Environmental Enhancement and Mitigation Program

2015-16
Environmental Enhancement and Mitigation Program

- Purpose and Authority
- Eligible Applicants
- Timeline
- North/South Split
- Project Funding

Montesol Ranch Protection Project
Purpose and Authority

Established by legislation in 1989 under California Streets and Highways Code Section 164.56.

$6.7 million each fiscal year for local assistance from the Highway Users Tax Account (Motor Vehicle Revenues, Section 2100).

Grants to local, state and federal governmental agencies and to nonprofit organizations for projects to mitigate the environmental impacts caused by new or modified public transportation facilities.

Administered by the California Natural Resources Agency (Agency), Bonds & Grants Unit.

Joshua Tree Foothills Acquisition
EEM Selection Process

• Postmarked by Tuesday, July 12, 2016
  • Applications Evaluated
    • Site Visits to selected projects (October-December 2016)
      • Recommendations to the Secretary for Natural Resources (January 2017)
    • Secretary’s recommendations to California Transportation Commission (CTC)
      • CTC awards grants (March 2017)
    • Notify Applicants/Begin preparing Grant Agreements (April 2017)
How much?

Grants for individual projects are generally limited to $500,000 each.

Up to $1,000,000 may be awarded for acquisition projects, based on factors such as:

- one-time or limited opportunity
- acquisition of a considerable size
- substantial leveraging in place
- statewide significance.

Matching funds are NOT required for EEM grants, but priority is given for leveraging other sources of funds.

Malibu Creek Resource Lands Acquisition Project
Eligible Applicants

• Any **State, local, federal or 501(c)(3) non-profit entity** may apply for and receive grants.

• The agency or entity is *not* required to be a transportation or highway related organization, but must have authority to carry out the project eligible for funding under Article XIX of the State Constitution.

• Per Sections 187 and 188 of the Streets and Highways Code, an attempt will be made to allocate 40 percent of the total amount recommended to projects in **northern counties** and 60 percent of the total amount recommended to projects in **southern counties**.

• Partnerships are encouraged; however, only one agency may submit an application.

• **Development projects limited to 1 application per eligible applicant**
Related Transportation Facility (RTF)

Every EEM project must mitigate, either directly or indirectly, the environmental impacts of the modification of an existing Transportation Facility, or the environmental impacts of the construction of a new Transportation Facility.

This facility is called the “Related Transportation Facility” or RTF, and includes:

- Public Street or Highway
- Mass Transit Guideway (trains, ports, light rail lines, bus lines, airports, etc.)
- Appurtenant Features (e.g. park and ride facilities, high-occupancy vehicle lanes, on-ramps, off-ramps, overpasses, transit stations, etc.)
Related Transportation Facility

Construction of the RTF must have begun after January 1, 1990; or

If not yet under construction, it must be included in
  • An adopted State Transportation Improvement Program (STIP); or
  • A locally adopted Regional Transportation Improvement Program; and
  • a Certified Capital Outlay Program

The RTF must have a adverse impact on the environment (so there is something to mitigate!)

Environmental compliance (CEQA) must be completed for the RTF at the time of application.
Related Transportation Facility

The RTF cannot be

- Maintenance (pavement resurfacing, painting bridges, replanting)
- Mitigation (sound walls or bike lanes)

Find eligible RTFs through your

- City or County Transportation Departments,
- Regional Transit Agencies,
- Metropolitan Transit Authorities,
- Councils of Local Governments,
- Metropolitan Planning Organizations or
- Caltrans District Office.
General Criteria

Applicants establish the need for mitigation in the narrative:

• Describe the RTF

• Describe adverse environmental impacts, documented by
  – Letter from the Lead Agency

• Explain mitigation was required

• Demonstrates connection between the RTF and EEM project
  – EEM is the required mitigation for the RTF
  – EEM is similar to the mitigation for the RTF
  – EEM is an enhancement to the mitigation for the RTF

• If RTF is exempt for some reason – but you are aware of adverse impacts – you must make the case
General Criteria

Statewide Project Goals-Multiple Benefits:

- Decrease in air and/or water pollution
- Reduce the consumption of natural resources and energy
- Increase the reliability of local water supplies
- Increase adaptability to climate change

Local Government Toolkit
http://www.cooldcalifornia.org/local-government
General Criteria
Project Readiness & Organizational Capacity

• Interagency relationships and blended jurisdictional responsibilities.

• Partnerships between state entities, local land use, public health authorities, etc.

• Community involvement and support

• Fiscal Capacity

• Readiness
EEM Project Criteria

The EEM project must:

Be different from the RTF.

Use State Design & Construction Standards.

Comply with labor codes and other applicable laws, regulations, licenses and permits.

Have *completed* CEQA

Be compatible with the RTF, and provide the necessary permissions if in or near the right-of-way.

Provide evidence that entity with jurisdiction is aware of the project and willing to work with applicant.
EEM Project Criteria

EEM project must mitigate the adverse environmental impact of the RTF – Directly or Indirectly.

Direct - Geographic location

• RTF has a adverse impact to wildlife corridor;

• EEM project creates a wildlife passage under RTF.

Tierra Rejada Wildlife Linkage & Farm Conservation Easements
EEM Project Criteria

Direct Mitigation

Ord Ferry Bridge Bat Colony Restoration Project
EEM Project Criteria

EEM project must mitigate the adverse environmental impacts of the RTF – Directly or Indirectly.

Indirect - Type of benefit

RTF has an adverse impact on resource lands in Placer County when it widens I-80.

EEM project acquires nearby resource lands to preserve wildlife habitat and open space.
EEM Project Categories

EEM projects must fit one of the following Categories:

**Urban Forestry** projects to offset vehicular emissions of carbon dioxide.

**Resource Lands** projects to acquire or enhance resource lands to mitigate the loss of, or the detriment to, resource lands, lying within or near the right-of-way acquired for transportation improvements.

**Mitigation Projects Beyond the Scope of the Lead Agency** responsible for assessing the environmental impact of the proposed transportation improvement.
Urban Forestry (UF)

Urban Forestry projects are designed to offset vehicular emissions of carbon dioxide through the planting of trees and other suitable plants.

In addition to the tree canopy, an urban forest includes vegetation along urban streets and medians, in urban parks, abandoned sites, and residential areas. Urban Forestry projects may also restore urban creeks and develop nature trails with corresponding amenities and/or interpretive elements.

Lower Silver Creek Trail
Urban Forestry

Successful Urban Forestry Projects provide maximum multiple environmental benefits over the long term.

- Reduce water usage.
- Provide tree canopy and understory to offset vehicular emissions of carbon dioxide and other GHGs.
- Extend the existing urban forest with street trees, pocket parks, community gardens and orchards.
- Serve the greatest geographic area and/or number of people.
- Mitigate the heat island effect with trees, roof gardens, etc.
- Demonstrate a measureable economic impact.
- Increase open space in residential areas by greening vacant lots, abandoned sites, and public lands such as school acreage.
- Improve existing urban ecosystems, i.e., stabilizing urban creeks and shorelines with riparian habitat.
- Capture, store and infiltrate storm water.

Community Garden and Park
Best Management Practices and strategies that increase water conservation should be identified and planned for in the application.

- Successful projects promote and practice water conservation.
- Conservation activities include planting native, drought-tolerant and low water use vegetation, enabling groundwater recharge with bioswales, detention basins and permeable surfaces, using recycled water for irrigation, installing raingardens to mitigate stormwater runoff, etc.
- Plantings must meet Executive Order B-29-15 Statewide Mandatory Water Reductions
- Projects where plantings, once established, will thrive without the need for supplemental irrigation, are given priority.
- Capture water from on-site and off-site sources.

Save Our Water [www.saveourh2o.org](http://www.saveourh2o.org)
Executive Order B-37-16
[www.gov.ca/docs/docs/5.9.16_Executive_Order.pdf](http://www.gov.ca/docs/docs/5.9.16_Executive_Order.pdf)
Brown is the new Green

Successful projects base plant selection on approved planting palettes specific to their climate zone, such as

- “Shoreline Plants: A Guide for the San Francisco Bay” published by the San Francisco Bay Conservation and Development Commission; or
- “Landscaping Guidelines and Plant Palettes for the Los Angeles River and Tujunga Wash” part of the Los Angeles River Master Plan, etc.

Inclusion of non-natives (exotics) in plant palettes must be approved by Agency.

Plant Palettes are evaluated for

- Carbon dioxide uptake
- Water use efficiency
- Indigenous wildlife habitat
- Reduced maintenance
- Cost Benefit

http://selectree.calpoly.edu/right_tree.lasso
Resource Lands projects include the acquisition, restoration or enhancement of resource lands to mitigate the loss of, or the detriment to, resource lands lying within or near the right-of-way of the Related Transportation Facility.

Resource Lands may include but are not limited to natural areas such as inland wetlands, forests, oak woodlands, mountain meadows, creeks and streams with riparian or riverine fish or wildlife habitat, wildlife corridors and fish passages, coastal estuaries, grazing land and grasslands, among others.

Denmark Creek Fish Barrier Removal & Riparian Enhancement Project
Resource Lands

Cumulatively, Resource Lands projects address State-wide conservation issues, including:

- Climate change adaptation
- Available water for fish and wildlife
- Preservation of California's rich biodiversity
- Protection of rare species
- Control of invasive species
- Protection of large landscape-level land holdings from conversion and fragmentation
- Conservation of land for agriculture open space, etc.
- Preservation of wildlife movement and migration corridors
- Expand public access to outdoor wildlife/nature-oriented recreation with trails, parks, fishing piers, and interpretive elements.

Green Gulch Creek Habitat Enhancement
Mitigation Projects Beyond the Scope of the Lead Agency (MP)

Projects to mitigate the impact of the RTF where the mitigation or enhancement measures are beyond the scope of the lead agency’s ability to effectuate.

• Not feasible
• Outside jurisdiction
• Requirements changed
Available Resources

• Website – http://resources.ca.gov/bonds_and_grants/eemp/

• Grant Guidelines

• Feedback – (916) 653-2812
What to Submit
Requirements for a Complete Application

1. The Application Form
2. One Page Summary
3. Project Proposal Narrative
4. Exhibits and Supporting Documents
Application Form

APPENDIX B - APPLICATION FORM – Page 1 of 2
2015-16 Environmental Enhancement and Mitigation (EEM) Program
Enter EEM Project Information under Section A

A.1 EEM PROGRAM GRANT APPLICANT
Agency Name:
Street Address ( & PO Box)
City, State, ZIP

A.2 EEM PROJECT NAME:

A.3 TYPE OF AGENCY (check one):
Local Agency
State Agency
Federal Agency
Non-profit

A.4 EEM PROJECT CATEGORY (check only one):
Urban Forestry
Resource Lands
Mitigation Projects Beyond the Scope of the Lead Agency

A.5 TYPE OF EEM PROJECT:
Development
Acquisition

A.6 EEM PROJECT GRANT REQUEST
Total Other Funding Sources for EEM Project $ (Not including grant request)
Total Project Cost $ (EEM and other funding sources)

A.7 ENVIRONMENTAL COMPLIANCE FOR EEM PROJECT (check type):
Type: Exempt
Categorical Exemption
Negative Declaration
Mitigated Negative Declaration
EIR

A.8 ANTICIPATED EEM PROJECT
Start Date:
Completion Date:

A.9 EEM PROJECT PROJECT LOCATION
National Grid Street:
Latitude and Longitude:
County:
Senate District No:
Assembly District No:
Project Location (check only one):
North
South

A.10 APPLICANT’S REPRESENTATIVE AUTHORIZED IN RESOLUTION AS SIGNATORY
Name:
Title:
Phone:

Email address:

Day-to-day contact for grant project (if different than authorized representative)

Name:
Title:
Phone:

Email address:

A.11 BRIEF DESCRIPTION OF EEM PROJECT
Summarize scope, purpose, location & connection to RTF (max 60 words)

EEM Program 2015-16 Application Form – Page 2 of 2
Enter Related Transportation Facility (RTF) Information under Section B

B.1 RELATED TRANSPORTATION FACILITY (RTF)
Transportation District:
City:
County:
Route Number / Name:

Description of RTF:
Name of Transportation Agency:
Date Construction Began or Scheduled:
Name of Approved/Certified Capital Outlay Program for RTF (if not started):

B.2 ENVIRONMENTAL COMPLIANCE FOR RTF PROJECT (check type and status):
Type:
Exempt
Categorical Exemption
Negative Declaration
Mitigated Negative Declaration
EIR

Status:
Complete
In Progress

What were the primary environmental impacts of the RTF? (max 25 words):
Describe the required environmental mitigation? (max 25 words):

B.3 Name of Lead Agency for RTF:

B.4 Attach the Letter from the Lead Agency Responsible for the construction of the RTF.
(APPENDIX E)

C. CERTIFICATION
I certify that the information contained in this project Application form, including required attachments, is complete and accurate.
Signed:

Print Name:
Print Title:
(Applicant’s Authorized Representative, as shown on the Resolution or Letter of Certification)

DEADLINE: APPLICATION MUST BE POSTMARKED BY TUESDAY, JULY 12, 2016
One Page Summary

- EEMP Project Scope
- Location
- Purpose
- Relationship to the RTF
- Amount of the Request
Project Proposal Narrative

General Criteria and Project Category Criteria

• Primary basis for evaluation

• Provides the details about the EEM Project and the RTF

• General Criteria (Section 5)

• Project Category Criteria (Section 6)
Exhibits & Supporting Documents

- Authorizing Resolution or Certification Letter
- IRS letter (if applicable)
- Letter from the Lead Agency for the RTF
- Cost Estimate
- Property Data Sheet/Ownership documents
- Assessor’s Parcel Map
- Timeline
- Permit Approval Status
- CEQA Documents for the EEM Project
- Location map
- Site photos
- Site Plans
- Plant Palette

- For UF projects: Letter from certified arborist, professional forester or landscape architect
- Letters of permissions
  - Property owners
  - O&M agreements
  - Flood Control District authorizations
  - Utility Agencies, Caltrans, Railroads
- Letters of endorsement
- For Acquisitions
  - Executed purchase agreement or willing seller letter.
  - appraisal, stewardship plan, preliminary title report
APPENDIX A – CHECKLIST FOR WHAT TO SUBMIT

The following items, as applicable, make up the EEM Program Application Package. Please assemble your Application Package in the order listed below and number each page sequentially. (Binder clips only – no folders, banders, or notebooks. Submit a total of six copies of all materials (original plus five copies).

<table>
<thead>
<tr>
<th>Item</th>
<th>Appendix</th>
</tr>
</thead>
<tbody>
<tr>
<td>Application Form – Completed and Signed</td>
<td>B</td>
</tr>
<tr>
<td>One Page Project Summary</td>
<td>C or D</td>
</tr>
<tr>
<td>Project Narrative: General Criteria &amp; Project Criteria Questions</td>
<td>E</td>
</tr>
<tr>
<td>Authorization/Certification Letter from CEO</td>
<td>F or G</td>
</tr>
<tr>
<td>IRS Determination Letter of Section 501(C)(3) non-profit status, if applicable</td>
<td>H</td>
</tr>
<tr>
<td>Letter from the Lead Agency for the RTF</td>
<td>I</td>
</tr>
<tr>
<td>Cost Estimate (Development or Acquisition Projects)</td>
<td>J</td>
</tr>
<tr>
<td>Property Data Sheet</td>
<td>K</td>
</tr>
<tr>
<td>Ownership Documents (Deeds, Tax Records, etc.)</td>
<td>L</td>
</tr>
<tr>
<td>Assessor's Parcel Map(s) of all parcels</td>
<td>M</td>
</tr>
<tr>
<td>Project Timeline</td>
<td>N</td>
</tr>
<tr>
<td>Permit Approval Status</td>
<td>O</td>
</tr>
<tr>
<td>Environmental Review Documents for EEM Project</td>
<td>P</td>
</tr>
<tr>
<td>Location Map for EEM project and RTF</td>
<td>Q</td>
</tr>
<tr>
<td>Photos of EEM Project Site</td>
<td>R</td>
</tr>
<tr>
<td>EEM Project Site Plans</td>
<td>S</td>
</tr>
<tr>
<td>Plant Plans (projects involving plantings)</td>
<td>T</td>
</tr>
<tr>
<td>Letter from Certified Arborist, Registered Professional Forester or Landscape Architect (Urban Forestry Projects)</td>
<td>U</td>
</tr>
<tr>
<td>Licenses/Agreements from Agencies with Jurisdiction</td>
<td>V</td>
</tr>
<tr>
<td>Letters/Agreements from entities to perform O&amp;M</td>
<td>W</td>
</tr>
<tr>
<td>Letters of Endorsement</td>
<td>X</td>
</tr>
<tr>
<td>Acquisitions Only – in addition to the above:</td>
<td>Y</td>
</tr>
<tr>
<td>Purchase Option Agreement or Willing Seller Letter (if a purchase option agreement has not been executed you must submit Willing Seller Letter)</td>
<td>Z</td>
</tr>
<tr>
<td>Appraisal (if available)</td>
<td></td>
</tr>
<tr>
<td>Stewardship Plan (if available)</td>
<td></td>
</tr>
<tr>
<td>Preliminary Title Report (if available)</td>
<td></td>
</tr>
</tbody>
</table>

Incomplete applications may not be evaluated or considered for funding.
Agency Eligibility

- Resolution
- Certification Letter
- IRS Determination Letter
Letter from the Lead Agency for the RTF

- Completed by the Lead Agency for the RTF
- Submitted with your application
Environmental Review for EEM Project

• Notice of Exemption

• Notice of Determination and copy of Negative Declaration/Mitigated Negative Declaration/Final Environmental Impact Report and Initial Study

• Must be filed and stamped by County Clerks Office

• Must be included with the application.
Cost Estimate for Development

- Details the project elements
- Helps to demonstrate readiness
- Used by Grant Administrators
- Shows at a glance: project categories and tasks
- 25% cap on non-construction
- 10% cap on contingency
Cost Estimate for Land Acquisitions

- Shows all funding sources
- Assessors’ parcel numbers
- Acreage
- Fee or Easement?
- Budget $10,000 for DGS Review
Site Control/Land Tenure

• Provide evidence of ownership OR

• Demonstrate from each property owner (including Caltrans, Utility, Railroad etc.) –
  – Evidence of an agreement including permission to develop the project and determining long term operations and maintenance responsibilities
  – Letter if encroachment permit is required
  – At a minimum - letter from property owners (application purposes only)
# Property Data Sheet

## Appendix H - Property Data Sheet

Complete the Property Data Sheet listing each parcel included in the proposed project, as well as the owner(s) of each parcel. Indicate and attach all required documents including any clarifying comments below. Attach additional sheets if necessary.

<table>
<thead>
<tr>
<th>No.</th>
<th>Owner Name</th>
<th>Assessor Parcel Number(s)</th>
<th>Acres</th>
<th>If parcel(s) owned by Applicant(s), indicate type of ownership</th>
<th>For all parcels, indicate document used to demonstrate ownership and attach a copy of each document clearly labeled with the APN to this document</th>
<th>If parcel(s) not owned by Applicant(s) indicate document verifying long-term Permission to Develop and maintain and attach</th>
<th>O&amp;M Agreement</th>
<th>Lease</th>
<th>Letter from Owner</th>
<th>Other (Specify)</th>
<th>Entity to perform O&amp;M</th>
<th>All of years O&amp;M to be specified</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>5</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>6</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>7</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>8</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>9</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>10</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Comments:**

Total Number of Parcels: ____________  Total Number of Acres: ____________
Purchase Agreement or Willing Seller Letter

- Willing Participant
- Willing to Enter Negotiations
- Willing to sell for no more than Fair Market Value
- Cannot substitute another property
Parcel Maps

- Provide copies of parcel maps for all property included in the project
- Include the parcel numbers on the proof of ownership documentation
- You must also include a location map showing the EEM project and the RTF
Site Plan

- Provide sufficient detail and clarity to allow reviewers to visualize the Project
- Clearly display and identify proposed project components
Plant Palette

- Plant selection based on appropriate/approved planting palette for your specific climate zone

- Native, drought tolerant and low water use that comply with Executive Order B-29-15 “Statewide Mandatory Water Reductions”

- For Urban Forestry projects – Letter form Certified Arborist, Registered Professional Forester or Landscape Architect
Costs and Payment Process

• **Reimbursement Program**
  – Only Exception: Advances to escrow will be made after the appraised fair market value is approved by the Department of General Services

• Only **Direct** project related costs *incurred during the performance period* are eligible for reimbursement

• **Personnel and Employee Services**
  – Services directly engaged in project execution are eligible costs
  – Costs must be computed according to Applicant’s prevailing wage or salary scales, may include fringe benefit costs such as vacation, sick leave, Social Security contributions, etc.
  – Costs charged must be tracked and computed by actual time spent on project
  – Support all costs by time and attendance records

• **Consultant Services**

• **Acquisition Costs**

• **Ineligible Costs**
  – Grantee Indirect/Overhead (cost calculated as a percentage of other direct costs, such as telephone, fax space rental, etc.
  – Project maintenance
Grant Administration

- Grant Agreement

- Scope and budget changes must be approved

- NO grant funds will be released unless
  - Evidence of satisfactory site control provided, and
  - O&M agreements are in place

- Funding Signage

- MOUGA/Deed Restrictions
Final Tips

- Be Clear, Complete and Consistent
- Cold Read
- Multiple Benefits
- Contact Changes
- Call with Questions
California Natural Resources Agency
1416 Ninth Street, Suite 1311
Sacramento, CA 95814
(916) 653-2812

http://resources.ca.gov/bonds_and_grants/eemp/