

State Coastal Conservancy 2024 Climate Bond Program Guidelines

California Code of Regulations
Title 14. Natural Resources
Division 5.6. State Coastal Conservancy
Chapter 9. 2024 Climate Bond Grant Guidelines
(§ 13900 to § 13911)

Subchapter 1. Scope of Chapter 9

Article 1. Scope of Chapter 9

§ 13900. Scope

- (a) The provisions of this chapter apply to the Conservancy's implementation of the Safe Drinking Water, Wildfire Prevention, Drought Preparedness, and Clean Air Bond Act of 2024 (2024 Climate Bond) at Public Resources Code Sections 90000-95015, except as set forth in subsection (b).
- (b) The provisions of this chapter do not apply to the Conservancy's implementation of the provision of the 2024 Climate Bond allocating funds to the Conservancy for wildfire and forest resilience as set forth at Public Resources Code section 91520(k).

NOTE: Authority Cited: Section 31102, Public Resources Code. Reference: Sections 90000-95015, Public Resources Code and Sections 31000-31414, Public Resources Code.

Subchapter 2. Grant Application and Selection Process

Article 1. Timing of Applications

§ 13901. Timing of Submittal of Applications

- (a) The Conservancy will accept grant applications at any time except as described in subsection (b).
- (b) The executive officer may set a deadline for submittal of grant applications for specific Conservancy grant programs including Explore the Coast, Community Wetlands Restoration Grant Program and Coastal Stories. When the executive officer decides to seek grant applications for such grant programs, the executive officer will provide notice on the

Conservancy's website and the notice will specify the deadline for submitting a grant application for the specific grant program.

NOTE: Authority Cited: Section 31102, Public Resources Code. Reference: Sections 90000-95015, Public Resources Code and Sections 31000-31414, Public Resources Code.

Article 2. Applying for a Grant

§ 13902. Technical Assistance

- (a) The executive officer may provide technical assistance to potential grant applicants. All potential grant applicants are encouraged to ask the executive officer for technical assistance before beginning the application process.

NOTE: Authority Cited: Section 31102, Public Resources Code. Reference: Section 31111, Public Resources Code; Sections 90000-95015, Public Resources Code and Sections 31000-31414, Public Resources Code.

§ 13903. Preapplication

- (a) Prior to submitting a grant application, grant applicants may submit a preapplication.
- (b) The purpose of a preapplication is to enable the executive officer to assist the grant applicant in understanding whether the project meets the eligibility criteria in section 13909 before the grant applicant spends time preparing an application.
- (c) A preapplication is not required to submit a grant application.

NOTE: Authority Cited: Section 31102, Public Resources Code. Reference: Sections 90000-95015, Public Resources Code and Sections 31000-31414, Public Resources Code.

§ 13904. Contents of Preapplication

- (a) To enable the Conservancy to assist a grant applicant with understanding whether a project is eligible for a grant, the preapplication should include an explanation with supporting documentation of how the project meets the eligibility criteria for a Conservancy grant as set forth in section 13909. The most helpful explanation and supporting documentation will include:
 - (1) grant applicant's contact information;
 - (2) a description of the project;

- (3) identification of the project location;
- (4) estimate of project start and end date;
- (5) maps, plans, photographs; and
- (6) how the Conservancy can expect to comply with the California Environmental Quality Act, Public Resources Code, Division 13 in authorizing a grant for the project.

NOTE: Authority Cited: Section 31102, Public Resources Code. Reference: Sections 90000-95015, Public Resources Code and Sections 31000-31414, Public Resources Code.

§ 13905. Full Application

- (a) If the executive officer determines that a preapplication shows that the project is eligible for a Conservancy grant, the executive officer will inform the applicant and the applicant may submit a grant application.

NOTE: Authority Cited: Section 31102, Public Resources Code. Reference: Sections 90000-95015, Public Resources Code and Sections 31000-31414, Public Resources Code.

§ 13906. Contents of Grant Application

- (a) A grant applicant must demonstrate to the executive officer through information and supporting documentation that a project meets the eligibility criteria for a Conservancy grant as set forth in section 13909 and is a priority for funding as set forth in section 13910.
- (b) The most helpful information and supporting documentation to set forth in a grant application includes:
 - (1) The information described in section 13904(a);
 - (2) An explanation of the extent to which the project meets the project selection criteria set forth in section 13910;
 - (3) Detailed project tasks, costs, and schedule;
 - (4) Sources of other funds for the project;
 - (5) Permits and approvals required for the project; and
 - (6) Information concerning ownership of the project site.

NOTE: Authority Cited: Section 31102, Public Resources Code. Reference: Sections 90000-95015, Public Resources Code and Sections 31000-31414, Public Resources Code.

Article 3. Staff Recommendation and Hearing Process

§ 13907. Staff Recommendation

- (a) If the executive officer determines that a project is either not eligible for a Conservancy grant or not a priority for funding, the executive officer shall inform the grant applicant of this determination in writing.
- (b) If the executive officer determines that a project is both eligible for a Conservancy grant and a priority for funding, the executive officer may recommend to the Conservancy that it authorize a grant for the project.
 - (1) The executive officer's recommendation to the Conservancy will be set forth in a written staff recommendation that describes the grant application and explains how the project is eligible for a Conservancy grant and a priority for funding.

NOTE: Authority Cited: Section 31102, Public Resources Code. Reference: Sections 90000-95015, Public Resources Code and Sections 31000-31414, Public Resources Code.

§ 13908. Conservancy Hearing and Authorization

- (a) If the executive officer recommends that the Conservancy authorize a grant, the executive officer will schedule the recommended grant for Conservancy authorization at one of the Conservancy's public meetings.
- (b) No grant will be awarded without Conservancy authorization at a public meeting.
- (c) In scheduling the executive officer's staff recommendation for a public meeting, the executive officer will consider:
 - (1) the grant applicant's preparedness for hearing and timing needs; and
 - (2) the Conservancy staff's timing needs.

NOTE: Authority Cited: Section 31102, Public Resources Code. Reference: Sections 90000-95015, Public Resources Code and Sections 31000-31414, Public Resources Code.

Subchapter 3. Grant Selection Criteria

Article 1. Eligibility Criteria

§ 13909. Eligibility Criteria

- (a) All of the following criteria must be met for a project to be eligible for a Conservancy grant:
 - (1) The project must be consistent with the purposes of the 2024 Climate Bond provisions that allocate funds to the Conservancy or for which the Conservancy has been appropriated funds in a state budget act.
 - (2) The project must be consistent with the Conservancy's enabling legislation at Public Resources Code, Division 21.

- (3) The grant applicant must be an eligible grantee under the 2024 Climate Bond and the Conservancy's enabling legislation at Public Resources Code, Division 21.
- (4) California Environmental Quality Act (CEQA) Compliance – The Conservancy must consider how CEQA will apply to a decision to grant funds for the project. Unless an exemption applies to the project or to the work being funded, such as the exemption for feasibility or planning studies, the required CEQA documentation must be complete before the Conservancy authorizes a grant. CEQA documentation does not have to be complete to apply for a grant.
- (5) Grant applicant capacity – The grant applicant must have the ability to administer the grant funds and to conduct the project in a manner that will meet the State's requirements and will protect the grant applicant from potential financial or legal risk. If the grant applicant does not have the capacity, they have partnered with a fiscal sponsor that will provide them the needed administrative support.
- (6) Site ownership/control – The grant applicant has or will have the legal right to carry out the project on the land on which the project is proposed.
- (7) Long-term management – The grant applicant has a plan for the long-term management, maintenance, and monitoring of the project.

NOTE: Authority Cited: Section 31102, Public Resources Code. Reference: Sections 90000-95015, Public Resources Code and Sections 31000-31414, Public Resources Code.

Article 2. Project Selection Criteria

§ 13910. Project Selection Criteria

- (a) In determining which projects to select for funding, the Conservancy prioritizes projects with one or more of the following characteristics:
 - (1) Project accomplishes one or more of the objectives in a strategic plan adopted by the Conservancy, which is updated from time to time and located on the Conservancy website.
 - (2) Project is a good investment of state resources. This can be demonstrated through one or more of the following factors:
 - (A) Project provides important benefits to Californians.
 - (B) Project is feasible.
 - (C) Budget is reasonable.
 - (D) Project leverages non state resources including volunteer work, in-kind support, or partnerships.
 - (E) Project advances statewide goals and is consistent with regional and local plans.

- (F) Project advances the state's 30x30 Executive Order.
 - (G) Protects or enhances significant resources.
 - (H) Pilot project has demonstration value and serves as a model to be used in other areas of the State.
 - (I) Pilot project includes monitoring to ensure the lessons of the project can be shared.
 - (J) Grant applicant has consulted with relevant State and Federal agencies.
 - (K) Scientific assumptions of project are explained in proposal and project follows best practices.
- (3) Project includes a serious effort to engage tribes. Examples of tribal engagement include good faith, documented efforts to work with tribes traditionally and culturally affiliated to the project area in the following types of ways:
- (A) Communicate, consult, or engage with tribes who are traditionally and culturally affiliated to the project area as early as possible in project development.
 - (B) Work with tribes to enable traditional stewardship and cultural practices on ancestral land and co-management of their ancestral lands and natural resources.
 - (C) Assist tribes to regain access to their ancestral lands on the coast.
 - (D) Incorporate indigenous voices, leadership, and perspectives, including traditional ecological knowledge, indigenous stewardship, and educational programs.
 - (E) Respect tribal knowledge and concerns in the project.
 - (F) Protect archaeological and cultural resources or mitigate to the extent feasible impacts to these resources.
 - (G) Include tribal land acknowledgement and accurate historical information in signage, communications, and other project information.
- (4) Project benefits will be sustainable or resilient over the project lifespan. This can be demonstrated through one or more of the following factors:
- (A) Project will continue to deliver benefits over a reasonable time period.
 - (B) Project is resilient to or able to adapt to expected sea level rise during the project's lifespan.
 - (C) Project is resilient to or able to adapt to expected climate change impacts including extreme heat, wildfire, flood, and drought.
 - (D) Project will not make future climate adaptation more difficult.
 - (E) Planning project has identified potential implementation funding and has a strategy for obtaining necessary approvals.
- (5) Project delivers multiple benefits and significant positive impact. This can be demonstrated through one or more of the following factors:
- (A) Project provides co-benefits and alleviates multiple stressors within communities, such as improving public health, addressing the need for additional recreational

- amenities, reductions in pollution burden, access to parks and open space, habitat enhancement or other environmental benefits.
- (B) Project provides meaningful and direct benefits to disadvantaged communities, severely disadvantaged communities, or vulnerable populations, as defined in Public Resources Code, Division 50, Chapter 1, sections 90100(d), (j), and (o).
 - (C) Project increases community-preparedness or resilience to future climate change impacts such as drought, extreme heat, floods, wildfires, and other climate-related impacts.
 - (D) Project increases carbon sequestration or protects existing sequestration on natural lands.
 - (E) Project provides benefits to underserved communities, such as: job training, job creation, workforce development, and training programs structured toward long-term careers and not limited to entry-level skill building.
 - (F) Project provides community benefits such as support for increased civic engagement, leadership development opportunities, funding for education, and volunteer opportunities.
 - (G) Urban parks, urban trails, education centers, and waterfront revitalization projects include consideration of anti-displacement strategies where appropriate.
 - (H) Projects that increase urban greening, open space, and tree canopy.
- (6) Project planned with meaningful community engagement and broad community support. This can be demonstrated through one or more of the following factors:
- (A) Engage with local and regional communities in public co-visioning processes before projects are developed to reflect community needs and desires. Project concepts are anchored in community priorities and expertise.
 - (B) Communities engaged in meaningful way to build mutual trust and relationships. Examples could include: 1) process involves staff, board members, or consultants who are from or have experience working with respective communities or 2) process includes dialogue between all affected and necessary parties, and/or direct involvement of local community groups.
 - (C) Engagement process addresses unequal power dynamics between communities and government, historic inequity, injustices, and trauma. Communities have a decision making or co-leadership role in the development of the project, and the engagement process should be diverse and inclusive of the community members.
 - (D) Community is represented on applicant's staff, board, and within the project's planning group, or project is partnering with local community based organizations.
 - (E) Engagement process makes it easy for community members to participate by, for example, providing stipends, meeting in convenient locations and times, using virtual venues, providing childcare and food.
 - (F) Outreach facilitated in a manner appropriate for the intended community/audience, and may include mailers or flyers, telephone calls, newspapers, publications, and/or social media.

- (G) Project team has a track record working within communities and incorporating insights gained from community engagement into project planning.
 - (H) Materials developed during the project are made available in multiple languages that are representative of the languages spoken in the engaged community.
 - (I) For acquisition projects where outreach prior to the closing is not feasible, the project plans for community engagement after acquisition.
- (b) For select grant programs including Explore the Coast, Community Wetlands Restoration Grant Program and Coastal Stories, the Conservancy may apply additional project selection criteria based on achieving the goals of those specific grant programs. Any additional project selection criteria will be included in the executive officer's notice that the Conservancy is seeking grant applications for such grant programs and will be located on the Conservancy's website.

NOTE: Authority Cited: Section 31102, Public Resources Code. Reference: Sections 90000-95015, Public Resources Code and Sections 31000-31414, Public Resources Code.

Subchapter 4. Substitution of Funds

Article 1. Substituting Funds for Projects Previously Authorized

§ 13911. Use of the 2024 Climate Bond for Projects Previously Authorized.

- (a) The executive officer may disburse 2024 Climate Bond funds for a grant that has been awarded pursuant to a staff recommendation that identified a different anticipated fund source for the project if all the following are met:
- (1) The Conservancy authorized a grant for the project at a public meeting.
 - (2) The project is consistent with the purposes of the 2024 Climate Bond provisions that allocate funds to the Conservancy or for which the Conservancy has been appropriated funds in a state budget act

NOTE: Authority Cited: Section 31102, Public Resources Code. Reference: Sections 90000-95015, Public Resources Code and Sections 31000-31414, Public Resources Code.