




## COMMITTEE TRANSMITTAL

**March 9, 2020**

**To:** Members of the Board of Directors

**From:** Laurena Weinert,  Clerk of the Board

**Subject:** Measure M2 Environmental Cleanup Program - Project X Tier 1 Grant Program Call for Projects

### Regional Planning and Highways Committee Meeting of March 2, 2020

**Present:** Directors Delgleize, M. Murphy, and R. Murphy  
**Absent:** Director Bartlett, Chaffee, Muller, and Pulido

### **Committee Vote**

Due to lack of quorum and consensus of the Committee Members present, this item was forwarded to the March 9, 2020 Board of Directors meeting without the Committee's recommendations.


### **Staff Recommendations**

- A. Approve the proposed revisions to the Comprehensive Transportation Funding Programs Guidelines for the Environmental Cleanup Program Tier 1 Program.
- B. Authorize staff to issue the fiscal year 2020 Environmental Cleanup Program Tier 1 call for projects.



**March 2, 2020**

**To:** Regional Planning and Highways Committee

**From:** Darrell E. Johnson, Chief Executive Officer 

**Subject:** Measure M2 Environmental Cleanup Program - Project X Tier 1 Grant Program Call for Projects

### **Overview**

The Measure M2 Environmental Cleanup Program provides grants to projects that protect Orange County waterways and beaches from roadway runoff. Staff has updated the program implementation guidelines and is seeking authorization to release the next Environmental Cleanup Program Tier 1 call for projects.

### **Recommendations**

- A. Approve the proposed revisions to the Comprehensive Transportation Funding Programs Guidelines for the Environmental Cleanup Program Tier 1 Program.
- B. Authorize staff to issue the fiscal year 2020 Environmental Cleanup Program Tier 1 call for projects.

### **Background**

The Environmental Cleanup Program (ECP), also referred to as Project X, provides for the allocation of two percent of annual gross Measure M2 (M2) revenues to improve overall water quality in Orange County. Funding is allocated on a countywide competitive basis to assist jurisdictions in controlling transportation-related pollution. These funds are intended to supplement, not supplant, existing transportation-related water quality programs. Funds are awarded to priority projects that improve water quality in streams, harbors, and other waterways that have a nexus to transportation-related pollution, consistent with the Orange County Transportation Authority's (OCTA) Ordinance No. 3. The ordinance requires the Environmental Cleanup Allocation Committee (ECAC) to advise the OCTA Board of Directors (Board) on priorities and processes for the use of ECP funds. The ECAC reviewed the Comprehensive Transportation Funding Programs (CTFP) Guidelines and the call for projects (call) on February 13, 2020.

On May 24, 2010, the Board approved a two-tiered approach to fund the M2 ECP. The Tier 1 Grant Program consists of funding for equipment purchases and upgrades to existing storm drains and related best management practices. The Tier 2 Grant Program consists of funding for regional, potentially multi-jurisdictional, capital-intensive projects.

The previous Tier 1 call was finalized by the OCTA Board on September 9, 2019, with the approval of \$2,045,234 in ECP Tier 1 funds. The Board programmed funding to support 11 successful project applications (based on the scoring criteria). To date, the Tier 1 Program has funded 177 projects, totaling approximately \$24.5 million.

### ***Discussion***

OCTA staff worked with local agencies and the ECAC to determine areas of the program guidelines that needed to be adjusted, as well as reviewed issues that emerged out of the previous calls. The proposed modifications to the program guidelines are included in Attachment A.

The proposed changes were reviewed by the ECAC at the February 13, 2020 meeting. Although the ECAC meeting did not have a quorum (seven members minimum needed out of 12), the six present ECAC members voted unanimously to endorse the changes to the CTFP Guidelines and recommend Board approval to issue the fiscal year (FY) 2020 ECP Tier 1 call. A summary of the modifications is provided below.

#### **2020 Call Updates**

- Updated ECP call application schedule and target funding availability level (approximately \$2.8 million in M2 Project X funds).

#### **General Updates**

- Revised language referencing the ECP to Project X in order to be consistent with CTFP Guidelines.
- Clarified that all proposed scope modifications must be submitted to OCTA for review and approval.

#### **Next Steps**

Following Board approval, staff anticipates notifying local agencies of the call, which is anticipated to open on March 9, 2020. During the call, staff will offer one-on-one meetings to assist local agencies with the application process. Per the recommendation of the ECAC, in addition to one-on-one meetings, staff will offer a workshop for local agencies as an additional resource. Applications

would be due to OCTA by May 7, 2020, and staff will return to the Board with programming recommendations by late summer 2020.

Awards would be effective with Board approval and become available starting in FY 2021.

***Summary***

OCTA staff is recommending revisions to the ECP Tier 1 CTFP Guidelines and requests authorization to issue a 2020 ECP Tier 1 call, totaling approximately \$2.8 million.

***Attachments***

- A. List of Proposed Revisions to the 2020 CTFP Guidelines for Project X (Chapter 11)
- B. Comprehensive Transportation Funding Programs Guidelines Excerpt, Proposed Revisions

**Prepared by:**



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(714) 560-5363

**Approved by:**



Kia Mortazavi  
Executive Director, Planning  
(714) 560-5741

## List of Proposed Revisions to the 2020 CTFP Guidelines for Project X (Chapter 11)

| No. | Chapter    | Section                                     | Page No.      | Proposed Change   |
|-----|------------|---|---------------|---|
| 1   | Chapter 11 | Overview                                    | 11-1 to 11-14 | Revised language referencing the ECP to Project X.  |
| 2   | Chapter 11 | Overview                                    | 11-1          | Revise “leachating” to “leachate.”  |
| 3   | Chapter 11 | Overview                                    | 11-1          | Revise “pesticides” to be stand-alone category.   |
| 4   | Chapter 11 | Overview                                    | 11-2          | Added: “with appropriate supporting justification” for requests for upgrades and expansions.                                    |
| 5   | Chapter 11 | Overview                                    | 11-2          | Changed point of contact to:<br><a href="mailto:AHernandez@octa.net">Alfonso Hernandez, (714) 560-5363, AHernandez@octa.net</a> |
| 6   | Chapter 11 | Tier 1 Grant Program - Overview             | 11-3          | Updated the total of Tier 1 calls from seven to nine.   |
| 7   | Chapter 11 | Tier 1 Grant Program – Tier 1 Project Types | 11-3          | Revise “sedimentation” to “sediments.”  |
| 8   | Chapter 11 | Project Programming                         | 11-4          | Changed Comprehensive Transportation Funding Program to CTFP.   |
| 9   | Chapter 11 | Funding Estimates                           | 11-5          | Updated the program year for Call.  |
| 10  | Chapter 11 | Funding Estimates                           | 11-5          | To provide further clarification, revise “applicant” to “eligible local agency.”  |

| List of Proposed Revisions to the 2020 CTFP Guidelines for Project X (Chapter 11) |            |   |  |
|---|------------|---|--|
| No.   | Chapter    | Section   | Proposed Change  |
| 11  | Chapter 11 | Scope Reductions/Modifications and Cost Savings | Revised the section to be read as the following:<br><i>“Any proposed scope modifications, such as a change in BMP device quantities and/or the adjustment of device locations, of an approved project must be submitted to OCTA for review and approval in advance of the change to ensure consistency with Tier 1 Grant Program requirements. The proposed modifications must mitigate the same pollutants, affect the same waterways, and meet all other provisions as stipulated in these guidelines.</i><br><br><i>If the proposed scope modification is approved by OCTA, any cost savings will be proportionally shared between OCTA and the grantee; for example, a reduction in Project X funds must be applied proportionally to maintain the approved local match percentage. All cost savings will be returned to the Tier 1 Grant Program for reallocation for subsequent calls for projects.”</i> |
| 12  | Chapter 11 | 2020 Tier 1 Call for Projects                   | Updated the application deadline the 2020 Tier 1 Call for Projects. Proposed deadline is Thursday, May 7, 2020 at 5:00 PM PST.   |
| 13  | Chapter 11 | Tier 1 Selection Criteria                       | Revised the criteria listed in the CTFP to align more closely with the competitive selection criteria identified in Exhibit 11-1.  |
| 14  | Chapter 11 | Application Process                             | In order to highlight the minimum requirements for city council resolutions, placed the following sentence in bold text: <b>Local agencies, at a minimum, must include items a-l.</b>  |
| 15  | Chapter 11 | Application Process                             | Deleted: “For the Tier 1 Grant Program.” Language was unnecessary.   |
| 16  | Chapter 11 | Reporting and Reimbursement                     | Added new language to clearly define the ECAC and OCTA Board as the “reviewing and” approving bodies for this program, “respectively.”   |
| 17  | Chapter 11 | Additional Information                          | Updated contact for mailing address:<br>Alfonso Hernandez, (714) 560-5363, <a href="mailto:AHernandez@octa.net">AHernandez@octa.net</a>  |

#### Acronyms

CTFP – Comprehensive Transportation Funding Program

ECP – Environmental Cleanup Program

OCTA – Orange County Transportation Authority

# **Comprehensive Transportation Funding Programs Guidelines Excerpt**

## **Proposed Revisions**

## Chapter 11 – Environmental Cleanup Program (Project X)

### Overview

The ECP, herein referred to as (Project X,) provides for M2 revenues to improve overall water quality in Orange County from transportation-generated pollution. Specifically, the ~~OCT~~Orange County Local Transportation Authority's Ordinance No. 3 (Ordinance), dated July 24, 2006, provides 2 percent (2%) of gross M2 revenue dedicated to protecting Orange County beaches and waterways from the conveyance of urban runoff associated with transportation-generated pollution. ~~The ECP~~ (Project X) ensures that funds will be used on a countywide competitive basis to meet federal Clean Water Act standards for controlling transportation-generated pollution by funding nationally recognized Best Management Practices (BMPs).

As required by the Ordinance, an Environmental Cleanup Allocation Committee (ECAC), representing a broad cross-section of the water quality community, was formed in October 2007 to provide guidance on program design and funding. The goal of ~~the ECP~~ (Project X) is to fund projects on a countywide, competitive basis. This will assist the County of Orange and Orange County cities in reducing transportation-related water quality pollution by meeting Clean Water Act standards for local waterways and beaches.

Proposed projects must demonstrate a direct nexus (connection) to a reduction of transportation-related pollution as developed and defined by the ECAC in conformity with the Ordinance. All proposing agencies must demonstrate an understanding of how their proposed projects meet the following transportation pollution nexus definition:

- Transportation-related activities can be a contributor of pollutants and/or impairments to receiving waters via aerial deposition, storm, and non-storm water discharges. Transportation-related activities are associated with the operation, construction, and maintenance of public roads, highways, and other ground transportation systems.
- The conveyance of transportation-related pollutants to surface and groundwater can occur from precipitation, runoff, and leach~~ate~~ing entering or discharging from public roads, highways, and other ground transportation systems via drainage systems, such as catch basins, curbs, gutters, ditches, manmade channels, retention basins, or storm drains. The quality and quantity of these discharges vary considerably and are affected by hydrology, geology, land use, season, and sequence and discharge of hydrologic events.
- Pollutant sources can encompass right-of-way, properties, facilities, and activities related to motor vehicles, highway maintenance, construction site runoff, maintenance facility runoff, illegal dumping, spills, and landscaping care. Pollutant categories include but are not limited to metals (such as copper, lead, and zinc), organic chemicals and compounds (hydrocarbons), ~~and pesticides~~, sediment, nutrients (nitrogen and phosphorus), litter, oxygen demanding substances (decaying



vegetation, animal waste, and other organic matter), groundwater dewatering discharges, and pathogenic material.

~~ECP (Project X)~~ funds are designed to supplement, not supplant, existing water quality programs. Proposed projects must improve and not replace existing pollution reduction efforts by an eligible party. Funds will be awarded to the most competitive projects with the highest benefit to water quality.

The intent of the ~~ECP (Project X)~~ is to provide funding for water quality projects that do not replace existing transportation water quality expenditures. In other words, if a project has components which would replace features already in place or which would fulfill project specific mitigation, those components would not be eligible for funding consideration. Some upgrades and expansions may be eligible with appropriate supporting justification.

Proposed projects, which support compliance with the 2015 adopted Trash Provisions, are eligible for ~~ECP (Project X)~~ funding provided the funds would not replace established and programmed funds and the funds are not applied to any mandated project design features or required mitigation measures.

The eligibility of the project and its components will be determined during the evaluation process. Contact Alfonso Hernandez~~Joseph Alcock~~ at (714) 560-536372, or jalecockAHernandez@octa.net with questions.

## Tier 1 Grant Program

### Overview

The Tier 1 Grant Program is designed to mitigate the more visible forms of pollutants, such as litter and debris, which collect on the roadways and in the catch basins (storm drains) prior to being deposited in waterways and the ocean. It consists of grant funding for Orange County local governments to purchase equipment and upgrades for existing catch basins and other related BMPs (i.e., “street-scale” low flow diversion projects). Examples include screens, filters, and inserts for catch basins, as well as other devices designed to remove the above-mentioned pollutants. To date, [seven-nine](#) Tier 1 calls for projects have been held. Through this process, many of the opportunities for street-scale BMPs have been fulfilled. Water quality projects, regardless of technology, are eligible for Tier 1 funding provided they have a verifiable benefit to water quality and fall within the maximum per project programming cap. The intent of this funding program is for project applicants to complete the work generally within one year from the letter agreement execution.

### Tier 1 Project Types

The Tier 1 projects funded in the past includes the following types. A description of each project type is provided below:

- 1) Automatic Retractable Screen and other debris screens or inserts: screen or insert units prevent debris from entering the storm drain system.
- 2) Irrigation system retrofits to reduce runoff: these projects decrease runoff from highway medians by using more efficient irrigation systems and/or replacing existing landscape to reduce the amount of water used in irrigation.
- 3) Continuous Deflection Separator (CDS): CDS units screen, separate, and trap debris, sediment, oil, and grease from storm water runoff.
- 4) Linear Radial Gross Solid Removal Device (GSRD): GSRDs are certified full capture systems which efficiently remove large solids from runoff water flows.
- 5) Marina Trash Skimmer: these devices draw in floating debris, such as plastics, bottles, paper, oil sheen, and driftwood. The installation of marina trash skimmers will reduce the amount of trash and debris reaching the open ocean.
- 6) Bioswales and Bioretention systems: pollutants and sediment~~sation~~ are captured and subsequently removed from stormwater runoff.
- 7) Trash Boom: a floating boom placed across a channel captures trash and debris that have reached flood channels from being further conveyed to downstream receiving waters.

## Pre-Application Process

In order to ensure the best use of M2 funds and assist eligible jurisdictions with the Tier 1 Grant Program, applicants may engage in a pre-application process with OCTA staff in project planning, cost estimate development, and determination of likely projected competitiveness. Specific meeting times will be established once the call is initiated. After the call for projects deadline and submittal of the grant application, applicants will not be able to change the content of the application or scope of the project.

## Eligible Applicants

~~ECP (Project X)~~ funds can be used to implement street and highway-related water quality improvement projects to assist Orange County cities and the County of Orange to meet federal Clean Water Act standards for urban runoff and State Water Resources Control Board requirements for trash capture. Applicants eligible for ~~ECP (Project X)~~ funds include the 34 Orange County cities plus the County of Orange. Eligible applicants must meet the transportation requirements discussed in the M2 Ordinance.

Third parties, such as water and wastewater public entities, environmental resource organizations, nonprofit 501(c) environmental institutions, and homeowners' associations cannot act as the lead agency for a proposed project, however; these agencies can jointly apply with an Orange County city and/or the County of Orange.

Two or more agencies may participate in a project. If a joint application among agencies and/or third-party entities is submitted, a preliminary agreement with joint or third-party entities must be provided as part of the application. In order to meet Ordinance requirements, an eligible applicant must be the lead agency for the funding application. If a project includes more than one jurisdiction and is being submitted as a joint application, one agency shall act as lead agency and must provide a resolution of support from all joint applicants.

Each eligible jurisdiction must meet the eligibility criteria as set forth in Chapter 1 of these guidelines.

## Project Programming

The Tier 1 Grant Program approach is designed to be consistent with Chapter 2 of these ~~Comprehensive Transportation Funding Program (CTFP)~~ Guidelines regarding the provisions below:

- Program Consolidation
- Funding Projections
- Programming Adjustments
- Project Cost Escalation

- Programming Policies
- Schedule Change Requests
- Project Advancements
- Semi-Annual Review

Refer to Chapter 2 for explanations of the above provisions.

## Funding Estimates

Approximately \$2.8 million is available for the [2018-2020](#) Tier 1 call for projects.

The maximum amount for the Tier 1 Grant Program is \$500,000 per project. The maximum amount that an [eligible local agency applicant](#) can receive in [this](#) funding period is \$500,000.

## Matching Funds

For the Tier 1 Grant Program, a minimum local match of 20 percent (20%) of the eligible project cost is required. The matching funds shall be provided as a cash contribution.

Retroactive expenditures cannot be credited towards the matching fund threshold.

## Overmatch

For the Tier 1 Grant Program, administering agencies may “overmatch” ~~ECP (Project X)~~ projects; that is, additional cash match may be provided for the project. Applicants will receive additional points in the evaluation process for matching with cash above the minimum requirement. Proposals that exceed the 20 percent (20%) minimum funding match will be given an additional one-half point for every five percent (5%) over the minimum cash match (up to five bonus points).

Additionally, administering agencies must commit to cover any future cost overruns if the project is underfunded. Any work not eligible for ~~ECP (Project X)~~ reimbursement must be funded by other means by the project applicant and cannot count as match. These non-eligible items should not be included in the cost estimate breakdown in the application.

## Reimbursements

For the Tier 1 Grant Program, OCTA will release funds through two payments. The initial payment will constitute 75 percent (75%) of the contract award or programmed amount at contract award. OCTA will disburse the final payment, approximately 25 percent (25%) of eligible funds, after approval of the final report. Further information on reimbursements can be located within Chapter 9 of these Guidelines.

## Scope Reductions/Modifications and Cost Savings

Any proposed scope modifications, such as a change in BMP device quantities and/or the adjustment of device locations, of an approved project must be submitted to OCTA for

review and administrative approval in advance of the change to ensure consistency with the Tier 1 Grant Program requirements. The proposed modifications must mitigate the same pollutants, affect the same waterways, and meet all other provisions as stipulated in these guidelines.

If the proposed scope modification is approved by OCTA, any cost savings will be proportionally shared between OCTA and the grantee; for example, a reduction in ECP (Project X) funds must be applied proportionally to maintain the approved local match percentage. All cost savings will be returned to the Tier 1 Grant Program for reallocation for the subsequent calls for projects.

Any proposed scope reductions changes of an approved project must be submitted to OCTA to ensure consistency with the Tier 1 Grant Program requirements. If the proposed scope reduction is approved by OCTA, cost savings will be proportionally shared between OCTA and the grantee—a reduction in ECP (Project X) funds must be applied proportionally to maintain the approved local match percentage. All cost savings will be returned to the Tier 1 Grant Program for reallocation for the subsequent call of projects.

Any minor scope modifications, such as BMP device quantities (including increases) and/or the adjustment of device locations, must be submitted to OCTA for administrative approval prior to the implementation of the project. The proposed modifications must mitigate the same pollutants, affect the same waterways, and meet all other provisions as stipulated in these guidelines.

## **2019-2020 Tier 1 Call for Projects**

20202018 Tier 1 Call for Projects applications must be received by OCTA **no later than 5:00 p.m. on ThursdayFriday, May 978, 20192020**. Projects that do not award construction contracts by June 30, 2021 will not be considered. OCTA allocates funds on July 1 of each year. Tier 1 projects are not eligible for delay requests; please refer to Precept 17 for additional information. Funds will become available upon execution of a letter agreement.

After the Tier 1 applications are reviewed by OCTA, an advisory panel will review and rank projects. Following a review by the ECAC, a recommended priority list of projects will be forwarded to the OCTA Board for approval in summer 20192020. Funds allocated for projects are final once approved by the OCTA Board. No additional funds will be allocated to the project. Grantees are responsible for any costs exceeding the allocated amount.

## **Tier 1 Selection Criteria**

OCTA will evaluate all proposals that meet the mandatory prerequisites based on competitive selection criteria (Exhibit 11-1) with the following categories:

- Project Need, Transportation Nexus, and Water Quality Benefits (15 points)~~blem and source identification~~
- Cost/Benefit (16 points)~~Project design~~

- Pollutant Reduction Benefits (12 points)~~O&M~~
- Effectiveness Against More Visible Forms of Pollutants (10 points)
- Justification for Project Devices Considered and Proposed (5 points)~~Project benefits~~
- Proposed Device Performance Efficiency and/or Effectiveness (6 points)~~Performance metrics~~
- Project ~~implementation and R~~eadiness (6 points)
- Secondary attributes\* (5 points)
- Methodology for Measuring Pollutant Reduction Before and After Implementation (10 points)
- Operations and Maintenance Plan (15 points)

*\*Note: Project elements which may qualify for points under the "secondary attributes" category do not need to be eligible expenditures. See Eligible Expenditures and Ineligible Expenditures sections for further information.*

Each proposal can receive a maximum of 100 points, exclusive of five bonus points for cash overmatch. See Exhibit 11-1 for scoring categories and point distribution.

## Exhibit 11-1 (Tier 1 Scoring Criteria)

| Scoring Criteria   |  | Points Possible               |        |                  |   |   |        |   |   |          |   |  |        |  |
|--|--|-------------------------------|--------|------------------|---|---|--------|---|---|----------|---|--|--------|--|
| 1. Describe the need for the selected BMP(s), including nexus to transportation pollutants, and detail the benefits to water quality the BMP(s) will achieve. (up to 15 Points)  |  | 15                            |        |                  |   |   |        |   |   |          |   |  |        |  |
| 2. Cost/Benefit (Up to 16 points): Based on information provided by the applicant, a cost/benefit calculation will be conducted to compare the total project cost to the area of priority land uses treated by the proposed BMP(s). Applicant is required to provide <sup>1</sup> : <ul style="list-style-type: none"> <li>Types(s) of BMP(s) proposed</li> <li>Number of each BMP type</li> <li>Total drainage area(s) contributing to each BMP type</li> <li>Percent of drainage area(s) that is/are considered priority land uses (i.e., high density residential, industrial, commercial, mixed urban, public transportation stations)</li> </ul> <p>The applicant must also provide geospatial information (through ArcGIS and/or Google Earth) that identifies the drainage area(s) and BMP location(s) for the project.</p> |  | 16                            |        |                  |   |   |        |   |   |          |   |  |        |  |
| 3. Pollutant Reduction Benefits: Based on treatment capacity and BMP type, project benefit will be calculated using the scoring equation: $(A \times 3) + (B \times 3) + (C \times 6) =$ (up to 12 points) <sup>1</sup>  |  | 12                            |        |                  |   |   |        |   |   |          |   |  |        |  |
| <table border="1"> <thead> <tr> <th>Line</th><th>Factor</th><th>Points Available</th></tr> </thead> <tbody> <tr> <td>A</td><td>Fractional percent of 1 year, 1-hour event flowrate discharging from priority land uses to the BMP(s)</td><td>0 to 1</td></tr> <tr> <td>B</td><td>Fractional percent of 85th percentile, 24-hr design event that is treated by a low-impact development (LID) or treatment control BMP<sup>2</sup></td><td>0 to 1.5</td></tr> <tr> <td>C</td><td>BMP Multiplier: <ul style="list-style-type: none"> <li>1/3 point for high capacity systems</li> <li>2/3 point for filters/biofilters</li> <li>1 point for zero-discharge BMPs</li> </ul> </td><td>0 to 1</td></tr> </tbody> </table>   |  | Line                          | Factor | Points Available | A | Fractional percent of 1 year, 1-hour event flowrate discharging from priority land uses to the BMP(s) | 0 to 1 | B | Fractional percent of 85th percentile, 24-hr design event that is treated by a low-impact development (LID) or treatment control BMP <sup>2</sup> | 0 to 1.5 | C | BMP Multiplier: <ul style="list-style-type: none"> <li>1/3 point for high capacity systems</li> <li>2/3 point for filters/biofilters</li> <li>1 point for zero-discharge BMPs</li> </ul> | 0 to 1 |  |
| Line   | Factor   | Points Available              |        |                  |   |   |        |   |   |          |   |  |        |  |
| A  | Fractional percent of 1 year, 1-hour event flowrate discharging from priority land uses to the BMP(s)  | 0 to 1                        |        |                  |   |   |        |   |   |          |   |  |        |  |
| B  | Fractional percent of 85th percentile, 24-hr design event that is treated by a low-impact development (LID) or treatment control BMP <sup>2</sup>  | 0 to 1.5                      |        |                  |   |   |        |   |   |          |   |  |        |  |
| C  | BMP Multiplier: <ul style="list-style-type: none"> <li>1/3 point for high capacity systems</li> <li>2/3 point for filters/biofilters</li> <li>1 point for zero-discharge BMPs</li> </ul> | 0 to 1                        |        |                  |   |   |        |   |   |          |   |  |        |  |
| <sup>1</sup> Applicants are not expected to calculate the score for question 2 and question 3. OCTA's technical consultant will provide the analysis for these questions based on the application materials provided by the applicant.   |  |                               |        |                  |   |   |        |   |   |          |   |  |        |  |
| <sup>2</sup> Examples include high capacity systems (i.e. hydrodynamic separators), filters/biofilters, or zero-discharge BMPs (i.e., retention/infiltration).   |  |                               |        |                  |   |   |        |   |   |          |   |  |        |  |
| 4. How effective will the proposed project be in dealing with the more visible forms of pollutants, such as a litter and debris? (up to 10 points)   |  | 10                            |        |                  |   |   |        |   |   |          |   |  |        |  |
| 5. What other BMP types were considered for this project? Why was the proposed BMP chosen? (5 points)  |  | 5                             |        |                  |   |   |        |   |   |          |   |  |        |  |
| 6. Provide information on proposed BMP performance efficiency and/or effectiveness, including pollutant capture, storage capacity, flow capacity, etc. (up to 6 points)  |  | 6                             |        |                  |   |   |        |   |   |          |   |  |        |  |
| 7. Project Readiness: The project schedule will be reviewed by the evaluation committee to determine when the proposed BMP will be operational following the OCTA Board of Directors approval. (up to 6 points):   |  | 6                             |        |                  |   |   |        |   |   |          |   |  |        |  |
| Less than 4 Months   | (6 points)   | 8 - 12 months (2 points)      |        |                  |   |   |        |   |   |          |   |  |        |  |
| 4 - 8 months   | (4 points)   | More than 12 months (1 point) |        |                  |   |   |        |   |   |          |   |  |        |  |

# Comprehensive Transportation Funding Programs



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| 8. Secondary Attributes: Will the proposed project provide any benefits beyond water quality improvement (i.e., water use efficiency, public awareness, flooding control, recreation, habitat, sustainability)? (up to 5 points) | 5   |
| 9. What is the methodology for measuring pollutant reduction before and after the BMP is implemented? How frequently will monitoring and performance assessment occur? (up to 10 points)   | 10  |
| 10. Provide an O&M plan for the lifespan of the proposed project. Include schedule of inspections, cleaning, removal and disposal of pollutants, repairs, etc. (up to 15 points)   | 15  |
| <hr/>  |     |
|  | 100 |
| 12. <b>BONUS:</b> Are local matching funds in excess of the 20% minimum cash being proposed? If yes, at what percentage? (.5 point for each 5% cash overmatch, up to 5 points)   | 5   |
| <hr/>  |     |
| Note: overmatch bonus points can only be granted to projects with a cash match.  | 105 |



## Application Process

The following information, which is to be completed within the Tier 1 Grant Application Form, available electronically from OCTA, is required to evaluate and select projects. A checklist is included in the Tier 1 Grant Application Form to assist eligible agencies in assembling project proposals. The following project information will be necessary as part of the application process:

- Project Title
- Lead Agency Information
- Proposed Schedule
- Project Management
- Description and Scope of Proposed Project
- Integrated Regional Water Management Plan (IRWMP) identification (if applicable)
- Project Readiness
- Performance Metrics
- Detailed Project Estimate
- Minimum 20% Local Match (cash match only)
- Joint-Application (if applicable)

In addition to the completed Tier 1 Grant Application, the following documentation is required as part of the application process:

- Project design or concept drawings, including preliminary design calculations, of proposed BMP
- Precise maps to show tributary drainage area and proposed location(s) for BMP installation including geospatial information (through ArcGIS and/or Google Earth)
- Digital project site photos
- Preliminary agreements with joint and/or third-party entities if part of the funding application (if applicable)
- A city council resolution specific to each proposed project and funding commitment must be approved by the local jurisdiction's governing body prior to the Board approval of grant funds. A sample resolution is included as Exhibit 11-2. **Local agencies, at a minimum, must include items a-l.** The mechanism selected shall serve as a formal request for CTFP funds and states that matching funds will be provided by the agency. A final resolution authorizing request for funding consideration with a commitment of local match funding must be provided with the project application. **If a draft copy of the resolution is provided, the local agency must also provide the date the resolution will be finalized by the local agency's governing body.** A final copy of the City Council approved resolution must be provided at least four (4) weeks **PRIOR** to the consideration of programming recommendations by OCTA's Board.

~~For the Tier 1 Grant Program, An~~ unbound original and two copies (total of three) of the completed application form and supporting documentation are to be submitted, plus an electronic copy of the complete application materials. Electronic application materials can be submitted via email, USB drive, or Dropbox. CD/DVD files are not accepted. Use separate sheets of paper if necessary.

There is no maximum length for proposals. All pages must be numbered and printed on 8 1/2 x 11 sheets of white paper. Maps and drawings can be included on 11 x 17 sheets, folded into the proposal. The original proposal should be left unbound for reproduction purposes.

Submitted applications are considered final. Any applications that do not contain all required information and documentation will be disqualified.

## Exhibit 11-2 (Tier 1 Sample Resolution)

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE CITY COUNCIL/BOARD OF THE CITY/COUNTY OF \_\_\_\_\_

AUTHORIZING AN APPLICATION FOR FUNDS FOR THE ENVIRONMENTAL CLEANUP, TIER 1 GRANT PROGRAM UNDER ORANGE COUNTY LOCAL TRANSPORTATION ORDINANCE NO. 3 FOR  
(PROJECT NAME).

- (a) WHEREAS, Orange County Local Transportation Ordinance No.3, dated July 24, 2006, and is known and cited as the Renewed Measure M Transportation Ordinance and Investment Plan makes funds available through the Environmental Cleanup Program to help protect Orange County beaches and waterways from transportation-generated pollution (urban runoff) and improve overall water quality.
  - (b) WHEREAS, the Environmental Cleanup, Tier 1 Grant Program consists of funding purchases and installation to catch basins with Best Management Practices, such as screens, filters, inserts, and other "street-scale" low flow diversion projects.
  - (c) WHEREAS, OCTA has established the procedures and criteria for reviewing proposals; and
  - (d) WHEREAS, (ADMINISTERING AGENCY) possesses authority to nominate water quality improvement projects that have a transportation pollution nexus to finance and construct the proposed project; and
  - (e) WHEREAS, by formal action the (GOVERNING BODY) authorizes the nomination of (PROJECT NAME), including all understanding and assurances contained therein, and authorizes the person identified as the official representative of the (ADMINISTERING AGENCY) to act in connection with the nomination and to provide such additional information as may be required; and
  - (f) WHEREAS, the (ADMINISTERING AGENCY) will maintain and operate the equipment acquired and installed; and
  - (g) WHEREAS, the (ADMINISTERING AGENCY) will give OCTA's representatives access to and the right to examine all records, books, papers or documents related to the funded Tier 1 Grant Project; and
  - (h) WHEREAS, the (ADMINISTERING AGENCY) will cause work on the project to be commenced within a reasonable time after receipt of notification from OCTA and that the project will be carried to completion with reasonable diligence; and
  - (i) WHEREAS, the (ADMINISTERING AGENCY) will comply where applicable with provisions of the California Environmental Quality Act, the National Environmental Policy Act, the American with Disabilities Act, and any other federal, state, and/or local laws, rules and/or regulations;
  - (j) WHEREAS, the (ADMINISTERING AGENCY) must include all projects funded by Net Revenues in the seven-year Capital Improvement Program as part of the Renewed Measure M Ordinance eligibility requirement.
  - (k) WHEREAS, the (ADMINISTERING AGENCY) authorizes a formal amendment to the seven-year Capital Improvement Program to add projects approved for funding upon approval from the Orange County Transportation Authority Board of Directors.
  - (l) WHEREAS, the City/County of \_\_\_\_\_ will provide a minimum of 20% in matching funds for the (PROJECT NAME) as required by the Orange County Comprehensive Transportation Funding Programs Guidelines.
- NOW, THEREFORE, BE IT RESOLVED that the City/County of \_\_\_\_\_ hereby authorizes (NAME OF AGENCY REPRESENTATIVE) as the official representative of the (ADMINISTERING AGENCY) to accept funds for the Environmental Cleanup, Tier 1 Grant Program for (PROJECT NAME).
- BE IT FURTHER RESOLVED that the City/County of \_\_\_\_\_ agrees to fund its share of the project costs and any additional costs over the identified programmed amount.

## Eligible Expenditures

- ~~ECP~~-(Project X) funds must be for capital improvement. Construction management and project management cannot exceed 15 percent (15%) of the total construction costs.
- ~~ECP~~-(Project X) funds can only be used for facilities that are in public ownership for public use; however, water quality improvements on private property, which are connected to municipal separate storm sewer systems, are eligible. (For example, a homeowner association can apply for funding through an eligible agency if the proposed project is connected to a public facility.)
- Reducing volume of surface flows is an integral factor of improving water quality, therefore, projects that have water-saving features (i.e., drip systems) are eligible for funding considerations.

## Ineligible Expenditures

- O&M costs are not eligible expenditures. O&M costs cannot be utilized as a source of matching funds.
- ~~ECP~~-(Project X) funds are not to be used for planning.
- Expenditures prior to the grantee executed letter agreement date cannot be considered eligible for funding or match.
- Landscaping installation and replacement are not eligible for funding consideration.
- Replacement of equipment funded with ~~ECP~~-(Project X) funds that is still within its anticipated useful life (based on manufacturer's specifications).
- Capital equipment purchases related to regular on-going street maintenance efforts, including, but not limited to: trash receptacles, vacuum trucks and/or equipment, street sweepers, signage, etc.

## Reporting and Reimbursement

A final report must be filed within 180 days of the project being completed with information as shown in Form 10-16. See Chapter 9 for the process and requirements regarding reimbursements and reporting for the Tier 1 Grant Program.

Additionally, an exception to Precept #36: Agencies may appeal to the ECAC and the OCTA Board on any issues that the agency and OCTA cannot resolve, as such are the reviewing and approving bodies, respectively, for this program.

## Technical and/or Field Review

Once an agency submits a final report for a project, OCTA shall review the report for compliance with the CTFP guidelines and may conduct a field review. OCTA will use the project cost estimate forms submitted with the application and revised where appropriate, project accounting records and the final report as the primary items to conduct the

review. Agencies must maintain separate records for projects (i.e., expenditures, interest) to ensure compliance. Only CTFP eligible items listed on a project's cost estimate form will be reimbursed. See Chapter 10 for independent audit requirements beyond the technical and/or field review.

## Additional Information

Completed applications and questions regarding these procedures and criteria should be directed to:

By mail:

~~Joseph Alcock~~ [Alfonso Hernandez](#)

Orange County Transportation Authority

P.O. Box 14184

Orange, CA 92863-1584

Tel: (714) 560-5~~363673~~

Fax: (714) 560-5794

In person:

Orange County Transportation Authority

600 South Main Street

Orange, CA 92863-1584

Via email (for electronic submittal):

~~j~~[alcockAHernandez@octa.net](mailto:alcockAHernandez@octa.net)