

PROPOSITION 1 STORM WATER GRANT PROGRAM GUIDELINES



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WATER BOND 2014
RELIABILITY | RESTORATION | RESILIENCE

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ACRONYMS USED IN THESE GUIDELINES AND APPENDICES

ASBS	Areas of Special Biological Significance
AWMP	Agricultural Water Management Plan
Basin Plan	Water Quality Control Plan
BMP	Best Management Practice
CBTF	Clean Beaches Task Force
CEDEN	California Environmental Data Exchange Network
CEQA	California Environmental Quality Act
CLC	California Labor Code
CWA	Clean Water Act
DAC	Disadvantaged Community
Division	Division of Financial Assistance
DWR	Department of Water Resources
DWQ	Division of Water Quality
EDA	Economically Distressed Areas
FAAST	Financial Assistance Application Submittal Tool
GAMA	Groundwater Ambient Monitoring & Assessment
Grant Manager/GM	State Water Resources Control Board's Grant Manager
IRWM	Integrated Regional Water Management
IRWMP	Integrated Regional Water Management Plan
JPA	Joint Powers Authority
LID	Low Impact Development
MHI	Median Household Income
MP	Monitoring Plan
NPDES	National Pollutant Discharge Elimination System
O&M	Operations and Maintenance
PAEP	Project Assessment and Evaluation Plan
PD	Project Director
Plan	Storm Water Resource Plan
Prop 1	Proposition 1
QAPP	Quality Assurance Project Plan
Regional Water Board	Regional Water Quality Control Board
SB	Senate Bill
SOQs	Statement of Qualifications
State Water Board	State Water Resources Control Board
SWGP	Storm Water Grant Program
TMDL	Total Maximum Daily Load
UWMP	Urban Water Management Plan
USCB	United States Census Bureau
U.S. EPA	United States Environmental Protection Agency
Water Boards	State Water Resources Control Board and Regional Water Quality Control Boards
Water Code	California Water Code
WDR	Waste Discharge Requirement Permit

I. PURPOSE

The Storm Water Grant Program (SWGP) Proposition 1 (Prop 1) Guidelines (Prop 1 SWGP Guidelines) establish the process and criteria that the State Water Resources Control Board (State Water Board) will use to solicit applications, evaluate and select proposals, and award grants for the multi-benefit storm water management projects through the Prop 1 SWGP (Prop 1 SWGP projects), as established in California Water Code (Water Code) section 79747. Prop 1, Chapter 7 provides grant funds to help water infrastructure systems adapt to climate change, provide incentives for water agencies throughout each watershed to collaborate in managing the region's water resources and setting regional priorities for water infrastructure, and improve regional water self-reliance consistent with Water Code section 85021. Section 79747 provides \$200 million in grant funds specifically for multi-benefit storm water projects.

Under existing law, the State Water Board and the Regional Water Quality Control Boards (Regional Water Boards) prescribe waste discharge requirements (WDRs) for the discharge of storm water in accordance with the National Pollutant Discharge Elimination System (NPDES) permit program established by the federal Clean Water Act (CWA) and the Porter-Cologne Water Quality Control Act. Storm water and dry weather runoff are underutilized sources of surface water and groundwater supplies. Instead of being viewed as a resource, they are often seen as a problem that must be moved to the ocean as quickly as possible or as a source of contamination, contributing to the loss of usable water supplies and the pollution and impairment of rivers, lakes, streams, and coastal waters.

Storm water or dry weather runoff projects that address discharge to an Area of Special Biological Significance (ASBS) may also qualify for any unused or re-appropriated Proposition 13 (Prop 13) Coastal Nonpoint Source funds; any unused or reappropriated Proposition 40 (Prop 40) funds; any unused or reappropriated Proposition 50 (Prop 50) Coastal Non-Point Source funds; and Proposition 84 (Prop 84) funds. Should the State Water Board's Division of Financial Assistance (Division) Deputy Director determine that a project can be funded in whole or part by any of these funds, the Deputy Director may require the applicant to submit any supplemental information required to satisfy the legal requirements of those propositions.

II. OVERVIEW

The Water Quality, Supply, and Infrastructure Improvement Act of 2014 (Prop 1) was approved by California voters in the general election on November 4, 2014. Among other funds, Prop 1 provided \$200 million for matching grants to public agencies, nonprofit organizations, public utilities, state and federally recognized Indian tribes, and mutual water companies for multi-benefit storm water management projects (Water Code § 79747). After bond and program administration costs, approximately \$186 million will be available for projects.

Prior to the passage of Prop 1 in November 2014, the California Legislature adopted Senate Bill (SB) 985 entitled Stormwater Resource Planning Act (SB 985). SB 985 amended Water Code¹ sections 10561, 10562, 10563, 10573, and added sections 10561.5 and 10565 to require the development of a Storm Water Resource Plan to receive grants for storm water and dry weather capture projects from a bond act approved after January 1, 2014. These Water Code sections are referred to herein as the SB 985 requirements. The SB 985 requirement to prepare a Storm Water Resource Plan is directed to public agencies. The Plan must include a prioritized list of projects to address storm water capture and use and urban runoff pollution on a regional watershed basis. Each developed Storm Water Resource Plan must be submitted to the appropriate regional water management group for incorporation into their integrated regional water management plans (IRWMPs). The Storm Water Resource Plan must address the requirements listed in the Water Code and be developed in accordance with the State Water Board's Storm Water Resource Plan Guidelines (Plan Guidelines).

¹ References in this document to the Water Code that are not to a specific section are intended to refer to those sections of the Water Code added or amended by SB 985, namely Water Code sections 10561, 10561.5, 10562, 10563, 10565, and 10573.

The 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. Storm water and dry weather runoff projects that meet this purpose may be awarded any unused or reappropriated Prop 13 Coastal Nonpoint Source funds; any unused or reappropriated Prop 40 funds; any unused or re-appropriated Prop 50 Coastal Non-Point Source funds; and Prop 84 funds. These Prop 1 SWGP Guidelines supersede any previously issued ASBS Grant Program guidelines for purposes of this project solicitation.

A. SOLICITATIONS

The solicitations will consist of a one-step competitive process. The proposals will be evaluated for eligibility, technical merit, and ranked by applying the scoring criteria in Appendices B and C. The highest ranked proposals will be recommended for funding. Division staff may request additional information during the proposal review process. Solicitations will be open in two rounds of funding (see Section E – Schedule).

I. PLANNING GRANTS

Water Code section 79704 allows up to ten percent of the SWGP Prop 1 grant funds (up to \$20 million) for “...planning and monitoring necessary for the successful design, selection, and implementation of the projects authorized...”. Water Code section 79747(c) states that the “Development of plans for stormwater projects shall address the entire watershed and incorporate the perspectives of communities adjacent to the affected waterways, especially disadvantaged communities.” The development of a watershed-based Plan must meet the requirements set forth in SB 985 and the Storm Water Resource Plan Guidelines. Priority will be given to those planning projects that include collaboration between all municipal separate storm sewer system (MS4) permittees and/or co-permittees within the watershed and to planning for Integrated Regional Water Management (IRWM) groups to make any necessary revisions to their IRWMP to meet the SB 985 requirements and Storm Water Resource Plan Guidelines.

These Prop 1 SWGP Guidelines authorize the Deputy Director of the Division of Financial Assistance to award up to \$1 million of the planning funds in one or more grants to provide technical assistance to Prop 1 SWGP implementation applicants from disadvantaged communities (DACs) and economically distressed areas (EDAs). The technical assistance would be provided during the application process and after the grant award. These funds will be awarded through a competitive process. DFA will solicit a request for Statements of Qualifications (SOQs) and will rank entities responding based on their experience in providing the required technical assistance, success in providing such assistance, and ability to reach the applicants. The most qualified applicant(s) will be selected by the Division’s Deputy Director based on the results of the solicitation and evaluation.

II. IMPLEMENTATION GRANTS

Water Code section 79725(b) states that up to ten percent (10%) of the SWGP funds (up to \$20 million) shall be allocated for implementation projects that directly benefit a DAC as defined in subdivision (a) of Water Code section 79505.5. More information on the definition of a DAC and the steps required to verify a reduction in matching funds is provided in Appendix A.

Up to \$80 million will be available to fund implementation projects during the first solicitation (Round 1) in Spring 2016. Approximately \$86 million will be available to fund implementation projects during the second solicitation (Round 2). We anticipate Round 2 for implementation projects to occur Spring 2018; however, the solicitation date is dependent upon legislative appropriation of the funds.

Any unused or re-appropriated Prop 13 Coastal Nonpoint Source funds; any unused or reappropriated Prop 40 funds; any unused or reappropriated Prop 50 Coastal Nonpoint Source funds; and Prop 84 funds

may also be awarded to qualifying projects. For projects that may be awarded Prop 84 funds, the State Water Board will also request review and recommendations from the ASBS Task Force. In 2012 the State Water Board appointed/re-appointed the ASBS Task Force members for a term lasting through June 30, 2016.

III. ELIGIBILITY REQUIREMENTS

Eligibility is based on applicant type, minimum and maximum grant amounts, match requirements, project schedule, project eligibility, incorporation of multiple benefits, and program preferences. Applications will be evaluated for compliance with the eligibility requirements. Proposals that do not meet all eligibility requirements will not be reviewed or considered for funding.

A. ELIGIBLE APPLICANTS

Prop 1 (Water Code § 79712(a)) states that eligible applicants consist of:

- Public agencies;
- 501(c)(3) Nonprofit organizations;
- Public utilities;
- Federally recognized Indian tribes;
- State Indian tribes listed on the Native American Heritage Commission's Tribal Consultation List; and
- Mutual water companies.

B. ELIGIBLE PROJECT TYPES

SWGP will be accepting applications for planning and implementation projects. Prop 1 allows up to ten percent, or approximately \$20 million, for planning grants, which will be awarded in Round 1 in Spring 2016 (see Section E – Schedule).

The planning grants will be available to eligible applicants that do not have a Storm Water Resource Plan or have a Storm Water Resource Plan that requires modification to meet the Water Code requirements and Storm Water Resource Plan Guidelines. The State Water Board anticipates only offering planning grants during Round 1. Up to \$1 million of the planning funds will be used for one or more grants to provide technical assistance to DACs and EDAs applying for implementation funding. Storm Water Resource Plans are required of public agencies. Therefore funding preference for planning projects will be given to public agencies or eligible applicants preparing Storm Water Resource Plans on behalf of public agencies.

The SB 985 requirement for Storm Water Resource Plans applies to public agencies. However, non-public agency applicants must have their proposed storm water capture or dry weather runoff capture project identified and prioritized within an applicable Plan.

The Implementation funds will be awarded in two rounds of funding: Spring 2016 and Spring 2018 (see Section E – Schedule). Approximately \$80 million will be awarded in Round 1 for implementation grants, including capture projects that are identified in a Plan that is in compliance with the SB 985 requirements and Storm Water Resource Plan Guidelines. The State Water Board wants to ensure that sufficient time is provided for those requiring time to prepare and complete their Storm Water Resource Plans; therefore, Round 2 for implementation grants will occur approximately two years following Round 1 (see Section E – Schedule). Below is a description of the project types eligible for the planning and implementation grants.

I. PLANNING GRANTS

Planning grants may be awarded to those required to develop a Plan in accordance with the SB 985 requirements and the Storm Water Resource Plan Guidelines. Priority consideration will be given to those applications that include collaboration between all MS4 permittees or co-permittees within the watershed or for an IRWM group to develop a region-wide Plan for their IRWMP or for an IRWM group to make any necessary revisions to their IRWMP to meet the SB 985 requirements and Storm Water Resource Plan

Guidelines. Planning grants may include tasks for assessments, monitoring, geotechnical/technical investigations, or studies needed to complete preparation of the Storm Water Resource Plan.

One or more grants will be awarded to an entity(-ies) that possess the experience, knowledge, and skills required to provide technical assistance to SWGP Prop 1 implementation applicants from DACs or EDAs.

II. IMPLEMENTATION GRANTS

Implementation grants will only be awarded to projects that are included and implemented in an adopted IRWMP, that are included in a Plan if the project is a capture project, that respond to climate change, that contribute to regional water security, and that contain a minimum of two multi-benefits as listed in Section II.G. – Program Preferences. In order to improve regional water self-reliance security and adapt to the effects on water supply arising out of climate change, the purposes of Prop 1, Chapter 7 are to:

- Help water infrastructure systems adapt to climate change, including, but not limited to sea level rise;
- Provide incentives for water agencies throughout each watershed to collaborate in managing the region's water resources and setting regional priorities for water infrastructure; and
- Improve regional water self-reliance consistent with Water Code section 85021.

Proposed projects may be located on either public or private lands. Projects shall be designed to infiltrate, filter, store, evaporate, treat, or retain storm water or dry weather runoff.

Specific types of **eligible projects** include:

- Green Infrastructure (i.e., Low Impact Development (LID)),
- Rainwater, storm water and dry weather runoff capture and reuse, and
- Storm water treatment train facilities.

Ineligible projects include:

- Projects that must seek eminent domain as part of their project implementation timeline
- Projects that do not meet the requirements of these Prop 1 SWGP Guidelines, the Storm Water Resource Plan Guidelines, Water Code, and Prop 1; and
- Projects that consist of only education and outreach activities.

All Prop 1 SWGP projects must meet the following requirements:

- All projects must be multi-benefit projects and contain a minimum of two benefits listed in Section G – Program Preferences;
- All projects must be included and implemented in an adopted IRWMP;
- Prop 1 SWGP projects that are storm water and dry weather runoff capture projects must be included in a Storm Water Resource Plan that complies with the SB 985 requirements and is consistent with the Storm Water Resource Plan Guidelines^{2,3};
- All projects must be consistent with the applicable water quality control plan (Basin Plan) adopted by the State Water Board and/or Regional Water Board;
- All projects must demonstrate capability of contributing to sustained, long-term water quality benefits for a period of 20 years; and

² Storm Water Resource Plans must be submitted to the local IRWM group and the IRWM group must include the Plan in the IRWMP. Compliance with the Water Code also meets the criteria of a project being included and implemented in an adopted IRWMP.

³ Per Water Code Section 10563(c)(2)(B), the requirement for a Storm Water Resource Plan does not apply to a DAC with a population of 20,000 or less that is not a copermitttee for an MS4 permit issued to a municipality with a population of more than 20,000.

- All projects carried out on lands not owned by the grantee (public or private) must obtain adequate rights of way for the useful life of the project (i.e. at least 20 years).

C. GRANT AMOUNT

The minimum and maximum grant amounts available for both Planning and Implementation grants are presented in Table 1 below. The State Water Board will authorize up to \$1 million of the planning grants for technical assistance, to be issued under a separate solicitation.

Table 1 – Minimum and Maximum Grant Amounts

Project Type	Minimum Grant Amount	Maximum Grant Amount
Planning	\$100,000	\$500,000
Implementation	\$500,000	\$5,000,000

D. MATCH REQUIREMENT

The applicant is required to provide a funding match. The match requirement is fifty percent (50%) of the total project cost. Match is not based solely on the size of the grant request. **Other State grant funds (regardless of issuing State agencies) cannot be used for the required match.** The funding match may include, but is not limited to: Federal loans, local and private funding, or donated and volunteer (“in-kind”) services. Repayable financing received through the Clean Water State Revolving Fund Program or a Federal sponsored loan program may be used for match. The State Water Board reserves the discretion to review and approve funding match expenditures.

For planning projects, eligible reimbursable expenses incurred after the approval of SB 985 (**September 24, 2014**) and prior to the project completion date can be applied to the funding match.

The requirement for match is waived for entities chosen to provide technical assistance, since those entities will be supporting DACs and EDAs.

For implementation projects, eligible reimbursable expenses incurred after adoption of the Prop 1 SWGP Guidelines (**December 1, 2015**) and prior to the project completion date can be applied to the funding match.

Eligible expenses for funding match include, but are not limited to:

- Donated and volunteer (“in-kind”) services;
- Planning, engineering, and design specific to the implementation project;
- Permitting;
- Environmental documentation and mitigation;
- Easements and land purchases made by the applicant;
- Project implementation (e.g., purchase of material, equipment, construction);
- Project effectiveness monitoring; and
- Education and outreach.

I. *DISADVANTAGED AND ECONOMICALLY DISTRESSED AREAS FUNDING MATCH REDUCTION*

DACs and EDAs may request the reduced funding match outlined in Table 2. Applicants in either group must document that representatives of the DAC or EDA have been or will be involved in the planning and implementation process, and that project implementation will provide **direct benefits to these communities** (See Appendix A for details and instructions to document DAC or EDA status to qualify for match Groups A, B, C, and D.). Division staff will review and make the final determination on funding match reduction eligibility. If Division staff determines a match reduction is not allowed and the project is approved for funding, Division staff will work with the applicant to reduce the grant amount or increase matching funds.

Table 2 – DAC/EDA Reduced Match

<p>Match Requirement ¹</p> <p>Group A: Small & Severely DAC² 5% if population is less than 20,000 persons AND median household income (MHI) is less than 60% Statewide MHI ²</p> <p>Group B: Small & DAC³ 10% if population is less than 20,000 persons AND MHI is between 60-80% Statewide MHI ³</p> <p>Group C: DAC³ 15% if population is greater than 20,000 persons AND MHI is less than 80% Statewide MHI ³</p> <p>Group D: EDA⁴ 15% if the community meets the EDA definition ⁴</p>
<p>¹ Match is calculated based on the <i>total project cost</i>, not on the grant amount. Total Project Cost x %Match = Required Match i.e. - \$3,750,000 (Total Project Cost) x 20% (Percent Match) = \$750,000 Match Grant funds, including grants from other sources, <i>cannot</i> be used for matching funds.</p> <p>^{2,3,4} See definition in Appendix D</p>

E. SCHEDULE

Approximately \$100 million in SWGP funds have been appropriated for fiscal year 2015-2016. Staff anticipate awarding up to \$20 million in planning funds and up to \$80 million in implementation funds in Round 1. The anticipated program timelines are outlined in Table 3. Any program schedule updates will be available on the SWGP website. Additional rounds for solicitation of projects may occur depending on the availability of funds.

Table 3 – Expected Timeline ¹

Round	Award	Construction Complete ²	Final Report	Work Completion	Final Invoice
1	Spring 2016	October 2019	January 2020	February 2020	March 2020
2	Spring 2018	October 2021	January 2022	February 2022	March 2022
<p>¹ The timeline is subject to legislative appropriation of funds. Funds appropriated in future years will be disbursed in accordance with the appropriation(s) schedule(s). These dates represent deadline dates; therefore, Grantees should plan to complete the tasks well in advance of the listed dates.</p> <p>² Construction must be completed early enough to perform post-construction monitoring, as appropriate, to determine project effectiveness.</p>					

F. EDUCATION AND OUTREACH

As indicated in Water Code § 79707(g) and to the extent practicable, **all projects must include signage** informing the public that the project received funds from Prop 1. Other education and outreach costs directly related to the completion of the implementation project could be eligible for reimbursement of grant funds or matching funds; however, a direct correlation between the education and outreach activities, the construction of the project, and expected project benefits from the education and outreach must be clearly identified.

G. PROGRAM PREFERENCES

As indicated in the Water Code § 79747(a), only multi-benefit storm water management projects are eligible for grant funds. Multi-benefits include, but are not limited to, a project that addresses:

- Water Quality:
 - Increased filtration and/or treatment of runoff
 - Contribution to compliance with applicable permit and/or total maximum daily load (TMDL) requirements
 - Nonpoint source pollution control
 - Reestablished natural water drainage and treatment
- Water Supply:
 - Water supply reliability
 - Groundwater management
 - Runoff capture and reuse
 - Augmentation of drinking water supply
 - Reduction of necessary imported water
 - Water conservation
- Flood Management:
 - Reduced runoff rate and/or volume
 - Reduced flood risk and/or sanitary sewer overflows
- Environmental:
 - Environmental and habitat protection and improvement
 - Wetland enhancement and/or creation
 - Stream/riparian enhancement and/or instream flow augmentation
 - Increased urban green space
 - Reduced energy use, greenhouse gas emissions, or provides a carbon sink
- Community:
 - Increased urban green space
 - Enhanced and/or created recreational and public use areas
 - Public and community outreach, education, and participation
 - Reduced energy use

Preference will be given to projects that include partnerships between the organizations that are responsible for or have a role in realizing the multiple benefits identified in the project application.

IV. PROJECT SELECTION PROCESS

The SWGP planning and implementation project selection processes will be conducted through a competitive process. Proposals will be evaluated by the Division staff for completeness, eligibility, and technical merit (with input from the Division of Water Quality and Regional Water Boards) and ranked by applying the evaluation criteria found in Appendices B and C. Based on the staff evaluation and recommendations and available funds, the Division's Deputy Director will award funds to the highest ranked proposals. Where staff review indicates that a project does not qualify for the full amount of funding sought, the Deputy Director may partially fund the project.

A. APPLICANT ASSISTANCE WORKSHOPS

State Water Board staff will conduct technical assistance workshops to address questions and provide general assistance to applicants in preparing the proposals. The dates and locations of the workshops will be posted on the Prop 1 SWGP website and announced via the SWGP electronic mailing list, as well as State Water Board website at:

<http://www.waterboards.ca.gov/swgp>

B. SOLICITATION AND SUBMITTAL OF PROPOSALS

State Water Board staff will release a proposal solicitation notice upon adoption of the Prop 1 SWGP Guidelines. The solicitation notice will include the application period, due date, and detailed instructions for

submitting the proposals. During Round 1, planning and implementation grant proposals will be accepted. The State Water Board does not anticipate having planning funds available for the Round 2 process.

<http://www.waterboards.ca.gov/swgp>

The solicitation notice will also be e-mailed to all interested parties on the State Water Board's "Storm Water Grant Program" electronic mailing list. Interested parties may sign up for the electronic mailing list at:

http://www.waterboards.ca.gov/resources/email_subscriptions/swrcb_subscribe.shtml

The application will consist of an online application submitted using the State Water Board's Financial Assistance Application Submittal Tool (FAAST) system. The planning and implementation proposal applications and evaluation criteria are presented in Appendices B and C. The FAAST applications will be available following issuance of the solicitation notices, at the following secure link:

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

Division staff may make changes to the application questionnaires following adoption of these Prop 1 SWGP Guidelines depending on the final preparation of the review questionnaire for the FAAST system. The intent of the Prop 1 SWGP Guidelines is to give the applicants an understanding of the types of information that will be required in the solicitation process. **Applicants should rely on the questions as they appear in the FAAST Questionnaire.**

C. COMPLETENESS REVIEW

Applications must contain all required items. 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.** State Water Board staff will initially evaluate and screen each application for completeness. **Incomplete applications will not be reviewed or considered for funding.** Applicants will **not** be notified on an individual basis.

D. ELIGIBILITY REVIEW

Complete applications will be evaluated for compliance with the eligibility criteria. All proposals must meet the eligible applicant requirements (Appendix B-2 and C-2). **Applications that are determined to be ineligible will not be reviewed or considered for funding.** Applicants will **not** be notified on an individual basis.

E. PROPOSAL REVIEW AND SELECTION PROCESS

All proposals must be submitted in FAAST by the posted date and time deadline. State Water Board and Regional Water Board staff will provide technical review of all eligible proposals based on technical feasibility, ability to achieve the program preferences, readiness to proceed, cost effectiveness, and other criteria established in the *Scoring Criteria* as outlined in Appendices B and C.

Water Board staff may recommend reducing individual grant amounts from the requested amount. However, such reductions will be considered only if technical reviewers have indicated that the budget is too high, or some tasks are determined to be ineligible for the grant program or are not necessary. A reduction would also be weighed against whether the reduced funding would impede project implementation or if the proposed budget is determined inconsistent with similar projects.

The proposals will be ranked based on the technical review by Water Board staff and Division management review and submitted to the Division's Deputy Director. The Division's Deputy Director will issue final approval of the Recommended Funding List.

F. APPLICANT NOTIFICATION

Division staff will distribute the Recommended Funding List through our electronic mailing list and post it on the Division's Prop 1 SWGP website at:

<http://www.waterboards.ca.gov/swgp>

Congratulatory e-mails to those applicants awarded grant funds will be made by the assigned grant manager and program analyst and will include important attachments to aid the grant agreement process. Individual meetings with the listed project director for each awarded project will be scheduled, if possible, with the grant manager once the grant agreement has been executed.

Applicants whose proposal was deemed incomplete or ineligible during the Completeness and Eligibility Review process or who were not recommended for funding **will not** receive a separate e-mail notification. For additional information and/or clarification, we encourage those applicants to contact Division staff at:

DFA_Grants@waterboards.ca.gov

V. GENERAL PROGRAM REQUIREMENTS

All applicants that are awarded a grant through the SWGP must comply with the following general program requirements. Before proceeding with the application process, applicants must consider their ability to comply with these requirements.

A. CONFLICT OF INTEREST

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 § 1090 and California Public Contract Code §§10410 and 10411.

B. CONFIDENTIALITY

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

The location of all projects awarded funding, including the locations of management measures or practices implemented, must be reported to the State Water Board and Regional Water Boards (Water Boards) and will be available to the public. The Water Boards may report project locations to the public through internet-accessible databases. The State Water Board uses Global Positioning System coordinates for project and sampling locations. See item G of the General Program Requirements Section for additional information on monitoring and reporting requirements.

C. LABOR CODE COMPLIANCE

Grantees are bound by all the provisions of the Labor Code regarding prevailing wages and shall monitor all contracts subject to reimbursement from the grant agreement to assure that the prevailing wage provisions of the Labor Code are being met.

In addition, Prop 84 requires the grantee to have a labor compliance program (LCP) in place or to have contracted with a third party that has been approved by the Director of the Department of Industrial Relations to operate an LCP pursuant to Public Resources Code section 75075, Labor Code section 1771.3(c) and 1771.5, and California Code of Regulations title 8 section 16423.

Before submitting an application, applicants are urged to seek legal counsel regarding Labor Code compliance. See the California Department of Industrial Relations website (<http://www.dir.ca.gov/lcp.asp>) for more information.

D. CEQA COMPLIANCE

All projects funded under the SWGP must comply with the California Environmental Quality Act (CEQA). Grantees are responsible for complying with all applicable laws and regulations for their projects, including CEQA. State Water Board selection of a project for a grant does not indicate that the consideration of alternatives or mitigation measures that would reduce or eliminate adverse environmental effects of that project are adequate. No work may proceed until the State Water Board completes its own CEQA findings. Details about the State Water Board's environmental compliance process can be found online at:

http://www.waterboards.ca.gov/water_issues/programs/grants_loans/docs/environmental_review/environmental_faq.pdf

Public Resources Code section 75102 requires that, prior to the adoption of a Negative Declaration or Environmental Impact Report for any project, the Lead Agency shall notify the proposed action to a California Native American tribe that is on the contact list maintained by the Native American Heritage Commission, if that tribe has traditional lands located within the area of the proposed project.

E. WAIVER OF LITIGATION RIGHTS

A grantee cannot use funds from any disbursement under a grant agreement to pay costs associated with any litigation the grantee pursues against the Water Boards. Regardless of the outcome of any such litigation, and notwithstanding any conflicting language in the grant agreement, the grantee agrees to complete the project funded by the grant agreement or to repay all grant funds plus interest.

F. COMPLIANCE WITH EMERGENCY DROUGHT REGULATIONS

A grantee shall comply with the State Water Board's Drought Emergency Water Conservation regulations in Section 863-866 of title 23 of the California Code of Regulations.

G. PROJECT ASSESSMENT & EVALUATION PLANS

Grantees are required to assess and report on project effectiveness, which may include, but is not limited to, qualitative assessments, determining volume of storm water and dry weather runoff captured or treated, and assessing improvements in storm water discharge quality resulting from project implementation. The goals and targets must meet the standards provided in the Plan Guidelines and report the appropriate metric(s) for the benefit(s) claimed.

All Proposals must include a Project Assessment and Evaluation Plan (PAEP) table to summarize how project performance will be assessed, evaluated, and reported. 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; and
- 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.

In addition, grantees must submit an updated PAEP after the grant agreement is executed and make annual updates thereafter for the term of the agreement. The PAEP must include a summary of project goals, 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 can be found online at the SWGP website at:

<http://www.waterboards.ca.gov/swgp>

H. MONITORING

If project effectiveness is being evaluated through water quality, water quantity, or other environmental monitoring, the grantee must prepare a monitoring plan (MP). The MP must include a description of the monitoring program and objectives, types of constituents to be monitored, methodology, the frequency and duration of monitoring, and the sampling location for the monitoring activities.

I. DATA MANAGEMENT

Projects must include appropriate data management activities so that project data can be incorporated into appropriate statewide data systems. Water quality monitoring data must be integrated into the California Environmental Data Exchange Network (CEDEN) and be compliant with an approved Quality Assurance Program Plan. Data will be available to the stakeholders, agencies, and the public. Please see the CEDEN website (<http://www.ceden.org/>) for additional information on the State Water Board's statewide data management efforts. Groundwater monitoring data must be integrated into the Groundwater Ambient Monitoring & Assessment (GAMA) database. Please see the GAMA website (<http://waterboards.ca.gov/gama/>) for additional information on the State Water Board's statewide management efforts.

J. REPORTING

Every grantee is required to submit quarterly progress reports that detail activities that have occurred during the applicable reporting period. At the conclusion of the project, the grantee must submit a Final Project Summary, Final Project Inspection and Certification, and a comprehensive Draft and Final Project Report.

K. OPERATIONS AND MAINTENANCE

The grantee shall maintain and operate the facility and structures constructed or improved as part of the project throughout the useful life of the project (20 years), consistent with the purposes for which this grant was made. The grantee assumes all operations and maintenance (O&M) costs of the facilities and structures; the State Water Board shall not be liable for any cost of such maintenance, management, or operation. Operation costs include direct costs incurred for material and labor needed for operations, utilities, insurance, and similar expenses. Maintenance costs include ordinary repairs and replacements of a recurring nature necessary to prolong the life of capital assets and basic structures, and the expenditure of funds necessary to replace or reconstruct capital assets or basic structures.

L. URBAN AND AGRICULTURAL WATER MANAGEMENT PLAN AND GROUNDWATER PLANNING REQUIREMENTS

I. URBAN WATER MANAGEMENT PLANNING ACT COMPLIANCE

Water suppliers who were required by the Urban Water Management Planning Act (Water Code § 10610 *et seq.*) to submit an Urban Water Management Plan (UWMP) to the Department of Water Resources (DWR) must have submitted a complete UWMP to be eligible for grant funding. Applicants and project proponents that are urban water suppliers and have projects that would receive funding through the SWGP program must have a UWMP that has been verified as complete by DWR before a grant agreement will be executed. *Note: The 2015 UWMPs are due for submittal to DWR by July 1, 2016.*

II. AGRICULTURE WATER MANAGEMENT PLAN COMPLIANCE

Beginning July 1, 2013, an agricultural water supplier is not eligible for a water grant or loan awarded or administered by the State unless the supplier complies with SBx7-7 water conservation requirements outlined in Water Code § 10608, Division 6, Part 2.55, which requires that submittal of an Agricultural Water Management Plan (AWMP). *Note: The 2015 AWMPs are due for submittal to DWR by December 31, 2015.*

III. GROUNDWATER PLAN COMPLIANCE

Per Water Code section 79742(b), "A local agency that does not prepare, adopt, and submit its groundwater plan in accordance with groundwater planning requirements established under Division 6 (commencing with Section 10000) is ineligible to apply for funds made available pursuant to this chapter until the plan is prepared and submitted in accordance with the requirements of that part. The groundwater management plan requirement shall not apply to a water replenishment district formed pursuant to Division 18 (commencing with Section 60000) or to a local agency that serves or has authority to manage an adjudicated groundwater basin."

M. 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.

It is **HIGHLY recommended** that applicants review the grant agreement template prior to submission of their proposal. If applicants are not able to abide by the terms and conditions contained therein, applicants should not submit a proposal. A copy of a grant agreement template can be found online at:

<http://waterboards.ca.gov/swgp>

The State Water Board encourages collaboration in the development and implementation of projects. Parties that wish to collaborate on a proposal may elect to use a contractor-subcontractor relationship, a joint venture, a joint powers authority (JPA), or other appropriate mechanism. Grant agreements will be executed with one eligible grantee per project. This grantee can subcontract with partners that are responsible for implementation of the project tasks. The grant funding and the implementation responsibilities will be the province of the grantee; subcontracting to another entity does not relieve the grantee of its responsibilities. The State Water Board will not have a relationship with collaborators or subcontractors.

N. REIMBURSEMENT OF COSTS

Only **direct costs** and work performed within the terms of the grant agreement will be eligible for reimbursement. **Indirect costs, such as overhead, contingency, or markup are not eligible expenses.** Eligible expenses incurred upon the start date listed in the grant agreement and prior to the project completion date may be directly reimbursed. **Advance funds will not be provided.**

Reimbursable costs include the reasonable costs of planning, engineering, design, permitting, preparation of environmental documentation, environmental mitigation, easement and land purchases, project implementation, project monitoring within the term of the agreement, and education and outreach.

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

- Costs, other than those noted above, incurred outside the terms of the grant agreement with the State;
- O&M costs for maintenance, management, and operation beyond initial startup;
- Purchase of equipment not an integral part of the project or included in the line item budget;
- Establishing a reserve fund;
- Replacement of existing funding sources for ongoing programs;
- Expenses incurred in preparation of the Proposal;
- Payment of principal or interest of existing indebtedness or any interest payments; and
- Overhead, markup, or indirect costs.

O. GRANT MANAGER NOTIFICATION

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

P. DIVISION OF FINANCIAL ASSISTANCE ADDITIONAL AUTHORITY

Funds may become available from projects which are withdrawn or completed under budget. The Deputy Director of the Division shall have the authority to utilize these funds for funding additional projects below the funding line or for augmenting the scope and budget of projects previously awarded. Additional activities funded under existing grants will be subject to these Prop 1 SWGP Guidelines and must complement or further the goals of existing projects.

VI. APPENDICES

APPENDIX A: REQUESTS FOR REDUCED FUNDING MATCH FOR DACs AND EDAs
APPENDIX B: PLANNING PROPOSAL APPLICATION & EVALUATION CRITERIA
APPENDIX C: IMPLEMENTATION PROPOSAL APPLICATION & EVALUATION CRITERIA
APPENDIX D: DEFINITIONS

Public Review Draft

VII. APPENDIX A: REQUESTS FOR REDUCED FUNDING MATCH FOR DISADVANTAGED AND ECONOMICALLY DISTRESSED AREAS

I. PURPOSE

The purpose of this Appendix is to provide a method for demonstrating eligibility for the reduced funding match for the SWGP.

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

- Provide a map with sufficient geographic detail to define the boundaries of the DAC/EDA and project area;
- Describe the methodology used in determining the total population of the project area and the total population of the DACs/EDAs 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 DAC/EDA in the project area;
- Provide sample calculations showing how the proposed reduced funding match was derived;
- Provide information on amount and type of direct benefit the project provides to the DACs/EDAs;
- Include descriptions or information on the DAC/EDA involvement, such as past, current, and future efforts to include DAC/EDA representatives in the planning and/or implementation process; and
- Letters of support from representatives of the DAC/EDA indicating their support for the project or portion of the proposal designed to provide direct benefit to the DAC/EDA and acknowledging their inclusion in the planning and/or implementation process.

The following data requirements must be met:

- MHI and population data must be from 2010 or later United States Census Bureau (Census Bureau) data sets, or an income/population survey if no representative census data is available; and
- MHI and population data used in analysis must be from the same time period and geography.

II. ALLOWANCES

For assistance with accessing census data see the Census Bureau American FactFinder website (<http://factfinder.census.gov/>). Applicants may use a single type of census geography or combinations of 2010 or later Census geographies in determining the MHI and population for DACs and the project area. However, the census geography that is used must be consistent for both MHI and population. Official census geographies, such as census tract, place, and block group, are acceptable.

III. STEPS TO REQUEST A REDUCED FUNDING MATCH

Step A. Screening based on Maximum Grant Amount

For planning grants, the minimum grant amount per proposal is \$100,000 and the maximum grant amount per proposal is \$500,000, regardless of DAC/EDA status.

For implementation grants, the minimum grant amount per proposal is \$500,000 and the maximum grant amount per proposal is \$5,000,000, regardless of DAC/EDA status.

Step B. Documentation of the Presence of DACs/EDAs

The DAC/EDA must be located in the project area. **If there are no DACs/EDAs in the project area, do not apply for a reduced funding match.** The DAC/EDA should be identified in the description of the project area in the Proposal. Applicants should ensure the description of the DAC/EDA is adequate to determine whether the community meets the definitions in this Appendix. The DAC/EDA should also be shown on maps of the project area. In describing the DAC/EDA, include the relationship to the project objectives and information that supports the determination of DAC/EDA in the project area.

Step C. Documentation of DAC/EDA Representation & Participation

The mere presence of a DAC/EDA in the project area is not sufficient cause to grant a reduction of the funding match. The DAC/EDA must be involved in the implementation process. Supporting information that demonstrates how the DAC/EDA is, or will be, involved in the implementation process of the project must be included. Information must demonstrate how the DAC/EDA or their representatives are participating in the implementation process. As indicated above, include letters from the DAC/EDA representatives that verify support of and inclusion and participation in the process. **If DAC/EDA representation or participation in the implementation process cannot be demonstrated, do not apply for a reduced funding match.**

Step D. Determining a Reduced Funding Match

The required funding matches for the SWGP are presented in Table A-1. Where the project directly benefits a DAC/EDA, a reduction in the required funding match may be allowed.

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

- **Group A: Small & Severely DAC** – 5% match if the population is less than 20,000 persons **and** the MHI is less than 60% of the Statewide MHI
- **Group B: Small & DAC** – 10% match if the population is less than 20,000 persons **and** the MHI is less than 60% - 80% of the Statewide MHI
- **Group C: DAC** – 15% match if the population is greater than 20,000 persons **and** the MHI is less than 80% of the Statewide MHI
- **Group D: EDA** – 15% match if the community meets the EDA definition.

Step E. Benefits and Impacts to DACs/EDAs

Applicants must explain anticipated benefits and impacts to the DAC/EDA in their project area for the specific work item in their proposal. The explanation should include the nature of the anticipated benefit, the certainty that benefit will accrue if the project is implemented, and which DAC/EDA in the project area will benefit and/or be impacted.

Table A-1: Example of Reduced Funding Match Calculation

Calculations based on a Total Project Cost of \$2,000,000 (\$2 M)							
Group A Calculation of 5% Funding Match		Group B Calculation of 10% Funding Match		Group C Calculation of 15% Funding Match		Group D Calculation of 15% Funding Match	
Required Funding Match	Max Grant Funds Requested	Required Funding Match	Max Grant Funds Requested	Required Funding Match	Max Grant Funds Requested	Required Funding Match	Max Grant Funds Requested
0.05 x \$2 M = \$100,000	\$2 M – \$0.1 M = \$1,900,000	0.1 x \$2 M = \$200,000	\$2 M – \$0.2 M = \$1,800,000	0.15 x \$2 M = \$300,000	\$2 M – \$0.3 M = \$1,700,000	0.15 x \$2 M = \$300,000	\$2 M – \$0.3 M = \$1,700,000

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 DAC/EDA must be provided.

For assistance with accessing census data, see the Census Bureau's website (<http://www.census.gov/#>) or American FactFinder website (<http://factfinder.census.gov/>). Include the method used for population determination, the population of the project area, the population of DACs/EDAs in the project area, MHI data for DACs/EDAs, and the calculation of the reduced funding match.

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Exhibit A-1: Certification of Understanding

The undersigned certifies that:

The application submitted by <Insert Name of Applicant> for <Insert Proposal Title> for a Prop 1 Storm Water Grant Program contains a request for a reduction of the funding match based on <"small & severely disadvantaged," "small & disadvantaged," or "disadvantaged"> community status.

The above named applicant understands:

- The reduction of the funding match presented in the application is a request that will not be automatically granted.
- State Water Resources Control Board staff will review the disadvantaged community/economically distressed area information submitted in the application prior to making a decision to accept, modify, or deny such a reduction.
- Should the proposal be chosen for funding, but the requested reduction in funding match is rejected or modified, the grantee is responsible for costs exceeding the grant funding amount to complete the project and any additional required match.
- The granting agency will rescind the grant award if the grantee cannot cover either:
 1. Increased costs and/or match due to rejection or modification of the request for reduction in the funding match; or
 2. Adequately restructure the grant proposal within the available budget, while still meeting the intent of the original proposal.

Authorized Signature: _____

Printed Name: _____

Title: _____

Agency: _____

Date: _____

VIII. APPENDIX B: PLANNING PROPOSAL APPLICATION & EVALUATION CRITERIA

Appendix B-1 Planning Proposal Application

Appendix B-2 Planning Proposal Evaluation Criteria

Please note that the application and/or review questions outlined in Appendix B may be reworded, combined, or separated as the information is transferred to the online FFAST. Division staff may make clarifying or editorial changes to the application following adoption of these Guidelines. Appendix B is subject to change depending on the final preparation of the review questionnaire for the FFAST system. Appendix B is a tool to guide applicants on the types of information that will be required; however, please refer to FFAST upon opening of the solicitation for the final list of questions and required attachments. No substantive changes will be made to the evaluation criteria and scoring scheme.

APPENDIX B – 1: PLANNING PROPOSAL APPLICATION

Appendix B-1: Planning Proposal Application

The following information is provided as a guide for applicants to ensure that they have submitted the required information. Character limits refer to character limits in FFAST.

A. Program Selection & General FFAST Information	
1.	PROJECT SELECTION
	Select the “Prop 1 SWGP Planning.”
2.	GENERAL INFORMATION
	<u>Project Title</u> – Provide the title of the proposal.
	<u>Project Description</u> – Provide a brief description of the project. The length of the Project Description is limited to 250 characters (including spaces).
	<u>Applicant Details</u> – Provide the name and address of the applicant organization.
	<u>Project Director</u> – The Project Director (PD) is responsible for adhering to the terms of the grant agreement, keeping the project on track, submitting deliverables in a timely manner, and overall management of the administrative and technical aspects of the grant agreement. The PD must be an employee of the Grantee. Persons that are subcontractors to be paid by the grant cannot be listed as the PD.
	<u>Grant Contact</u> – The Grant Contact is the day-to-day contact on the project from the applicant organization.
	<u>Grant Funds Requested</u> – Provide amount of grant funds requested for the project in dollars.
	<u>Total Budget</u> – Includes the grant funds requested, funding match and other funding sources not reported as match (e.g., other grant funds).
	<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 names of the watersheds 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.
3.	LEGISLATIVE INFORMATION
	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. Lookup tables are provided in FFAST to assist with determining the appropriate districts.
4.	COOPERATING ENTITIES
	Include entities that have/will assist the applicant in project development or implementation. Provide names of cooperating entities, role/contribution to project, first and last name of entity contact, phone number, and email address.
5.	AGENCY CONTACTS
	If the applicant has been collaborating with State and Federal agencies (Department of Water Resources [DWR], Regional Water Board, State Water Board, U.S. EPA, etc.) in proposal/project 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 project and in no way indicates an advantage or disadvantage in the ranking process.
6.	APPLICATION QUESTIONNAIRE
	The answers to these questions will be used in processing the application and determining the eligibility and completeness of the application.
7.	PROJECT CLASSIFICATION
	These questions allow State Water Board staff to categorize the types of activities the project is proposing to implement.

APPENDIX B – 1: PLANNING PROPOSAL APPLICATION

B. Background Information	
	1. Select the applicant's organization type from the drop-down menu. In order to be considered eligible, the applicant must be a public agency, nonprofit organization, public utility, federally recognized Indian tribe, state Indian tribe listed on the Native American Heritage Commission's Tribal Consultation List, or mutual water company.
	2. Select from the drop-down menu whether the application represents an entire IRWM group, all MS4 permittees and co-permittees within the watershed, or other. If Other, use the text box to explain why the application does not represent one of the other two categories and justification for completing a Storm Water Resource Plan independently of a watershed or regional scale. If an IRWM or MS4 group is represented, please use the text box to identify the lead agency and why they were chosen to represent the group.
	3. Select whether the applicant is a DAC or EDA, whether the project directly benefits a DAC or EDA, or Not Applicable.
	4. Is the applicant an Urban Water Supplier (i.e., a supplier, either publicly or privately owned, that provides water for municipal purposes either directly or indirectly to more than 3,000 customers or supplies more than 3,000 acre-feet of water annually)? If yes, has the applicant adopted and submitted to DWR an Urban Water Management Plan in accordance with the Urban Water Management Planning Act (Part 2.6 [commencing with Section 10610] of Division 6)? (250 Characters)
	5. Is the applicant an Agricultural Water Supplier (i.e., water supplier, either publicly or privately owned), providing water to 10,000 or more irrigated acres, excluding the acreage that receives recycled water? "Agricultural water supplier" includes a supplier or contractor for water regardless of the basis of right that distributes or sells water for ultimate resale to customers ⁴ .)? If yes, has the applicant adopted and submitted to DWR an Agricultural Water Management Plan in accordance with the Agricultural Water Management Planning Act (Part 2.8 [commencing with Section 10800] of Division 6)? (250 Characters)
	6. 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; (3) in which the grantee was notified of a Breach of Agreement; or (4) that has been the subject of an audit in which there were findings regarding management of the project or funds by the applicant or cooperating entity? If so, explain the actions taken to address the problems. (250 Characters)
	7. 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, the terms or conditions of which would be satisfied in whole or in part by performance of the project? If so, explain (include the name and case number in your explanation). (250 Characters)

⁴ From Department of Water Resources "A Guidebook to Assist Agricultural Water Suppliers to Prepare a 2012 Agricultural Water Management Plan", October 24, 2012.

APPENDIX B – 1: PLANNING PROPOSAL APPLICATION

C. Planning Proposal Questions	
1.	WORKPLAN
	<p>8. Prepare a workplan (Attachment 1, 10 pages maximum) that describes the project and how it meets requirements of the Water Code and is in accordance with the Storm Water Resource Plan Guidelines. The workplan must:</p> <ul style="list-style-type: none"> a) Identify the watershed boundaries included in the proposed Storm Water Resource Plan and why those boundaries were chosen. Describe the local land use(s) within the watershed. Explain the types of water quality and water quantity issues present in the watershed. Provide a description of ongoing efforts taken to address those issues. b) If applicable, describe the type(s) of agreement(s) the applicant has or will have with the cooperating entities included in the application. Explain the roles and responsibilities of each entity in the project. If agreements or memorandum of understandings (MOUs) have not been executed, explain when you will expect those to be completed. If agreements or MOUs are not included, the applicant must have letters of support outlining the future intent of the entity to enter into an agreement with the applicant. If the applicant does not have cooperating entities included in the application, justify why an effort of collaboration was not chosen or not feasible. c) Provide a scope of work outlining the specific work task(s) required to complete the Storm Water Resource Plan(s). d) Describe other plans within the watershed boundaries identified in 8(a) that address storm water resource management and describe whether your project is meant to supplement those existing plans or will be a “stand alone” Storm Water Resource Plan. e) Identify each of the required elements of the Water Code and the elements of the Storm Water Resource Plan Guidelines that will be included in the Storm Water Resource Plan. Provide a description of how those elements will be addressed. f) Identify any assessment, monitoring, or study tasks necessary to complete the Storm Water Resource Plan and provide the rationale for the need for those tasks. g) List any total maximum daily load (TMDL), national pollutant discharge elimination system (NPDES) permit, waste discharge requirement permits (WDRs), and municipal storm water (MS4) permits that apply to your watershed(s) boundaries. Identify how the Plan will assist in compliance with these permits. h) List and discuss county and city ordinances or laws that are applicable to projects listed in the Storm Water Resource Plan and may prevent or hinder implementation of those projects. Discuss steps you will take in addressing any incompatibilities between the local ordinances or laws and potential projects. i) For those applicants that are not representing an IRWMP, identify how the development of the Storm Water Resource Plan will be coordinated with and submitted to the local IRWM group.
2.	BUDGET
	<p>9. Provide a summary budget table (Attachment 2) that describes the budget for the completion of all known work tasks. Include a written narrative (one page maximum) that describes each line item task in the summary budget to explain how the cost estimates were determined. Describe the status and source of all other funding that will be used to complete the project. Describe the anticipated sources and amount of proposed funding match for the project. Discuss whether the applicant will be requesting a match reduction. If a request for a match reduction is expected, provide the amount of match reduction and the basis for the request as outlined in Appendix A.</p>

APPENDIX B – 1: PLANNING PROPOSAL APPLICATION

3.	SCHEDULE
	10. Provide a schedule table (Attachment 3) that documents the steps needed to accomplish the goals and deliverables described in the workplan, and include a narrative description (one page maximum) describing the pacing and scheduling of the project. The schedule should include the start and end dates, completion dates for major milestones, and project administration (preparation of invoicing, reporting, and deliverables).
5.	DAC/EDA INVOLVEMENT
	11. Describe how DACs/EDAs will be involved in the development and directly benefit from the completion of the Storm Water Resource Plan.
	12. Describe the level of detail and planning that the applicant(s) will facilitate outreach and support to the DACs/EDAs within the watershed(s) boundaries.
6.	DISCLAIMER
	<p>13. _____(initials): By initialing the box, the <u>Project Director is certifying that:</u></p> <ul style="list-style-type: none"> a) The applicant is an eligible entity); b) The project, when completed, will address all requirements stated in the Water Code and is in accordance with the Storm Water Resource Plan Guidelines; c) He/she is aware that any attachment exceeding the page limit listed above will not be reviewed beyond the page limit (i.e., a workplan exceeding 10 pages maximum will be reviewed up to Page 10 only; any subsequent pages will be eliminated from the review process); d) He/she is aware that, once the proposal has been submitted in FFAST, any privacy rights as well as other confidentiality protections offered by law with respect to the application package and project location are waived; and e) He/she has read and agrees to the General Terms and Conditions of the Grant Agreement. If the Project Director does not agree with the terms and conditions, then a grant award may be denied. (All applicants are required to check the box and initial next to the statement for their application to be reviewed. All applications missing the Disclaimer will be deemed incomplete and ineligible.)

APPENDIX B – 1: PLANNING PROPOSAL APPLICATION

APPLICATION ATTACHMENTS

Provide the attachments listed below by attaching files, no larger than 10 megabytes, to the FAAST application. For instructions on attaching files, please refer to the FAAST User Manual (https://faast.waterboards.ca.gov/LoginLinks/FAAST_UserManual_v3_120711.pdf). When attaching files, applicants must use the naming convention noted in FAAST.

Attachment #	Title	Description
Attachment 1	Workplan	Workplan, including maps, diagram(s), and/or photograph(s) of the proposed project area. Any pages greater than the allowed 20 pages will NOT be reviewed. For guidance on the workplan, please see our website at: http://www.waterboards.ca.gov/swgp
Attachment 2	Budget	The budget template (Excel) and a Word document that provides guidance on how to write a budget is located on the SWGP website at: http://www.waterboards.ca.gov/swgp
Attachment 3	Schedule	Schedule should show the sequence and timing of project tasks and should be in a horizontal bar or Gantt chart format.
Attachment 4	Agreement/ MOU/ Letters of Support	Include all agreements, MOUs, and/or support letters that will help to demonstrate multiple agency support and inclusion within the proposed Storm Water Resource Plan.
Attachment 5 (Optional)	Previous Studies/ Reports/ Plans	Provide a <u>summary</u> of information not contained in the online FAAST questionnaire. The information should summarize available studies, reports, and/or plans, and should be limited to 10 pages or less, not including maps and figures. DO NOT ATTACH THE FULL STUDY (IES) OR REPORT(S). ONLY INCLUDE A SUMMARY.

APPENDIX B – 2: PLANNING PROPOSAL EVALUATION CRITERIA

Appendix B-2: Planning Proposal Evaluation Criteria

PROPOSITION 1 STORM WATER GRANT PROGRAM PLANNING PROPOSAL EVALUATION: ELIGIBILITY REVIEW		
ELIGIBILITY CRITERIA	YES/ NO	KEY
Background Information		Applicant must receive “Yes” to be eligible for proposal evaluation.
1. Is the applicant an eligible entity?		
2. For those with multiple agencies listed as cooperating entities, were MOUs, JPAs, or Letter of Recommendation provided? For those who did not have any cooperating entities listed, did they provide justification?		
Schedule		
3. Do the start and end dates fall within those listed in the Guidelines?		
Budget		Applicant must receive “No” to be eligible for proposal evaluation.
4. Are the matching funds eligible reimbursable expenses and from an eligible source?		
5. Did the applicant provide the 50% matching funds as required in Prop 1? If not, did the applicant provide sufficient documentation justifying a reduction in matching funds for DACs/EDAs?		
Legal		Applicant must receive “No” to be eligible for proposal evaluation.
6. Have the applicant or cooperating entities entered into an agreement with the State Water Board that was then terminated, had funds withheld, or is in Breach of Agreement, or had auditable findings?		
Disclaimer		Applicant must receive “Yes” to be eligible for proposal evaluation.
7. Has the applicant checked the box and initialed that the Project Director has read, understands and agrees to the General Terms and Conditions of the Grant Agreement?		
Overall Evaluation		
8. Indicate whether the Proposal should be assigned for review and scoring based on the answers to Questions 1 through 7 above.		Yes = Proposal will be scored. No = Proposal will not be scored.

APPENDIX B – 2: PLANNING PROPOSAL EVALUATION CRITERIA

PROPOSITION 1 STORM WATER GRANT PROGRAM PLANNING PROPOSAL EVALUATION SCORING CRITERIA			
SCORED CRITERIA	SCORE	WEIGHT	TOTAL POINTS
WORKPLAN (65 Points Possible)			
1. Does the workplan: <ul style="list-style-type: none"> a. Identify the watershed boundaries; b. Describe the land use(s), water quality and quantity issues present, and ongoing efforts to address issues; c. Describe the roles and responsibilities of the applicant and cooperating entities, if applicable; d. Provide justification why an effort of collaboration was not chosen or not feasible; and e. Provide a description of the work task(s) needed to complete the Storm Water Resource Plan(s)? 	0-5	2	10
2. Does the applicant describe the other plans within the watershed that address storm water resource management and whether the proposed project is meant to supplement existing plans or serve as a stand-alone project?	0-5	3	15
3. Does applicant identify: <ul style="list-style-type: none"> a. The required elements of the Water Code and Storm Water Resource Plan Guidelines that will be included and how those elements will be addressed? b. The necessary assessment, monitoring, or study tasks to complete the Storm Water Resource Plan and rationale for those needs? 	0-5	4	20
4. Does the applicant have a solid understanding of the NPDES permits and WDRs and of the TMDL or ASBS requirements applicable to the watershed? Does the applicant provide assurances that the Storm Water Resource Plan will be consistent with and further compliance with these permits and requirements?	0-5	2	10
5. Does the applicant exhibit a solid understanding of the local ordinances and laws that are applicable to projects listed in the Storm Water Resource Plan and may prevent or hinder implementation of those projects? Does the applicant discuss steps that will be taken to address any incompatibilities between the local ordinances or laws and potential projects.	0-5	1	5
6. Does the applicant describe the process by which the finalized Plan will be submitted and included in the local IRWMP?	0-5	1	5
BUDGET (15 Points Possible)			
7. Does the summary budget table and narrative provide a rationale for the project costs? Are the costs reasonable? Are the tasks shown in the budget consistent with the tasks shown in the workplan and schedule?	0-5	3	15

APPENDIX B – 2: PLANNING PROPOSAL EVALUATION CRITERIA

SCORED CRITERIA	SCORE	WEIGHT	TOTAL POINTS
SCHEDULE (10 Point Possible)			
8. Are the tasks in the schedule consistent with the tasks described in the workplan and budget? Does the schedule seem reasonable given the tasks listed	0-5	2	10
DAC/EDA INVOLVEMENT (10 Points Possible)			
9. Does the applicant provide the process in which DACs/EDAs will be contacted and involved in the development of the Storm Water Resource Plan? Does the applicant provide sufficient documentation that outreach and support to the DACs/EDAs will occur within their watershed?	0-5	2	10
OVERALL TOTAL POINTS:			100
OVERALL EVALUATION			
10. Discuss any concerns with respect to the proposed project. Should the project be funded? (Note to Reviewers: This text will be provided to the applicant. Be clear and concise.)			

IX. APPENDIX C: IMPLEMENTATION PROPOSAL APPLICATION & EVALUATION CRITERIA

Appendix C-1 Implementation Proposal Application

Appendix C-2 Implementation Proposal Evaluation Criteria

Please note that the application and/or review questions outlined in Appendix C may be reworded, combined, or separated as the information is transferred to the online FFAST. Division staff may make clarifying or editorial changes to the application following adoption of these Guidelines. Appendix C is subject to change depending on the final preparation of the review questionnaire for the FFAST system. Appendix C is a tool to guide applicants on the types of information that will be required; however, please refer to FFAST upon opening of the solicitation for the final list of questions and required attachments. No substantive changes will be made to the evaluation criteria and scoring scheme.

APPENDIX C – 1: IMPLEMENTATION PROPOSAL APPLICATION

Appendix C-1: Implementation Proposal Application

Applicants will be asked to organize their Implementation Proposal in a format 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 application. Proposals will be submitted online using the State Water Board's FFAST. The minimum information that must be provided in the Proposal for each of the sections is discussed in the corresponding sections below.

A. Background Information	
1.	ELIGIBILITY REQUIREMENTS
	1. Select the applicant's organization type from the drop-down menu. In order to be considered eligible, the applicant must be a public agency, nonprofit organization, public utility, federally recognized Indian tribe, State recognized Indian tribe listed on the Native American Heritage Commission's Tribal Consultation List, or mutual water company.
	2. Is the proposed project included and implemented within an adopted IRWMP? Provide documentation illustrating the project is included within a IRWMP.
	3. If the project is a storm water or dry weather runoff capture project, is the project included within a Plan that addresses the requirements of the Water Code and the Plan Guidelines? ⁵ Provide a copy of the Plan(s) as Attachment 1.
	4. Is the proposed project consistent with the applicable Basin Plan, including any TMDLs, and any applicable NPDES permit or WDRs? For projects that address discharge of storm water or dry weather runoff to an ASBS, is the project consistent with or identified in the applicable ASBS compliance plan?
	5. Is the project type consistent with the eligible project types described in the Prop 1 SWGP Guidelines (Eligibility Requirements; Part E)? Please explain.
	6. What percent funding match will be provided? If less than 50% is proposed, provide the required attachments (Attachments 8 and 9) and supporting documentation in the application. See Appendix A for further details.
	7. Is the project a multi-benefit project that contains a minimum of two program preferences listed in the Guidelines Section G – Program Preferences? List the multi-benefits the proposed project addresses. Backup documentation justifying these claims will be required in the Workplan attachment.
	8. Is the proposed project consistent with the applicant's water rights? Will the proposed project negatively impact the water rights of other water users?

APPENDIX C – 1: IMPLEMENTATION PROPOSAL APPLICATION

DISCLAIMER	
9.	<p>_____(initials): By initialing the box, the <u>Project Director</u> is certifying that:</p> <ul style="list-style-type: none"> a) The applicant(s) is/are an eligible entity; b) The project is listed and implemented in an adopted IRWMP and Plan, or equivalent, that has been submitted to your local IRWM group; c) He/she is aware that any attachment exceeding the page limit listed above will not be reviewed beyond the page limit (i.e., a workplan exceeding 20 pages maximum will be reviewed up to Page 20 only; any subsequent pages will be eliminated from the review process); d) He/she is aware that, once the proposal has been submitted in FAAST, any privacy rights as well as other confidentiality protections offered by law with respect to the application package and project location are waived; e) The proposed project will contribute to sustained, long-term water quality benefits for a period of 20 years and addresses the causes of degradation rather than the symptoms; and f) He/she has read and agrees to the General Terms and Conditions of the grant agreement. If the Project Director does not agree with the terms and conditions, then a grant award may be denied. (All applicants are required to check the box and initial next to the statement for their application to be reviewed. All applications missing the Disclaimer will be deemed incomplete and ineligible.)
B. Implementation Proposal Questions	
2.	WORKPLAN
10.	Select from the drop-down menu whether you are proposing to implement a storm water or dry weather runoff capture project(s) or other multi-benefit storm water project(s)? Those who are proposing a non-capture project, please move on to Question 11.
11.	CAPTURE PROJECTS ONLY: Please describe whether you are submitting multiple plans for a functionally equivalent Storm Water Resource Plan or whether you have completed the Stormwater Resource Plan that addresses requirements in the Water Code and is in accordance with the Storm Water Resource Plan Guidelines. Include your Plan(s) as Attachment 1 for review and scoring. Discuss how the project is identified and prioritized in the Plan(s). Provide specific page references to the Plan(s) for easy reference.
12.	<p>Prepare a workplan (Attachment 2, 20 pages maximum) that describes the project in detail and how it meets the eligible project types outlined in Part E of the Eligibility Requirements. Describe the tasks for the project with enough detail and completeness that it is clear the project can be implemented. The workplan should include, but is not limited to:</p> <ul style="list-style-type: none"> a) Goals and Objectives: a brief description of how the project protects or improves water quality, helps water infrastructure systems adapt to climate change, provides incentives for water agencies throughout each watershed to collaborate in managing the region’s water resources and setting regional priorities for water infrastructure, improves regional water self-reliance, and provides multiple benefits; b) Purpose and Need: a description of the water quality of the storm water or dry weather runoff to be addressed by the project, possible or known sources of storm water contamination; the approximate quantity of the storm water flow to be treated and/or captured; and a description of the other benefits expected from the project; c) Site Investigation: discuss research completed to select the site including, but not limited to, GeoTracker and EnviroStor database research, soils reports, depth to groundwater, historical aerial photo research, and onsite geotechnical and environmental investigations; d) Sustainability: discuss how the project supports sustained, long-term water quality improvement and the other benefits associated with the project; e) Regional Map: a figure with a discussion of the project location including the current site conditions and land use identification of the applicable IRWM group boundaries, and identification of any Areas of Special Biological Significance;

APPENDIX C – 1: IMPLEMENTATION PROPOSAL APPLICATION

	<ul style="list-style-type: none"> f) Project Map: maps depicting the project location and storm water capture area and size of area to be treated; g) Impaired Waters: a description of the impaired waters, their beneficial uses, and the water quality problems that interfere with the beneficial uses of those waters; and h) Project Timing and Phasing: a discussion of whether this is a phased project or part of a larger project effort.
	<p>13. Provide in the workplan (Attachment 2) a section called Proposed Work Tasks that includes, but is not limited to:</p> <ul style="list-style-type: none"> a) Work Tasks: a detailed description of the work tasks with adequate detail and completeness to clarify the project can be implemented; b) Procedures: a discussion on coordination with cooperating entities, agencies, and/or organizations; c) Implementation: a detailed description of the proposed approach, including a thorough discussion of the practices the project is proposing to use to solve the problem, and the technical basis for the selected approach; d) Existing Data and Studies: the necessary scientific and technical information to support the feasibility of the project; e) Integrated Elements: a discussion on how the tasks can collectively implement the project and how the various tasks are connected; f) Deliverables: a list of deliverables and reporting for each tasks (i.e. for Administration – quarterly invoices, draft final report, final report, final project summary, final project certification and inspection; for Construction – Notice to Proceed, construction progress reports with photos of progress) g) Permitting and Environmental Review: a list of required permits, environmental documentation, and landowner/access agreements required to implement the project. Provide a status of each of these required items; h) Plans and Specifications; the status of the plans and specifications and a copy of the current plan set or concept engineer’s drawings; i) Data Management: a discussion of the proposed data collection and monitoring, how that data will be managed, whether an Monitoring Plan and QAPP are required, and whether the data will be submitted to CEDEN and/or GAMA; and j) Education and Outreach: a description of the type of education and community outreach proposed for the project.
	<p>14. 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. Resumes for each person listed on the technical and planning team is required. (Attachment 3)</p>
3.	BUDGET
	<p>15. Provide summary and detailed budget tables (Attachment 4) for the proposal. Be sure that the tasks listed in the budget are consistent with the workplan and schedule, and provide necessary supporting documentation to justify the costs shown. Be sure that the tasks and subtasks in the budget summary and the detailed budget tables match.</p>
	<p>16. Provide detailed written explanation (Attachment 4) that includes, but is not limited to:</p> <ul style="list-style-type: none"> a) A description to support each budget category, tasks, and important subtasks; b) An explanation of how the costs were estimated, the preliminary bids provided, and past experience used to justify the costs; c) A discussion on the project capital and operations and maintenance (O&M) costs, how those costs compare to industry standards, the life cycle of the project, and how long the project will remain operational before it requires replacement;

APPENDIX C – 1: IMPLEMENTATION PROPOSAL APPLICATION

	<ul style="list-style-type: none"> d) A description of the ongoing support and financing to continue the O&M for the useful life of the project (20 years post construction); e) A discussion on how the project is economically feasible and a good use of State funds, the cost per gallon treated/captured, and/or a description of how the project data will be used to demonstrate the economic benefit of the implemented approach; f) A explanation of the sources of matching funds (does the project leverage any existing of potential funds from the State, local, and other sources), how much and from what sources the matching funds are provided, and how secure each funding source is; and g) A discussion on whether a reduction in matching funds will be requested, the amount of reduction of match, the justification for the reduction in match, and the percent of grant funds that will solely benefit a DAC/EDA.
4.	SCHEDULE
	<p>17. Provide a Gantt Chart, or other similar type of chart, that provides the start and end dates of each category, task, and subtask (Attachment 5). Be sure that the categories, tasks, and subtasks are consistent with the budget and workplan.</p>
	<p>18. Provide a detailed written explanation (Attachment 5) that includes, but is not limited to:</p> <ul style="list-style-type: none"> a) A discussion on how the timeline is consistent with the workplan and budget; b) A description of the possible obstacles to completing the tasks or subtasks; c) A discussion relating to the elements of the project, their current status, and how the tasks and subtasks will be completed in a timely manner; and d) A description on the status of the environmental documents required for the project, what permits are required to complete the project and status of obtaining those permits, site access issues, and the status of obtaining access agreements or land purchases (if needed).
5.	MONITORING, ASSESSMENT, AND PERFORMANCE MEASURES
	<p>19. Include a Project Assessment and Evaluation Plan (PAEP) Table (Attachment 6) that:</p> <ul style="list-style-type: none"> a) Identifies targets appropriate for the benefits claimed, with emphasis on the benefits that are obtainable using the requested grant funds; b) Discusses the proposed measurement methods needed to evaluate project performance and progress toward meeting the targets; c) Describes any monitoring activities proposed, parameters and frequency of monitoring, and how the data will be integrated into CEDEN; and d) Describes whether the proposal leverages existing monitoring efforts.
6.	MULTIPLE BENEFITS
	<p>20. Please select the multiple benefits (as listed in Section III, G Program Preferences) the proposed project will address. Provide a quantified estimate of the benefit expected with sufficient detail and backup documentation to support the estimate.</p>
7.	DAC BENEFITS
	<p>21. Is the applicant a DAC/EDA or is a DAC/EDA directly involved in the planning of the proposed project? Does the project benefit a DAC/EDA? To obtain points for benefiting a DAC/EDA, please provide Attachment 10 discussing, at a minimum, the following:</p> <ul style="list-style-type: none"> a) The demographics of the DAC or EDA communities in the project area; b) The methodology used in determining the total population in the project area and census geographies used and how they were applied; c) How land-use in the project area impacts the DAC or EDA; d) Efforts made to identify and address DAC or EDA needs and issues within the project area and how the project will address those needs and issues; e) The direct benefits to the DAC or EDA; and f) Any negative impact the proposed project may have on the DAC or EDA.

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APPLICATION ATTACHMENTS

Provide the attachments listed below by attaching files, no larger than 10 megabytes, to the FAAST application. When attaching files, applicants must use the naming convention noted in the Solicitation Notice.

Attachment #	Title	Description
Attachment 1	Storm Water Resource Plan	The Plan(s) must address all SB 985 requirements and be consistent with the Storm Water Resource Plan Guidelines (December 2015).
Attachment 2	Workplan	Workplan including maps, diagrams, and/or photographs of the proposed project area. Any pages greater than the allowed 20 pages will NOT be reviewed. For guidance on the workplan, please see our website at: http://www.waterboards.ca.gov/swgp
Attachment 3	Resumes	Provide a description of the technical advisory and planning team, their background in similar projects, success with similar construction projects, and a resume for each person listed.
Attachment 4	Budget	The budget template (Excel) and a Word document that provides guidance on how to write a budget is located on the SWGP website at: http://www.waterboards.ca.gov/swgp
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. Work items may overlap. Applicants should show any dependence on predecessors by showing links between work items.
Attachment 6	Environmental Clearance Checklist & CEQA Documentation	Provide the status of all environmental documents required for the project. Attach any draft or final CEQA documents that are available. For guidance on the environmental clearance, please see our website at: http://www.waterboards.ca.gov/water_issues/programs/grants_loans/grant_info/index.shtml#ceqa
Attachment 7	Performance Measures	Applicants are required to submit a PAEP table specific to their proposed project. For an example and template of the PAEP table, please see our website at: http://www.waterboards.ca.gov/swgp
Attachment 8	Technical Report Summary	Provide a summary of the technical report(s) results that can be used to verify that appropriate background data was gathered and studies were performed in the development of the proposed project, selection of BMPs, and to assess the proposed project's ability to produce the benefits claimed. Furthermore, applicants must provide detailed technical information enabling a reviewer to understand and verify the benefits claimed. These reports that are summarized should be the basis for the Plan included as Attachment 1.
Attachment 9 (If Applicable)	Request for Reduced Funding Match	Applicants requesting a reduced funding match must demonstrate that they are DACs. See Appendix A for more information. For assistance regarding requesting a match reduction, please contact State Water Board staff, Ms. Kelley List, at (916) 319-9226.
Attachment 10 (if Applicable)	DAC Benefits	Applicant's response to the questions provided in the application will be used to determine whether the proposal should receive any points for benefiting DACs. See Appendix A, Step E, for further information.

APPENDIX C – 1: IMPLEMENTATION PROPOSAL APPLICATION

Attachment 11	Letters of Support or Opposition	<p>Submit electronic copies of any letters of support for or opposition to the proposed projects. General letters of support or opposition will not be considered. Letters of support or opposition must clearly state how implementation of the project will benefit or adversely impact the individual or entity providing the letter. All letters should be attached to your proposal in FFAST, and may be addressed to the Applicant. Letters mailed into the State Water Board’s offices or e-mailed to State Water Board staff or Board Members <u>will not be reviewed by the grant reviewers.</u></p>
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APPENDIX C – 2: IMPLEMENTATION PROPOSAL EVALUATION CRITERIA

Appendix C-2: Implementation Proposal Evaluation Criteria

This Section includes the Implementation Proposal eligibility and evaluation criteria that will be used by reviewers. This Section is broken into two sections: Eligibility Review Criteria and Project Evaluation Criteria.

TABLE I: ELIGIBILITY REVIEW AND SCORING CRITERIA	
<i>The Eligibility Criteria listed below will be used to screen Proposals. State Water Board staff will complete the eligibility review. A “No” response to any of the following will deem the proposal ineligible for funding.</i>	
Criteria	Response
1. Is the applicant an eligible entity?	
2. Is the project included and implemented in an adopted IRWMP?	
3. Is the project a Storm Water and Dry Weather Runoff Capture Project? If so, did the applicant include a copy of the Storm Water Resource Plan, or equivalent, which addresses all SB 985 requirements and is consistent with the Storm Water Resource Plan Guidelines?	
4. Is the project consistent with the Basin Plan, including TMDL requirements, any applicable NPDES permits and WDRs, and any applicable ASBS compliance plan?	
5. Is the project consistent with the eligible project types listed in the Guidelines?	
6. Does the applicant report the appropriate amount of matching funds? If the applicant is requesting a reduction in match, does the applicant provide sufficient documentation to support the request?	
7. Is the proposed project a multi-benefit project that contains a minimum of two program preferences listed in Section G – Program Preferences?	
8. Is the proposed project consistent with the applicant’s water rights? Will the proposed project negatively impact the water rights of other water users?	
9. Has the applicant checked the box and initialed that the Project Director has read the Disclaimer? (All applicants are required to check the box and initial next to the statement for their application to be reviewed. All applications missing the Disclaimer will be deemed incomplete and ineligible.)	

APPENDIX C – 2: IMPLEMENTATION PROPOSAL EVALUATION CRITERIA

PROPOSITION 1 STORM WATER GRANT PROGRAM IMPLEMENTATION PROPOSAL EVALUATION SCORING CRITERIA			
SCORED CRITERIA	SCORE	WEIGHT	TOTAL POINTS
WORKPLAN (40 Points Possible)			
1. Does the project, as described in the workplan: <ul style="list-style-type: none"> a. Implement goals, objectives, and requirements of a municipal storm water permit, help water infrastructure systems adapt to climate change, provide incentives for water agencies throughout each watershed to collaborate in managing the region’s water resources and setting regional priorities for water infrastructure, and improve regional self-reliance; b. Identify a known water quality issue(s), possible or known sources of storm water contamination, and approximate quantity of the storm water flow to be treated and/or captured; c. Provide clear documentation and prior research for site(s) selection process and the steps taken to ensure proposed site(s) will not have a negative impact to groundwater quality, surface water quality, soils, flood management, habitat or the local community; d. Explain how the project will support sustained, long-term water quality improvements and the other benefits associated with the project; e. Provide regional and project maps depicting the site location, current conditions, capture area and area to be treated? f. Describe the watershed, impaired waters, beneficial uses, and water quality issues? g. Explain whether the project is a phase of a larger project or a stand-alone project and describe the timing (construction season) for the project? 	0-5	3	15

APPENDIX C – 2: IMPLEMENTATION PROPOSAL EVALUATION CRITERIA

PROPOSITION 1 STORM WATER GRANT PROGRAM IMPLEMENTATION PROPOSAL EVALUATION SCORING CRITERIA			
SCORED CRITERIA	SCORE	WEIGHT	TOTAL POINTS
2. Does the workplan provide: <ul style="list-style-type: none"> a. A clear indication of the detailed work tasks necessary to complete the project and the types of deliverables expected to be completed for each task; b. A discussion of the coordination with cooperating entities, agencies, and/or organizations and their support of the project; c. A detailed description of the approach and practices the project is proposing to use and the technical basis for the approach; d. A discussion of the necessary scientific and technical information to support the feasibility of the project; e. A discussion on the required permits, environmental documentation, and landowner/access agreements required to implement the project; f. A description of the status of the plans and specifications and their status; g. A discussion of the proposed data collection and monitoring and how that data will be managed and reported; and h. A description of the education and outreach for the project? 	0-5	3	15
3. Does the applicant demonstrate the appropriate experience, knowledge, and skills necessary to successfully complete the project?	0-5	1	5
BUDGET (20 Points Possible)			
4. Do the budget tables provide a rationale for the costs? Are the costs reasonable? Are the tasks shown in the budget consistent with the tasks shown in the workplan and schedule? Was supporting documentation provided to justify the costs?	0-5	2	10
5. Is a description of each budget category clearly defined and thoroughly explained? Does the explanation on the cost estimates, preliminary bids, and past experience provide sufficient detail to justify the costs provided? Does the budget summary provide a cost-benefit analysis of the project with sufficient detail and backup documentation to justify their claims? Are the sources of matching funds provided?	0-5	1	5
6. Does the applicant describe in detail the O&M costs, how those costs compare industry standards, and how the project will remain operational? Does the ongoing O&M support continue for 20-years?	0-5	1	5

APPENDIX C – 2: IMPLEMENTATION PROPOSAL EVALUATION CRITERIA

SCHEDULE (5 Points Possible)			
7. Do the tasks in the schedule align with the tasks described in the workplan and budget? Does the schedule seem reasonable given the tasks listed? Are the start dates and end dates within the required timeframe as indicated in the Guidelines?	0-5	1	5
MONITORING, ASSESSMENT, AND PERFORMANCE MEASURES (5 Points Possible)			
8. How well will the measurement tools and methods effectively monitor project performance and target progress? Is the monitoring appropriate for the benefits claimed? Are the goals and targets reasonable and feasible within the life of the grant?	0-5	1	5
MULTIPLE BENEFITS (20 Points Possible)			
<p>9. Does the applicant provide sufficient documentation to quantify how the project addresses one or more multiple benefit listed below? Award up to 15 points for Main Benefits addressed and up to 10 points for Additional Benefits addressed. Points will be awarded based on both the number of benefits and relative significance of those benefits as quantified (e.g., acre-feet infiltrated, gallons of storm water reused; pounds of pollutant reduced).</p> <p>Main Benefits:</p> <ul style="list-style-type: none"> a. Water quality protection and improvement b. Increased filtration and/or treatment of runoff c. Water supply reliability d. Groundwater management e. Runoff capture and reuse f. Augmentation of drinking water supply g. Reduced downstream flood risk/ reduction in runoff rate and/or volume h. Environmental and habitat protection and improvement i. Wetland enhancement and/or creation j. Stream/riparian enhancement and/or instream flow augmentation k. Increased urban green space <p>Additional Benefits:</p> <ul style="list-style-type: none"> l. Contribution to compliance with applicable permit and/or TMDL requirements m. Nonpoint source pollution control n. Reestablish natural water drainage and treatment o. Reduction of necessary imported water p. Water conservation q. Reduced localized flooding or sanitary sewer overflows r. Reduced energy use, greenhouse gas emissions, or provides a carbon sink s. Enhanced and/or created recreational and public use areas 	0-25	1	25

APPENDIX C – 2: IMPLEMENTATION PROPOSAL EVALUATION CRITERIA

DISADVANTAGED COMMUNITY BENEFITS (10 Points Possible)			
<p>10. Based on the answer to Question 21 of the Proposal:</p> <p>Is the applicant a DAC or EDA? (10 Points)</p> <p>Do 100% of the grant funds benefit a DAC or EDA? (5 Points)</p> <p>Does some portion of the grant funds benefit a DAC or EDA? (3 Points)</p> <p>No DAC or EDA benefits from the grant funds. (0 Points)</p> <p>(Scoring on this criteria will be determined by Division’s lead reviewer)</p>	<p>0, 3, 5 or 10 Points</p>	<p>1</p>	<p>0, 3, 5, or 10</p>
OVERALL TOTAL POINTS:			100
OVERALL REVIEW COMMENTS			
<p>11. Does the reviewer believe that the proposed project is technically and financially feasible? Does the reviewer have any concerns about funding the project? Does the reviewer recommend the project for funding? (Note to Reviewers: This text will be provided to the applicant. Be clear and concise.)</p>			

X. APPENDIX D: DEFINITIONS

Ag Water Supplier – an agricultural water supplier with greater than 25,000 irrigated acres (Water Code § 10608, Division 6, Part 2.55).

Applicant – an entity that files an application for SWGP funding.

Application – the electronic submission to the State Water Board that requests grant funding for the project that the applicant intends to implement. It includes the proposal, which may be comprised of responses to the questions included in the on-line application system, as well as attachments.

Basin Plan – also referred to as a Water Quality Control Plan, identifies: 1) beneficial uses to be protected; 2) water quality objectives for the reasonable protection of beneficial uses; and 3) a program of implementation for achieving the water quality objectives as established by the Regional Water Boards or State Water Board.

Beneficial Uses - the uses of streams, lakes, rivers, and other water bodies, have to humans and other life. Beneficial uses are outlined in a Basin Plan. Each body of water in the State has a set of beneficial uses. Different beneficial uses require different water quality control(s). Therefore, each beneficial use has a set of water quality objectives designed to protect that beneficial use. Below is a list of some of the beneficial uses.

Beneficial uses may include: domestic (homes, human consumption, etc.), irrigation (crops, lawns), power (hydroelectric), municipal (water supply of a city or town), mining (hydraulic conveyance, drilling), industrial (commerce, trade, industry), fish and wildlife preservation, aquaculture (raising fish, etc. for commercial purposes), recreational (boating, swimming), stock watering (for commercial livestock), water quality, frost protection (misting or spraying crops to prevent frost damage), heat control (water crops to prevent heat damage), groundwater recharge, and agriculture.

Best Management Practices (BMPs) – refers to those listed in the California Stormwater Quality Association's (CASQAs) BMP Handbooks: Industrial & Commercial BMP Handbook, Municipal BMP Handbook, New Development & Redevelopment BMP Handbook, and BMP Handbook Training. The BMP Handbooks can be found on CASQAs website: <https://www.casqa.org/resources/bmp-handbooks>. Additional information on the definition of storm water BMP can be obtained on the International Stormwater BMP Database website at: <http://www.bmpdatabase.org/>.

Block Group – 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 – 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.

Census Tract – 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.

Disadvantaged Community – a community with a median household income less than 80% of the statewide average (PRC § 75005[g]).

Economically Distressed Area (EDA) – areas with a population of 20,000 persons or less, a rural county, or a reasonably isolated and divisible segment of a larger community where the segment of the population is 20,000 persons or less, with an annual median household income that is less than eighty-five percent (85%) of the statewide MHI, and with one or more of the following conditions as determined by the Division: 1) financial hardship, 2) unemployment rate at least two percent (2%) higher than the statewide average, and 3) low population density (Water Code § 79702[k]).

Evaluation Criteria – the set of specifications used to select or choose a project based on available funding.

Fiscal Year (FY) – a 12-month period in which an organization plans to use its funds. The fiscal year for the State Water Board begins on July 1 and ends on June 30.

Funding Match – funds made available by the applicant including, but not limited to, Federal funds, local and private funding, State financing, or donated and volunteer (“in-kind”) services. Financing received through the Clean Water State Revolving Fund Program or any other State sponsored loan programs may be used for match. Additionally, education and outreach may qualify as a portion of the funding match. Regardless of the source, grant funds cannot be used for the required match.

Grantee – refers to a grant recipient.

Granting Agency – 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 Proposition 1 Storm Water Grant Program.

Green Infrastructure – refers to systems and practices that use or mimic natural processes to infiltrate, evapotranspire (the return of water to the atmosphere either through evaporation or transpiration), or reuse stormwater (i.e., green roofs, tree boxes, rain gardens, vegetated swales, pocket wetlands, infiltration planters, permeable pavements, riparian buffers, and floodplains); can also include decentralized harvesting approaches, such as the use of cisterns to capture water for flushing toilets or subsequent outdoor irrigation.

Impaired Water Body – surface waters identified by the Regional Water Quality Control 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 Resources Control Board pursuant to section 303(d) of the Clean Water Act (CWA).

Lead Agency – public agency (usually the applicant) that is responsible for preparation and circulation of environmental documents before project approval.

Low Impact Development (LID) – for the purposes of this funding program, LID is a storm water management strategy aimed at maintaining or restoring the natural hydrologic functions of a site or project to achieve natural resource protection objectives and fulfill environmental regulatory requirements; LID employs a variety of natural and built features that reduce the rate of runoff, filter pollutants out of runoff, and facilitate the infiltration of water into the ground and/or on-site storage of water for reuse.

Management Measures – 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.

Median Household Income (MHI) - commonly used to provide data about geographic areas. It divides households into two equal segments, with the first half of households earning less than the MHI, and the other half earning more.

Nonpoint Sources (NPS) Pollution – 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, and mining. 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 NPS pollution.

National Pollutant Discharge Elimination System (NPDES) Permit Program– controls water pollution by regulating point sources that discharge pollutants into waters of the United States. Point sources are discrete conveyances such as pipes or man-made ditches. Since its introduction in 1972, the NPDES Permit Program has been responsible for significant improvements to our Nation's and State's water quality.

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.

Pollutant Load Reduction – 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.

Project Director – The Project Director is responsible for adhering to the terms of the grant agreement, keeping the project on track, submitting deliverables in a timely manner, and overall management of the administrative and technical aspects of the grant agreement. The Project Director must be an employee of the Grantee. Persons that are subcontractors to be paid by the grant cannot be listed as the Project Director.

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.

Public Agency – state agency or department, special district, joint powers authority, city, county, city and county, or other political subdivision of the state (Water Code § 79702[s]).

Public Works – construction, alteration, demolition, installation, or repair work done under contract and paid for in whole or in part out of public funds, except work done directly by any public utility company pursuant to order of the Public Utilities Commission or other public authority (CLC § 1720).

Restore – to improve physical structures or facilities (PRC § 75005).

Small Disadvantaged Community – a community with a population of 20,000 persons or less with a median household income (MHI) less than 80% (80 percent) of the statewide average (PRC § 75005[g]).

Small and Severely Disadvantaged Community – a community with a population of 20,000 persons or less with a median household income (MHI) less than 60% (sixty percent) of the statewide average (PRC § 75005[g]).

Stakeholder – an individual, group, coalition, agency, or other entity that is involved in, affected by, or has an interest in the implementation of a specific program or project.

Storm Water – water generated by runoff from land and impervious surfaces during rainfall and snow events that often contains pollutants in quantities that could adversely affect water quality. Dry weather runoff enters the municipal storm sewer from every day activities such as lawn watering, car washing, and ground water seepage.

Storm Water and Dry Weather Runoff Capture – please refer to the State Water Board's Storm Water Resource Plan Guidelines for the definition.

Storm Water Treatment Train Facility - a multi-BMP approach to managing the quantity and quality of storm water runoff and includes prevention and source control practices. Management of storm water using a treatment train can begin with pollution prevention (i.e. pet ordinances, plastic bag ordinances, public education), then source control (i.e. street sweeping, elicited discharges), followed by onsite storm water BMPs (i.e. rain gardens, bioswales, permeable pavement), and ending with regional BMPs (i.e. bioretention basins, wetlands). All, or a combination of, steps working in tandem comprises a storm water treatment train system.

Sustainable - resources must only be used at a rate at which they can be replenished naturally.

Total Maximum Daily Load (TMDL) – a written plan that describes how an impaired water body will meet water quality standards. It contains: (1) a measurable feature to describe attainment of the water quality standard(s); (2) a description of required actions to remove the impairment; and, (3) an allocation of responsibility among dischargers to act, either in the form of actions or through the establishment of water quality conditions for which each discharger is responsible. An established TMDL is one that has been adopted by both the applicable Regional Water Board and the State Water Board, has been approved by the Office of Administrative Law and paid the appropriate fees to the Department of Fish and Game. Additionally, TMDLs developed by and subsequently adopted by the U.S. EPA shall be considered established for purposes of the SWGP.

Urban Water Supplier – a supplier, either publicly or privately owned, that provides water for municipal purposes either directly or indirectly to more than 3,000 customers or supplies more than 3,000 acre-feet of water annually (Water Code § 10617).

Waste Discharge Requirements (WDRs) – requirements that are adopted by the Regional Water Boards to protect the waters of the state for the use and enjoyment of the people of California.

Water Quality Objectives – the limits or levels of water quality elements or biological characteristics established to reasonably protect the beneficial uses of water or to prevent problems within a specific area. Water quality objectives may be numeric or narrative.

Water Quality Standards - State-adopted and U.S. EPA-approved ambient standards for water bodies that prescribe the use of the water body and establish the water quality criteria that must be met to protect these uses. The three components of water quality standards include the beneficial designated use or uses of a water body (for example, drinking water supply, contact recreation (swimming), and aquatic life support), the numerical and narrative water-quality criteria that are necessary to protect the use or uses of that particular water body, and an antidegradation statement (from federal CWA).