

# Proposition 84 Storm Water Grant Program (SWGP): Draft Guidelines Workshops - December 2008

**Proposition 84 Storm Water Grant Program (SWGP)  
Draft Guidelines Workshops**



State Water Resources Control Board Staff

San Luis Obispo, CA	December 1, 2008	1:00P.M - 4:00 P.M.
Sacramento, CA	December 3, 2008	1:00 P.M - 4:00 P.M
Los Angeles, CA	December 11, 2008	10:00 A.M. - 1:00 P.M

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## Workshop Objectives

- Highlight grant process and provide overview of draft Guidelines
- Answer questions on draft Guidelines
- Solicit comments for support or changes to draft Guidelines
- Staff available at end of the workshop to discuss specific questions/projects

Draft Guidelines available on-line at:  
[http://www.waterboards.ca.gov/water\\_issues/programs/grants\\_loans/prop84/index.shtml](http://www.waterboards.ca.gov/water_issues/programs/grants_loans/prop84/index.shtml)

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## Presentation Outline

- Overview of Grant Program
- Overview of Draft Guidelines
- Proposed Timeline
- Next Steps
- Sources of Information

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## Overview of Grant Program

- **Proposition 84** - The Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006
- **Assembly Bill (AB) 739** (Statutes 2007, Chapter 610, Laird)

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## Proposition 84

- \$90 million (~ **\$82 million** available)
- Must be a **local public agency**
- Match required
- For the reduction and prevention of storm water contamination of rivers, lakes, and streams
  - Capital improvement projects (Implementation Projects)
  - Public Resources Code (PRC) § 75072 Planning & Monitoring Projects

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## Assembly Bill (AB) 739

- Defines Project Types & Preferences
- Requires State Water Board to establish Storm Water Advisory Task Force (SWATF)
- Requires development of project selection and evaluation Guidelines
- Establishes maximum grant amount of \$5 million per project
- Requires Grantees to assess and report on project effectiveness

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# Proposition 84 Storm Water Grant Program (SWGP): Draft Guidelines Workshops - December 2008

**Overview of Draft Guidelines  
Table of Contents**

I. Purpose	A. SWGP Summary Table
II. Program Context	B. Useful Web Links
III. Background	C. Definitions
IV. Vision	D. Requests for Reduction of Funding Match for Small Disadvantaged Communities
V. Guidelines Overview	E. Concept Proposal Application & Evaluation Criteria
VI. Eligibility Requirements, Program Preferences, & PRC § 75072 Planning and Monitoring Projects	F. Full Proposal Application & Evaluation Criteria
VII. Proposal Solicitation, Review, & Selection Process	G. PRC § 75072 Planning & Monitoring Projects
VIII. General Requirements	H. Environmental Review Process
	I. Preparing Project Assessment & Evaluation Plans
	J. Budget Table

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**Overview of Draft Guidelines**

- Eligible Grant Recipients
- Project Types (Implementation Projects)
- Minimum and Maximum Grant Amounts
- Match Requirement
- Program Preferences
- General Requirements
- Grant Process / Evaluation Criteria
- Disadvantaged Communities
- PRC § 75072 Planning & Monitoring Projects

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**Eligible Grant Recipients**

- **Proposition 84 identifies eligible applicants as “local public agencies”**
- **Local public agency - any city, county, city and county, or district**

Note: Eligible applicants are different for Planning and Monitoring Projects funded under PRC § 75072, as discussed in Section VI.E.

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**Eligible Project Types (PTs)**

- **PT1 – Implementing Low Impact Development (LID)**
- **PT2 – Complying with Total Maximum Daily Load (TMDL) requirements**

Note: Eligible project types are different for Planning and Monitoring Projects funded under PRC § 75072, as discussed in Section VI.E.

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**PT1. Low Impact Development**

Assistance in implementing Low Impact Development and other onsite and regional practices, on public and private lands, that seek to maintain predevelopment hydrology for existing and new development and redevelopment projects. Projects funded shall be designed to infiltrate, filter, store, evaporate, or retain runoff in close proximity to the source of water.

- Primary focus of Proposition 84 SWGP
- Encourage Smart Growth

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**Low Impact Development (LID) Definition**

- 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.

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## **PT2. Total Maximum Daily Load (TMDL)**

Complying with Total Maximum Daily Load (TMDL) requirements established pursuant to Section 303(d) of the Clean Water Act (33 U.S.C. Sec. 1313(d)) and division 43 of the PRC where pollutant loads have been allocated to storm water, including, but not limited to metals, pathogens, and trash pollutants.

- TMDL must be listed and approved
- Up to \$10 million, total from Round 1 and Round 2
- Preference given to TMDLs that cannot be addressed through LID

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## **Minimum & Maximum Grant Amounts**

- **Minimum Grant Amount:**
  - \$250,000 per project
- **Maximum Grant Amount:**
  - \$5,000,000 per project

Note: Minimum and maximum grant amounts are different for Planning and Monitoring Projects funded under PRC §75072, as discussed in Section VI.E

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## **Match Requirement**

### **Group A: Small & Severely Disadvantaged Community**

- 5% if population less than 20,000 persons **AND**
- Median household income (MHI) is less than 60% Statewide MHI

### **Group B: Small & Disadvantaged Community**

- 10% if population is less than 20,000 persons **AND**
- MHI between 60-80% Statewide MHI

### **Group C: All Others**

- 20% if population is greater than 20,000 persons **OR**
- MHI is more than 80% of Statewide MHI

Note: Match requirements are different for Planning and Monitoring Projects funded under PRC §75072, as discussed in Section VI.E.

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## **Match Requirement**

- Calculated based on total project cost, not grant amount
- May include, but is not limited to:
  - Federal funding,
  - Local and private funding,
  - State funding, or
  - Donated and volunteer ("in-kind") services.
- Grant funds cannot be used for match
- Reimbursable expenses incurred between adoption of Guidelines and prior to work completion date can be applied to funding match

(Section VI.B and Appendix D)

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## **Program Preferences**

Preference will be given to projects that do one or more of the following:

- Support sustained, long term water quality improvement; or
- Are coordinated or consistent with any applicable Integrated Regional Water Management (IRWM) Plan

Preferences are reflected in Concept Proposal Evaluation Criteria (**Appendix E**) and Full Proposal Evaluation Criteria (**Appendix F**), and will be considered by Selection Panel when determining recommended project funding lists

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## **Project Requirements**

### **All projects required to:**

- Be consistent with water quality control plans (Basin Plans)
- Demonstrate capability of contributing to sustained, long-term water quality benefits for a period of 20 years, and address the causes of degradation rather than the symptoms
- Submit a monitoring and reporting plan
- Integrate water quality monitoring data into the Surface Water Ambient Monitoring Program (SWAMP)

\*Continued on next slide

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## Project Requirements Cont.

### All projects required to:

- Submit a report, upon completion of the project, that summarizes the completed activities and indicates whether project goals have been met, and an assessment of project effectiveness, which may include:
  - Monitoring receiving water quality;
  - Determining pollutant load reductions; and
  - Assessing improvements in storm water discharge quality resulting from project implementation

\*Continued on next slide

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## Project Requirements Cont.

### All projects required to:

- Upload into FAAST a 1-2 page project summary
- Inform the State Water Board of any necessary public agency approvals, entitlements, and permits that may be necessary to implement project
- Obtain adequate rights of way for useful life of project

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## General Requirements

- Conflict of Interest
- Confidentiality
- Labor Code Compliance
- California Environmental Quality Act (CEQA) Compliance
- Waiver of Litigation Rights
- Project Assessment & Evaluation Plans
- Monitoring & Reporting
- Data Management
- Urban Water Management Plan (Urban Water Suppliers)
- Grant Manager Notification

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## California Environmental Quality Act (CEQA) Compliance

- All projects funded under the SWGP must comply with CEQA
- Prior to adoption of negative declaration or environmental impact report, lead agency shall notify any California Native American tribes that have traditional lands located within area of proposed project
- No work may proceed until the State Water Board completes its own CEQA findings
- Details about State Water Board's environmental compliance process can be found in **Appendix H**

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## Monitoring & Reporting

- Assess and report on project effectiveness
- Integrate monitoring data into the Surface Water Ambient Monitoring Program (SWAMP)
- Identify development of draft and final reports, as well as anticipated frequency of progress reports

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## Project Assessment & Evaluation Plans (PAEP)

- PAEP must be submitted after the grant agreement is executed
- PAEP must include
  - Summary of project goals
  - Project Performance Measures Tables
  - Desired project outcomes
  - Appropriate performance measures to track project progress
  - Measurable targets that applicant thinks are feasible to meet during the project period
- Not intended to be a monitoring plan
- PAEP guidance presented in **Appendix I**

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**Surface Water Ambient Monitoring Program (SWAMP)**

- **Integrate monitoring data into SWAMP:**
  - Monitoring plan (Section VI. C); and
  - Quality Assurance Project Plan (QAPP).
- **QAPP must be prepared in accordance with the SWAMP QAPP template, which is available on-line at:**  
[www.waterboards.ca.gov/water\\_issues/programs/swamp](http://www.waterboards.ca.gov/water_issues/programs/swamp)

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**Urban Water Supplier (UWS) Requirements**

- UWS must prepare, adopt, and submit urban water management plans (UWMPs) to the Department of Water Resources (DWR), in compliance with the Urban Water Management Planning Act (California Water Code [CWC] § 10610 et seq.), **before a grant agreement can be executed**
- UWS must include description of water demand management measures being implemented or scheduled for implementation in their service area
- UWS must demonstrate implementation of water conservation measures

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**Urban Water Supplier (UWS) - 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

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**Grant Process**

```

  graph TD
    A[State Water Board Adopts Guidelines] --> B[Concept Proposal]
    B --> C[Full Proposal]
    C --> D[State Water Board Adopts Funding List]
    D --> E[Grant Agreement Executed/Project Implementation]
  
```

**Proposal Steps:**

1. Submitted
2. Evaluated
3. Selected for invite back or funding

**Note:** Solicitation for PRC § 75072 Planning & Monitoring Projects will be between the Round 1 Concept Proposal and Full Proposal stages for implementation projects. See **Appendix E** for more information.

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**Grant Process**

**Two Rounds of Funding**

- **Round 1**
  - Up to \$45 million (including PRC § 75072 Planning & Monitoring projects)
  - Concept Proposal (CP) solicitation anticipated February 2009
- **Round 2**
  - Remaining funds (~\$37 million)
  - CP Solicitation anticipated early 2010

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**Grant Process**

**Each Round includes a two-step process for implementation projects**

- **Step 1 - Concept Proposal (CP)**
- **Step 2 - Full Proposal (FP)**

**Proposals will be submitted on-line using State Water Board's Financial Assistance Application Submittal Tool (FAAST)**

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

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## Grant Process Step 1 – Concept Proposal (CP)

- Brief Application
- Eligible CPs reviewed & scored
- Applicants with high scoring CPs will be invited to submit Full Proposals (Minimum of 70 points required)
- Application and evaluation criteria outlined in **Appendix E** of draft Guidelines

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## Concept Proposal (CP) Evaluation Criteria

- Address the SWGP's Purpose
- Address Problems and Pollutants
- Potential for Success
- Technical Basis
- Project Effectiveness
- Program Preferences
- Multiple Benefits
- Readiness to Proceed
- Track Record

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## Grant Process Step 2 – Full Proposal

- By invitation only based on Concept Proposal score and amount of funding available
- Evaluated & scored by technical review teams
- Application and evaluation criteria outlined in **Appendix F** of draft Guidelines
- Selection Panel finalizes recommended funding lists

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## Full Proposal (FP) Evaluation Criteria

- Project Significance
- Meeting LID Goals or Implementing a TMDL
- Pollution Reduction – Magnitude and Assessment
- Pollution Reduction – Best Management Practices
- Compliance with Water Quality Goals
- Multiple Objectives
- Project Cost Effectiveness
- Planning
- Project Readiness
- Bonus Points: Directly benefit a disadvantaged or environmental justice community

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## Disadvantaged Communities (DACs)

- Up to 5% of grant funds (\$4.5 million) reserved for projects that provide a direct benefit to DACs
- DACs may apply for a reduced match, as outlined in **Appendix D**

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## Disadvantaged Community Definitions

- **Small Disadvantaged Community** – a community with a population of 20,000 persons or less with an annual median household income (MHI) that is less than 80 percent of the statewide annual MHI (CWC § 79505.5 (a))
- **Small Severely Disadvantaged Community** – a community with a population of 20,000 persons or less with a MHI less than 60 percent of the Statewide MHI

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# Proposition 84 Storm Water Grant Program (SWGP): Draft Guidelines Workshops - December 2008

## PRC § 75072 Planning & Monitoring Projects

- Up to ten percent (10%) of grant funds (\$9 million), but no less than 3% (\$2.7 million), for planning and monitoring projects that are beneficial to SWGP
- Does not restrict planning, monitoring, or design costs as part of traditional implementation projects outlined in **Section VI.C**
- Eligible applicants include public agencies, nonprofit organizations, public colleges, regional agencies, and State agencies

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## PRC § 75072 Planning & Monitoring Projects Cont.

- Funds may be awarded through a competitive process or by directed action
- Applicants can only request this funding during Round 1; There will be a separate solicitation for PRC § 75072 projects between the Concept Proposal and Full Proposal stages of Round 1
- See **Appendix G** for more information

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## Round 1 Timeline – Projected Dates\*

- ❖ End of Public Comment Period for Draft Guidelines *December 18, 2008*
- ❖ Final Guidelines Presented to State Water Board for Adoption *February 17, 2009*
- ❖ Concept Proposal Solicitation / Concept Proposals Available in FFAST / Applicant Workshops *February - March 2009*
- ❖ Concept Proposals Due *April 2009*
- ❖ Full Proposal Invitations *June 2009*
- ❖ Full Proposals Due *August 2009*
- ❖ Recommended Project List presented to State Water Board *November 2009*

\* Dates subject to change

\*\* Round 2 will follow a similar timeline starting in early 2010

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## Implementation Projects Timeframe

Table 1 – Project Timeline <sup>1</sup>

Round	Encumber by Date <sup>2</sup>	Construction Complete <sup>3</sup>	Final Report	Work Completion Date
1	June 2011	March/ Sept. 2012	Jan. 2013	March 2013
2	June 2012	March/ Sept. 2013	Jan. 2014	March 2014

<sup>1</sup> Project timing is subject to legislative appropriation of funds. Funds appropriated in future years will be disbursed in accordance with appropriation(s) schedule(s)

<sup>2</sup> "Encumber by Date" - date by which grant agreements between State Water Board and grantee must be executed

<sup>3</sup> Construction must be completed early enough to perform a minimum of one dry and/or wet weather season of post-construction monitoring, as appropriate, to determine project effectiveness

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## Next Steps

1. Revise draft Guidelines
2. Post proposed final Guidelines on the web as part of State Water Board agenda item (comment period)
3. State Water Board Meeting to adopt final Guidelines
4. Concept Proposal solicitation released / Applicant workshops

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## Sources of Information

- **Proposition 84 Storm Water Grant Program Website:**

[http://www.waterboards.ca.gov/water\\_issues/programs/grants\\_loans/prop84/index.shtml](http://www.waterboards.ca.gov/water_issues/programs/grants_loans/prop84/index.shtml)

- **Electronic Mailing List:** Select "Storm Water Grant Program (Proposition 84)" on the mailing list subscription form, located at:

[http://www.waterboards.ca.gov/resources/email\\_subscriptions/swrcb\\_subscribe.shtml](http://www.waterboards.ca.gov/resources/email_subscriptions/swrcb_subscribe.shtml)

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## Proposition 84 Storm Water Grant Program (SWGP): Draft Guidelines Workshops - December 2008

### Comments on Draft Guidelines

- All Comments due by **noon** on Thursday, **December 18, 2008**
- E-mail comments to:  
**DFA\_Grants@waterboards.ca.gov**
- In order to ensure comments are tracked properly, emails should have a subject line of: **"Prop 84 SWGP: Comments on Draft Guidelines"**

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### Contact Information

- **Work with appropriate Water Boards Staff in developing project (see contact list)**
- **SWGP Manager: Erin Ragazzi**  
**E-mail: enragazzi@waterboards.ca.gov**  
**Phone: (916) 341-5733**

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