will be forwarded with the letter. Lack of response from a state or federal agency does not necessarily imply concurrence.

When the comment period closes, the applicant should review all comments received during the review process, including any oral comments received at formal or informal public meetings. The applicant should then consider whether comments are significant enough to require a complete revision of the environmental document or the proposed project, or whether minor changes in the document or addition of mitigation measures could adequately address the issues raised.

Within five days after the applicant's decision making body has made a decision to proceed with the project, the applicant should prepare and file a *Notice of Determination* (NOD) with the Governor's Office of Planning and Research and the local County Clerk (see Appendix D of the CEQA Guidelines).

### **D. MITIGATION MONITORING AND REPORTING PROGRAM**

In a MND, when a potentially significant impact can be mitigated to avoid or substantially reduce the project's significant environmental effect, a Mitigation Monitoring Plan (MMP) should be adopted (CEQA Guidelines, section 15097). The MMP is implemented to ensure that mitigation measures and project revisions identified in the Final MND are implemented; in some cases, they are made a condition of project approval by a Responsible Agency. The MMP must include all changes in the proposed project that mitigate each significant environmental impact and ensure implementation of each mitigation measure. The MMP should also identify how the mitigation measure is to be monitored to determine if it is meeting the specified performance standard or measure of success. The MMP is often made part of the draft MND so that the Lead Agency can make revisions based on public comment.

Effective MMPs:

- ❖ State the objective of the mitigation measure and why it is recommended;
- ❖ Explain the specifics of the mitigation measure and how it will be implemented;
- ❖ Identify measurable performance standards by which the success of the mitigation can be determined;
- ❖ Provide for contingent mitigation if monitoring reveals that the success standards are not satisfied;
- ❖ Identify who is responsible for implementing the mitigation measure;
- ❖ Identify the specific location of the mitigation measure; and
- ❖ Develop a schedule for implementation.

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## **APPENDIX G: PREPARING PROJECT ASSESSMENT AND EVALUATION PLANS**

### **I. PURPOSE**

The purpose of this Appendix is to provide background information on Project Assessment and Evaluation Plans (PAEPs) and the Project Performance Measures Tables.

### **II. BACKGROUND**

Monitoring, assessment, and performance measures must be designed so that the State Water Resources Control Board (State Water Board) can ensure that the projects meet their intended goals, achieve measurable outcomes, and provide value to the State of California. The State Water Board requires that all grant funded projects monitor and report project performance with respect to the stated benefits or objectives identified in the Proposal. **Applicants are required to prepare and submit Project Performance Measures Tables, specific to their proposed project, as part of the Detailed Application submittal.** As part of the grant agreement, all grantees must prepare a PAEP, which will include the performance measures tables. Guidance and tools for preparing a PAEP and the accompanying Project Performance Measures Tables can be found on our website at ([Appendix B](#)).

The goals of a PAEP are to:

- ❖ Provide a framework for assessment and evaluation of project performance;
- ❖ Identify measures that can be used to monitor progress towards achieving project goals and desired outcomes;
- ❖ Provide a tool for grantees and grant managers to monitor and measure project progress and guide final project performance reporting that will fulfill the grant agreement requirements;
- ❖ Provide information to help improve current and future projects; and,
- ❖ Quantify the value of public expenditures to achieve environmental results.

Many projects include multiple activities that will require measurement of several parameters to evaluate overall project performance. Successful applicants must be prepared to demonstrate the success of the project through the development and measurement of the appropriate metrics. These metrics may include water quality measurements; measurement-based estimates of pollution load reductions; acres of habitat restored; feet of stream channel stabilized; additional water supply; improved water supply reliability and flexibility; groundwater level measurements; stream flow measurements; or other quantitative measures or indicators. These and other measures and/or indicators should be selected to fit the performance evaluation needs of the Project.

### **III. PROJECT PERFORMANCE MEASURES TABLES**

Project Performance Measures Tables must be submitted as part of the Detailed Application submittal. Applicants may be required to complete multiple Performance Measures Tables depending on what types of activities are proposed. Use the following guidance when completing tables for a project:

## **APPENDIX G: PREPARING PROJECT ASSESSMENT AND EVALUATION PLANS**

<b>Project Goals:</b>	Identify the project goals as they relate to activities or items outlined in the proposal/grant agreement.
<b>Desired Project Outcomes:</b>	Identify the measurable results that the project expects to achieve by implementing project activities consistent with the specified goals.
<b>Project Performance Measures:</b>	Appropriate project performance measures that include: (1) Output Indicators representing measures to efficiently track outputs (activities, products, or deliverables); and (2) Outcome Indicators, measures to evaluate change that is a direct result of the work and can be linked through a weight-of-evidence approach to project activities or outputs (e.g. improvements in environmental conditions, awareness, participation, or community, landowner, or local government capacity);
<b>Measurement Tools and Methods:</b>	Methods of measurement or tools that will be used to document project performance (e.g. California Rapid Assessment Method, California Department of Fish and Game Monitoring Protocols for fisheries restoration projects); and,
<b>Targets:</b>	Measurable targets that are feasible to meet during the Project period, such as a ninety percent (90%) reduction in invasive species acreage, or fifty percent (50%) reduction in pesticide use within the watershed.

Example Project Performance Measures Tables are provided on the State Water Board's website ([Appendix B](#)). The format of these tables may be used as a template for completing this part of the Detailed Application submittal. The example activities are provided for illustrative purposes only, however, and should be used to guide the identification of appropriate categories and performance measures for the project described in the recommended Concept Proposal.

## APPENDIX H: BUDGET

Budget Table				
Budget Category		Non-State Share (Cost Match)	Requested State Share (Grant Funding)	Total
(a)	Direct Project Administration Costs			
(b)	Planning/Design/Engineering/Environmental Documentation			
(c)	Construction/Implementation			
(d)	Environmental Compliance/Mitigation/Enhancement			
(e)	Other (Explain): _____			
	Grant Total [Sum (a) through (e) for each column]			
Source(s) of funds for Non-State Share (cost match)				

### Budget Category Explanations

- (a) *Direct Project Administration Costs* – Includes: salaries, wages, fringe benefits, office supplies, and equipment needed to support the project, staff travel costs (at or below the rate allowed for unrepresented State employees), and preparation of required progress and final reports. This budget category includes all such costs for the grantee and any partner agencies or organizations. Applicants are encouraged to limit such costs to less than 5% of the total proposal costs. Such administrative expenses are the necessary costs directly related to the proposal.
- (b) *Planning/Design/Engineering/Environmental Documentation* – For these efforts, differentiate costs between consulting services and/or agency/organization staff costs. Planning costs include: planning efforts, reconnaissance studies, feasibility studies, and preliminary reports. Design and engineering costs include: conceptual, preliminary and final design efforts, geotechnical reports, hydraulic studies, water quality investigations and efforts, and other engineering types of work. Include the costs of bid preparation and processing here. Environmental documentation costs include all efforts involved in the CEQA or NEPA process up to the point of the Notice of Determination, Finding of No Significant Impact, or Record of Decision.
- (c) *Construction/Implementation* – Includes the summary of labor, materials, and equipment purchases and/or rentals. After bids are received these costs will be the actual construction cost awarded to the qualified low bidder. The construction or implementation costs for Pilot Projects should be included here.
- (d) *Environmental Compliance/Mitigation/Enhancement* – Includes those costs required by a CEQA/NEPA document to offset any potential damages caused by the Proposal. If these costs are included in the grant agreement awarded for construction or implementation of the Proposal, differentiate such costs for purposes of this budget.
- (e) *Other* – Includes costs for legal services, license fees, permits, any implementation verification costs, and any monitoring and assessment costs required during the construction/implementation of the Proposal. Do not include monitoring and assessment costs for efforts required after construction/implementation of the Proposal is complete. These costs are considered to be operation and maintenance costs and are not reimbursable.

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## **APPENDIX I: REQUESTS FOR REDUCTION OF COST MATCH**

### **I. PURPOSE**

The purpose of this appendix is to provide a method for requesting a reduction of the cost match for the Proposition 84 ASBS Grant Program. The State Water Board will review the information submitted by the applicant and decide, based on the information provided, whether to grant, amend, or deny, the request for the reduction. Applicants must demonstrate that the required cost match will be provided or request a reduction of the cost match and submit a signed certificate of understanding ([Exhibit I-1](#)).

At a minimum, the following information must be included in the application:

- ❖ Provide a map with sufficient geographic detail to define the Project boundaries;
- ❖ Describe the methodology used in determining the total population in the project area. The applicant must include what census geographies (i.e., census designated place, census tract, census block) were used, and how they were applied. Also, the applicant must explain how the disadvantaged communities were identified;
- ❖ Provide annual median household income (MHI) data for the population in the project area; and
- ❖ Provide sample calculations showing how the proposed reduced cost match was derived.

The following data requirements must be met:

- ❖ MHI and population data sets must be from the 2000 Census or more recent; and,
- ❖ MHI data used in analysis must be from the same time period and geography as the population data.

### **II. ALLOWANCES**

- ❖ Applicants may estimate total population numbers by whatever means that are accessible to them as long as the above requirements are met; and
- ❖ In determining MHI and total population for the project area, applicants may use a single type of census geography or combinations of 2000 Census geographies that best represent the project area. However, the census geography used must be consistent for both MHI and population for a particular community. Official census geographies, such as census tract, place, and block group, are acceptable. The intent of including this flexibility is to allow applicants a choice so that population and income data in the project area can be accurately represented.

### **III. DEFINITIONS**

Block Group – means a census geography used by the United States Census Bureau (USCB) that is a subdivision of a census tract. A block group is the smallest geographic unit for which the USCB tabulates sample data. A block group consists of all the blocks within a census tract with the same beginning (block) number.

Census Designated Place – means a census geography used by the USCB that is a statistical entity, defined for each decennial census according to USCB guidelines, comprising a densely settled concentration of population that is not within an incorporated place, but is locally identified by a name. Census designated places are delineated cooperatively by State and local officials and the USCB, following USCB guidelines.

## **APPENDIX I: REQUESTS FOR REDUCTION OF COST MATCH**

**Census Tract** – means a Census geography used by the USCB that is a small, relatively permanent statistical subdivision of a county delineated by a local committee of census data users for the purpose of presenting data. Census tract boundaries normally follow visible features, but may follow governmental unit boundaries and other non-visible features in some instances; they always nest within counties. Census tracts are designed to be relatively homogeneous units with respect to population characteristics, economic status, and living conditions at the time of establishment. Census tracts average about 4,000 inhabitants.

**Community** – for the purposes of this grant program, a community is a population of persons residing in the same locality under the same local governance.

**Median Household Income** – is a frequently used measure showing the point at which half the households of a given geography have a higher income and half have a lower income.

**Place** – a census geography used by the USCB that is a concentration of population either legally bounded as an incorporated place, or identified as a Census Designated Place.

### **IV. REDUCED COST MATCH REQUIREMENTS**

The cost match is calculated based on the total project cost.

- ❖ 5% cost match if population less than 10,000 **OR** community with less than 60% MHI.
- ❖ 10% cost match if population greater than 10,000 and less than 20,000 **OR** community with less than 80% MHI.

<b>Example of Reduced Cost Match Calculation</b>				
Total Project Cost: \$2,000,000.				
Total Project Cost	Calculation of 5% cost match based on Total Project cost		Calculation of 10% cost match based on Total Project cost	
	Cost Match Provided by Applicant	Grant Funds Requested	Cost Match Provided by Applicant	Grant Funds
\$2 Million	$0.05 \times \$2 \text{ M} =$ <b>\$100,000</b>	$\$2 \text{ M} - \$100,000 =$ <b>\$1.9 M</b>	$0.1 \times \$2 \text{ M} =$ <b>\$200,000</b>	$\$2 \text{ M} - \$200,000 =$ <b>\$1.8 M</b>

Applicants can use any method that is reproducible and logical in determining populations in the project area as long as the requirements of this Appendix are met and the method is consistently applied. For assistance with accessing census data see the Census website ([Appendix B](#)).

Use of zero values for populations and MHI for disadvantaged communities are not appropriate in data sets. Text, data, and other information that supports selection of areas as a disadvantaged community(ies) must be provided. For assistance with accessing census data, see the 2000 Census data web link ([Appendix B](#)). Include the method used for population determination, the population of the project area, the population of disadvantaged communities in the project area, MHI data for disadvantaged communities, and the calculation of the reduced cost match.

## **APPENDIX I: REQUESTS FOR REDUCTION OF COST MATCH**

### **EXHIBIT I-1: CERTIFICATION OF UNDERSTANDING**

**The undersigned certifies that:**

The application submitted by <Insert Name of Applicant> for <Insert Proposal Title> for a <Insert Funding Source> grant contains a request for reduction of cost match based on population and/or MHI or both.

**The above named applicant understands:**

- The reduction of the cost match presented in the application is a request that will not be automatically granted.
- The State Water Resources Control Board will review the population and MHI information submitted in the application prior to making a decision to accept, modify, or deny such a waiver or reduction.
- Should the proposal be chosen for funding, but the requested reduction in cost match be rejected or modified, the grantee is responsible for costs exceeding the grant funding amount to complete the project.
- The granting agency will rescind the grant award if the grantee cannot cover increased costs due to rejection or modification of the request for a reduction in the cost match or adequately restructure the grant proposal so that it can meet the intent of the original proposal.

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Authorized Signatory's Signature:

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Print Name:

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Title:

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Agency:

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Date:

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## ***APPENDIX J: CONFLICT OF INTEREST FOR REVIEWERS***

### **I. PURPOSE**

The purpose of this Appendix is to provide information on how potential conflicts of interest will be addressed throughout the proposal review and selection process.

### **II. LEGAL REQUIREMENTS**

Government Code section 87100 prohibits public officials from making or attempting to influence a governmental decision in which the official has or has reason to know he has a financial interest. Additionally, Government Code section 87104 prohibits a public official representing another person or entity for compensation from communicating to the State Water Board, its members, and employees for the purpose of influencing a decision regarding a grant under this program.

### **III. REVIEW PROCEDURE**

The State Water Board is aware of the inherent conflicts of interest created by the Bond law's narrow definition of eligible applicants and project types, and the small group of technical experts available to review ASBS proposals.

In order to maintain transparency and accountability in the proposal review and selection process, the ASBS Task Force members will not review or comment on any projects for which they would potentially receive a direct or an indirect financial gain, either as a lead applicant or cooperating entity. In addition, the review structure will be set up so that those proposals in the Northern California are evaluated by reviewers from Southern California Coastal areas, and those proposals in the Southern California are evaluated by reviewers from Northern California Coastal areas. Those proposals not competing for one of the funding set-asides will be reviewed by the entire ASBS Task Force and awarded on a competitive basis regardless of project location.