

CALIFORNIA NATURAL RESOURCES AGENCY

TITLE: PROPOSITION 4 URBAN GREENING GRANT PROGRAM

DIVISION 6, CHAPTER 2

FINAL TEXT OF PROPOSED REGULATIONS

Article 1. General Provisions

§ 14200. Applicability and Scope.

This chapter shall be known as the California Natural Resources Agency (“Agency”) Proposition 4 Urban Greening Grant Program. These regulations apply to Grants funded by Agency from Proposition 4, otherwise known as SB 867 (Allen 2024), The Safe Drinking Water, Wildfire Prevention, Drought Preparedness, and Clean Air Bond Act of 2024.

Note: Authority cited: Sections 90135 and 92530 Public Resources Code. Reference: Sections 90135 and 92530 Public Resources Code.

§ 14201. Definitions

The following definitions shall apply wherever the terms are used throughout this Chapter.

- (a) “Agency” means the California Natural Resources Agency established pursuant to Government Code Section 12800.
- (b) “Disadvantaged Community” means a community with a median household income of less than 80 percent of the area average or less than 80 percent of statewide median household income consistent with Public Resources Code section 90100.
- (c) “Environmental Justice” means the fair treatment of people of all races, cultures, income, and national origin with respect to the development, adoption, implementation, and enforcement of environmental laws, regulations, and policies consistent with Public Resources Code Section 72000.
- (d) “Grant” means an award of funds made by the Agency, in the form of advance payment or reimbursement to the Grantee for actual expenditures incurred in performing an eligible project.
- (e) “Grant Agreement” means an arrangement between the State and Grantee specifying the payment of funds by the State for the performance of specific objectives by the grantee within a specific project performance period by the grantee.
- (f) “Grantee” means an applicant that has a Grant Agreement.
- (g) “Joint Powers Authority” means any entity formed pursuant to Chapter 5 (commencing with Section 6500) of Division 7 of Title 1 of the Government Code, if at least one of the parties to the joint powers agreement qualifies as an eligible applicant consistent with section 1002.

- (h) "Nonprofit Organization" means any nonprofit corporation qualified to do business in California and qualified under Section 501(c)(3) of the Internal Revenue Code consistent with Public Resources Code section 90100.
- (i) "Secretary" means the Secretary of the Natural Resources Agency consistent with Public Resources Code section 90100.
- (j) "Severely Disadvantaged Community" means a community with a median household income of less than 60 percent of the area average or less than 60 percent of statewide median household income consistent with Public Resources Code section 90100.
- (k) "Tribe" means a federally recognized Native American tribe or a non-federally recognized Native American tribe listed on the California Tribal Consultation List maintained by the Native American Heritage Commission consistent with Public Resources Code section 90100.
- (l) "Vulnerable Population" means a subgroup of a population within a region or community that faces a disproportionately heightened risk or increased sensitivity to impacts of climate change and that lacks adequate resources to cope with, adapt to, or recover from such impacts consistent with Public Resources Code section 90100.

Note: Authority cited: Sections 90100 and 90135, Public Resources Code; Sections 12800 and 12802, Government Code. Reference: Sections 90100, 90110, 90135, 92530 Public Resources Code; Sections 12800 and 12802, Government Code.

Article 2. Eligibility and Eligible Costs

§ 14202. Applicant Eligibility.

Eligible Applicants are public agencies, local agencies, nonprofit organizations, special districts, joint powers authorities, tribes, public utilities, local publicly owned utilities, and mutual water companies.

Note: Authority cited: Sections 90100 and 90110 Public Resources Code. Reference: Sections 90100, 90110, 92530 Public Resources Code.

§ 14203. Project Eligibility.

Development projects that mitigate the urban heat island effect, rising temperatures, and extreme heat impacts are eligible for a grant.

Note: Authority cited: Sections 92530, Public Resources Code. Reference: Sections 92530 Public Resources Code.

Article 3. Application

§ 14204. Concept Proposals and Request for Concept Proposals.

(a) The Agency shall solicit Concept Proposals on its website from interested applicants when grant funding is available. In its Request for Concept Proposals, the Agency shall identify priority project types for the funding opportunity as provided in section 14203, any program priorities listed in section 14206(b)(2), or fiscal limitations applicable to the available funding. Concept Proposals shall be short form documents intended to allow technical staff to ascertain whether the applicant and/or project are eligible for program funding prior to submitting a more detailed application and proposal. At a minimum, all Concept Proposals shall include the following information:

- (1) Name of applicant and preferred email or mail address or other preferred contact information.
- (2) Applicant's eligibility pursuant to section 14202.
- (3) Project type.
- (4) Project summary.
- (5) Project location and description of anticipated public access if the project includes acquisition or restoration of real property.
- (6) An explanation of the project's eligibility under section 14203.
- (7) Amount sought by the grant
- (8) Project duration
- (9) Does the project have matching funds? (Yes/No — if yes, specify source and amount)
- (10) Does the applicant or project serve or provide meaningful and direct benefits to a Vulnerable Population, a Disadvantaged Community, or a Severely Disadvantaged Community.

(b) Concept proposals will undergo an administrative review to determine whether applicant and project eligible requirements in section 14202 and 14203 respectively are met. Applicants or projects determined ineligible will be disqualified. Applicants or projects determined eligible will be invited to submit full applications and proposals.

Note: Authority cited: Section 90135, Public Resources Code. Reference: Section 90100, 90110, 90135, 92530, and 90140, Public Resources Code.

Article 4. Application Submittal, Proposal Review, and Grant Awards

§ 14205. Applications and Proposals.

(a) Each applicant deemed eligible pursuant to section 14204(b) shall be invited to submit a full application and proposal which shall, at a minimum, include the following information:

- (1) Name of applicant and preferred email or mail address or other preferred contact information.
- (2) Project description and amount sought
- (3) Introduction summarizing applicant's interest, goals, and project, and rationale for the project goals and approach
- (4) A scope of work and narrative description illustrating how the project would advance one or more of the goals and objectives identified in section 1 of Proposition 4.
- (5) Approach and methods
- (6) Anticipated outcomes and deliverables
- (7) Anticipated community engagement and benefits, including workforce education and training, contractor, or job opportunities for Vulnerable Populations.
- (8) Proposed project timeline
- (9) Proposed budget, including need for advance funding and description of external sources of funding (not required for project selection)
- (10) Project team experience and qualifications, including the use of services by the California Conservation Corps or certified community conservation corps, as defined in Public Resources Code Section 14507.5, where determined feasible by the applicant.
- (11) Identification of relevant permit compliance requirements and a plan to obtain applicable permits.
- (12) Website accessibility compliance where relevant

(b) Grants shall be awarded as funding is available and authorized.

(c) Allocation of funds is contingent on the enactment of the State budget. The Agency does not disburse funds until the budget has passed and is signed by the Governor.

Note: Authority cited: Sections 90135, 92530 Public Resources Code. Reference: Sections 90100, 90110, 90135, 90150, 90610, 92020, 92530, Public Resources Code.

§ 14206 Evaluation of Proposals.

(a) All proposals shall be reviewed by a review committee of State staff with relevant qualifications based on the nature of the funding available and the Agency's priorities.

- (1) If State staff with relevant expertise are unavailable, the Agency may invite non-state staff experts to participate in the review committee.
- (2) All review committee members are subject to applicable laws on conflict of interest.

(b) Each Proposal will be evaluated based on the following criteria:

- (1) Alignment with and response to the program declarations listed in Section 1 of Proposition 4, including advancing funding to Vulnerable Populations, Disadvantaged Communities, or Severely Disadvantaged Communities, and advancement of Environmental Justice principles.
- (2) Alignment with program priorities which shall include the following:
 - (A) Use of nature-based solutions to mitigate the effects of extreme heat and rising temperatures on communities.
 - (B) Project need, based on geographic or environmental vulnerability factors.
 - (C) Project ability to protect people and/or nature from climate impacts, in particular extreme heat.
 - (D) Project design that reduces risks from extreme heat and builds resilience to future temperature increases.
 - (E) Project planning that is guided by the best available science, including local and traditional ecological knowledge.
 - (F) Demonstration of public benefits the project will provide, including meaningful and direct benefits to vulnerable populations and disadvantaged communities.
 - (G) Local community partnership in project design, implementation and monitoring.
 - (H) For projects that affect tribal communities, the extent of meaningful outreach and collaboration with California Native American tribes throughout project planning and implementation.
 - (I) Multiple benefits provided by the project.
 - (J) Use of the services of the California Conservation Corps or certified local community conservation corps, where feasible.
 - (K) Leveraging of private, federal, or local funding.
 - (L) Applicant capacity to complete the project.
 - (M) Project readiness.

Note: Authority cited: Sections 90135 and 92530 Public Resources Code. Reference: Sections 90100, 90110, 90133, 90140, 90150, 90610, 92530 Public Resources Code.

§ 14207. Grant Awards.

- (a) The review committee will consider which proposed Grant projects will best meet the criteria in section 14206(b) and make award recommendations to the Secretary for the full or partial amount requested or to be denied based on the extent to which proposed projects best satisfy the goals of

Proposition 4 and the Agency's funding priorities.

- (b) The Secretary will approve, modify, or deny the recommendations based on the information provided.
- (c) The Agency shall notify successful applicants of a Grant award, including the amount of a Grant.

Note: Authority cited: Section 90135, 92530, Public Resources Code. Reference: Sections 90100, 90110, 90135, 90130, 90133, 90140, 90150, 90610 and 90620 Public Resources Code.

§ 14208. Grant Agreements.

- (a) The terms and conditions of a Grant shall be set forth in a Grant Agreement entered into by the State and the Grantee. A Grantee has the sole responsibility for the fiscal management of Grant funds, project-specific recordkeeping and reporting, performance of the Project, and all other aspects of compliance with this Chapter and the Grant Agreement. The Grant Agreement shall include, but is not limited to, the following:
 - (1) Grant amount and any need for advance payment.
 - (2) Grantee contact information.
 - (3) Grant duration.
 - (4) Scope of the Project funded by the Grant award.
 - (5) Budget.
 - (6) The Grantee's agreement to comply with existing laws.
 - (7) Other project-specific terms as may be necessary to protect the State in administering its fiduciary obligations.

Note: Authority cited: Section 90135 and 92530 Public Resources Code. Reference: Sections 90100, 90110, 90133, 90130, 90133, 90140, 90150, 90610, 90620 and 92530 Public Resources Code.