AGENDA
Environmental Cleanup Allocation Committee

Committee Members

Garry Brown, Chair
Keith Linker, Vice Chair
Jill Ingram, City of Seal Beach
Danny Kim, California State University, Fullerton
Hector Salas, Caltrans District 12
Grant Sharp, OC Public Works
Mark Tettemer, Irvine Ranch Water District
Jeff Thompson, Rancho Mission Viejo
Marilyn Thoms, East Orange County Water District
Alex Waite, City of Tustin
Dennis Wilberg, City of Mission Viejo
Helen Yu, San Diego RWQCB
Maher Zaher, Santa Ana RWQCB
One vacant seat

February 10, 2022 10:30 a.m.
Orange County Transportation Authority
550 S. Main Street, Conference Room 09
Orange, California

Guidance for Public Access to this Environmental Cleanup Allocation Committee (ECAC) Meeting:

Any person with a disability who requires a modification or accommodation to participate in this meeting should contact the Orange County Transportation (OCTA) Public Outreach Department, telephone (714) 560-5607, no less than two business days prior to this meeting to enable OCTA to make reasonable arrangements to assure accessibility to this meeting.

Agenda Descriptions

The agenda descriptions are intended to give members of the public a general summary of items of business to be transacted or discussed. The posting of the recommended actions does not indicate what action will be taken. The Committee may take any action which it deems to be appropriate on the agenda item and is not limited in any way by the notice of the recommended action.

Public Availability of Agenda Materials
All documents relative to the items referenced in this agenda are available for public inspection at www.octa.net or through the Clerk of the Board's office at: OCTA Headquarters, 600 South Main Street, Orange, California.

Guidance for Public Access to the Board of Directors/Committee Meeting

On September 16, 2021, Governor Gavin Newsom signed into law AB 361 authorizing a local legislative body to hold public meetings via teleconferencing and make public meetings accessible telephonically or electronically to all members of the public due to the state and local State of Emergency resulting from the threat of Novel Coronavirus (COVID-19).

Guidance for Public Access to the Board of Directors/Committee Meeting (Cont.)

Members of the public can view a live streaming of Public Committee meetings by clicking the below link:

https://www.youtube.com/user/goOCTA

Public Comments: The Agenda descriptions are intended to give notice to members of the public of a general summary of items of business to be transacted or discussed. Members from the public wishing to address the Committee will be recognized by the Chairman at the time the Agenda item is to be considered. A speaker's comments shall be limited to three (3) minutes. Any person with a disability who requires a modification or accommodation in order to participate in this meeting should contact the OCTA at (714) 560-5725, no less than two (2) business days prior to this meeting to enable OCTA to make reasonable arrangements to assure accessibility to this meeting.

Members of the public may address the Committee regarding any item two ways:

Real-Time Comment

To provide a real-time public comment during the meeting, please access the Zoom at:

Zoom Meeting:

https://us02web.zoom.us/j/88931981023

Meeting ID: 889 3198 1023

Join via call-in:
(669) 900-6833
(346) 248-7799

Speakers will be recognized by the Chair at the time the agenda item is to be considered. A speaker's comments shall be limited to three minutes. Anyone causing disruption can be removed from the meeting at the discretion of the Chair.

Written Comment

Written public comments may also be submitted by emailing them to publiccomments@octa.net, and must be sent 90 minutes prior to the start time of the meeting. If you wish to comment on a specific agenda Item, please identify the Item number in your email. All public comments that are timely received will be part of the public record and distributed to the Committee. Public comments will be made available to the public upon request.

1. Welcome

2. Approval of July 8, 2021 Meeting Minutes

3. Tier 1 Guidelines Revisions and Call for Projects
Alison Army, OCTA

Action Recommendations:
A. *Endorse the approval of proposed revisions to the Comprehensive Transportation Funding Programs Guidelines for the Environmental Cleanup Program Tier 1 program.*
B. *Recommend Board approval to issue the 2022 Environmental Cleanup Program Tier 1 call for projects.*

Public Comments: The Agenda descriptions are intended to give notice to members of the public of a general summary of items of business to be transacted or discussed. Members from the public wishing to address the Committee will be recognized by the Chairman at the time the Agenda item is to be considered. A speaker's comments shall be limited to three (3) minutes. Any person with a disability who requires a modification or accommodation in order to participate in this meeting should contact the OCTA at (714) 560-5725, no less than two (2) business days prior to this meeting to enable OCTA to make reasonable arrangements to assure accessibility to this meeting.

4. OC Stormwater Tools Presentation
Dan Phu, OCTA
Ken Susilo, Geosyntec Consultants
Aaron Poresky, Geosyntec Consultants

5. Environmental Cleanup Program Survey Results
Alison Army, OCTA

6. Public Comments

7. Committee Member Reports

8. Next Meeting – May 12, 2022

Committee Members Present:
Garry Brown, Chair
Keith Linker, Vice Chair.
Danny Kim, California State University, Fullerton
Grant Sharp, County of Orange
Mark Tettemer, Irvine Ranch Water District
Jeff Thompson, Rancho Mission Viejo
Marilyn Thoms, East OC Water District
Alex Waite, City of Tustin
Marwan Youssef, City of Westminster
Helen Yu, San Diego RWQCB
Maher Zaher, Santa Ana RWQCB

Committee Members Absent:
Jill Ingram, City of Seal Beach
Hector B. Salas, Caltrans
Dennis Wilberg, City of Mission Viejo

Orange County Transportation Authority Staff Present:
Joseph Alcock, M2 Local Programs Manager   *Marissa Espino, Community Relations Officer*
Alison Army, Principal Transportation Analyst   *Dan Phu, Environmental Programs Mgr.*

Orange County Transportation Authority
550 South Main Street, Orange, CA
Via Teleconference
July 8, 2021 at 10:30 a.m.

DRAFT

1. **Welcome**
   Chair Garry Brown welcomed everyone to the quarterly Measure M Environmental Cleanup Allocation Committee (ECAC) meeting. Chair Brown went over meeting protocols and asked Marissa Espino to take roll call attendance.

   Chair Garry Brown asked the committee to join him in the Pledge of Allegiance.

2. **New Committee Member**
   Chair Garry Brown welcomed new member Maher Zaher of the Santa Ana Regional Water Quality Control Board (RWQCB).

3. **Approval of January 14, 2021 Minutes**
   Chair Garry Brown asked if there are any additions or corrections to the January 14, 2021 meeting minutes.

A motion was made by a Jeff Thompson, seconded by Keith Linker, and carried unanimously to approve the January 14, 2021 ECAC minutes.

4. **Tier 1 Programing Recommendations**

   Alison Army presented the Tier 1 Programming Recommendations for the 2021 call for projects. OCTA received 11 applications from 10 agencies with most applications for screen and filter devices including connector pipe screens and automatic retractable screens. The review committee consisted of Chair Garry Brown, ECAC member Marilyn Thoms and OCTA staff. Each committee member independently reviewed and the applications then met to discuss the scores. The recommendations brought to the ECAC today were the result of the review committee's efforts.

   Committee Comments:

   Marwan Youssef asked what the balance remaining would be in the program. Alison Army said she would have to get back to him on the specific number. She said OCTA has a running revenue stream, and it is constantly changing. Vice Chair Keith Linker said the amount would decide whether Tier 2 will be opened and when. Alison Army said that is correct. Tier 2 depends on the revenues for the program as well as what was going to be remaining in the account for the program. Dan said a rough number would be $5-$7 million for a Tier 2 call for projects. Dan said now that OCTA no longer bonds out on this program (and does pay-as-you-go per the ECAC) there will need to be an update of the guidelines for Tier 2. Vice Chair Linker said if the feds release a substantial amount of money for infrastructure, it would be nice to release a Tier 2 call.

   Danny Kim asked if there are cities that have never applied for these grants and if so how OCTA can help them apply. Chair Garry Brown said that every city has participated and received grant funding. The level of participation is dependent upon each city's available staff and resources. He commended the OCTA staff because they are always willing to help. Chair Brown said this committee has always looked to cover the playing field.

   Jeff Thompson asked if there is a way the County of Orange's project could be partially funded since the 10 projects will not use all the programmed money. Alison Army said these projects were competitively scored and the review committee did not discuss partial funding. Competitive projects are scored as a whole, as presented in the application, against others. Joseph Alcock said bifurcating a project would modify the scoring criteria as well by changing the terms of the scoring for that one project. Chair Garry Brown said the validity of the County project was good, but the point system that has been established for scoring is what it ultimately came down to. Chair Brown encourages the County to resubmit its application during the next round. He said the quality of the applications is what matters. Joseph said the scoring on the County's application was lower than the average for all the other agencies and the County would benefit from meeting with OCTA prior to the next call for projects.

   A motion was made by Marwan Youssef, seconded by Mark Tettemer to unanimously endorse the application review committee's recommendation for Board of Directors

approval to program $2,697,424, in Tier 1 Environmental Cleanup Program funding for 10 projects.

5. Public Comments
There were no public comments.

6. Committee Member Reports
Chair Garry Brown thanked the OCTA Staff for their hard work on the Tier 1 Call for Projects evaluations and recommendations.

Alison Army said OCTA would like to measure the successes so far with the Tier 1 Program. OCTA would like to find out what percentage of the catch basins currently have trash capture devices. If the catch basins do have these devices, are they reaching their life expectancies? Also, what percentage of their basins still need devices and could benefit from the Tier 1 Program? OCTA will send out a survey to all agencies.

Jeff Thompson talked about the tour of the Modjeska Park facility in the City of Anaheim and said he would love to hear an update from Vice Chair Keith Linker. Vice Chair said he would be happy to give a presentation at a future meeting.

7. **Next Meeting – October 14, 2021**
The meeting was adjourned.

DRAFT

February 10, 2022

To:	Environmental Cleanup Allocation Committee
From:	Orange County Transportation Authority Staff
Subject:	Measure M2 Environmental Cleanup Program (Project X) - Tier 1 2022 Grant Program Call for Projects

Overview

The Measure M2 Environmental Cleanup Program (Project X) provides funding for water quality improvement projects to address transportation-generated pollution. The updated Measure M2 Environmental Cleanup Program Tier 1 call for projects guidelines are submitted for review and endorsement.

Recommendation

A. Endorse the proposed revisions to the Comprehensive Transportation Funding Programs Guidelines for the Environmental Cleanup Program (Project X) Tier 1 program.

B. Recommend the Board of Directors approval to issue the 2022 Environmental Cleanup Program Tier 1 call for projects.

Background

The Environmental Cleanup Program (ECP), 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 Environmental Cleanup Allocation Committee (ECAC) is tasked to advise the Board of Directors (Board) on priorities and processes for the use of ECP funds.

In May 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 multijurisdictional, capital-intensive projects.

The previous Tier 1 call for projects (call) was finalized by the OCTA Board on August 9, 2021, with the approval of $2,697,424 in ECP Tier 1 funds. The Board approved ten project applications (based on the scoring criteria). To date, the Board has approved funding for 199 Tier 1 projects, totaling just over $30 million. It is estimated that over 45 million gallons of trash have been captured since inception of the ECP program in 2011.

Discussion

Staff considered lessons learned from previous calls for projects and evaluation processes. Consequently, staff has revised the Project X Tier 1 Comprehensive Transportation Funding Programs (CTFP) Guidelines in preparation for a 2022 call for projects. A summary of the modifications is provided below.

2022 Call Updates

- Updated ECP call application schedule and target funding availability level (approximately $3 million in M2 Project X funds).
- Extended the deadline for construction contract award from June 30, 2023 to December 31, 2023.

All other proposed modifications are considered relatively minor and would not result in significant changes to the CTFP Guidelines. For a more detailed summary of all proposed changes, see Attachment A, which provides a table of proposed changes, as well as Attachment B, which provides a red-lined version of all proposed CTFP Guidelines changes.

Next Steps

Upon ECAC endorsement, staff will seek Board approval of the revised Tier 1 CTFP guidelines and authority to issue a 2022 call for projects for the Tier 1 Grant Program in March 2022. If Board approval occurs as anticipated, the call for projects would be released on March 14, 2022, and applications would be due on June 16, 2022. OCTA will also monitor and report on project status and delivery through the CTFP semi-annual review and M2 quarterly reporting processes.

Summary

Staff is recommending the ECAC's endorsement of proposed revisions to the Tier 1 CTFP Guidelines and requests the ECAC's endorsement to request OCTA Board authorization to issue a 2022 ECP Tier 1 call for projects.

Attachments

A.   List of Proposed Revisions to the 2022 CTFP Guidelines for Project X
B.   CTFP Guidelines Excerpt, Proposed Changes

No.	Section	Page No.	Proposed Change
**List of Proposed Revisions to the 2022 CTFP Guidelines for Project X**			
1	Final Reporting Process	9-17	• Updated form references from Notice of Completion to Form 10-7 Certification of Phase Completion
2	Overview	11-2 to 11-3	• Minor wording modification • Updated contact information
3	Funding Estimates	11-5	• Updated funding available from $2.8 to approximately $3 million. • Updated reference from 2021 to 2022.
4	2022 Tier 1 Call for Projects	11-6	• Updated 2021 references to 2022 and clarified that the application deadline for the 2022 Tier 1 call for projects is Thursday, June 16 at 5:00 p.m. • Extended deadline for construction contract award from June 30 to December 31.
5	Application Process	11-11	• Updated contact information
6	Additional Information	11-14	• Updated contact information

Comprehensive Transportation Funding Programs

1. Invoice – For final payments, an agency shall invoice for the remaining balance of the contract amount or programmed amount, whichever is less. Final payment request invoices shall normally be approximately 25 percent (25%) of the eligible funds. Interest earned by an agency for initial payments received shall be applied to and deducted from the final payment balance amount.

2. Project Certification Letter – The public works director, or appropriate equivalent, shall submit a certification letter, with applicable statements, using the Project Certification Form 10-2.

3. Documentation of the Contract Award – The agency shall submit a minute order, agency resolution, or other council/board action showing award of the contract and the contract amount. After contract award, the agency shall submit the project name, contractor/consultant company name, and project scope including bid/task list, for each contract. The city clerk, clerk of the board, or appropriate equivalent shall certify minutes. Agencies that use on-call consultants shall submit a purchase order that includes the scope of work for the contractor.

4. PS&E Certification – Agencies shall submit a PS&E certification using the PS&E Certification Fform 10-4.

5. Final Report Division of Costs Schedule —The agency shall use the format provided in Fform 10-6.

6. Notice of CompletionCertification of Phase Completion – An agency shall submit The Notice of Completion form to certify the phase completion datecertify the phase completion date using the Fform 10-7. See definition 22 for phase completion date.

7. The ECP (Project X) Final Report Form 10-16.

8. Location Maps of Installation.

9. Proof of Project Payment – The required documentation that will be submitted includes approved contract invoices and may also include, but is not limited to, supportive material for agency work forces, equipment, material, and corresponding proof of payment. Additional records are required to be maintained as outlined in the Audit chapter.

10. Form 10-17 (where applicable) Supporting documentation for O&M costs (if used as local match).

For Tier 1 of the ECP (Project X), where ongoing O&M of the project were pledged as a local match, as part of the semi-annual review reporting process, OCTA will verify local agency O&M expenditures to ensure local match commitments are being met. Local agencies must complete the In-Kind O&M Report Form 10-17 for each ECP (Project X) grant as part of their semi-annual review updates.

Chapter 11 – Environmental Cleanup Program (Project X)

Overview

The ECP, herein referred to as Project X, provides M2 revenues to improve overall water quality in Orange County from transportation-generated pollution. Specifically, OCTA's Ordinance No. 3 (Ordinance), dated July 24, 2006, provides that 2 percent (2%) of gross M2 revenues be dedicated to protecting Orange County beaches and waterways from the conveyance of urban runoff associated with transportation-generated pollution. 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 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 leachate 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), pesticides, sediment, nutrients (nitrogen and phosphorus), litter, oxygen demanding substances (decaying

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

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~~ 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 Project X funding provided the funds do 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~~ Alison Army at (714) 560-~~5363~~5537, or ~~AHernandez@octa.net~~ aarmy@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 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, ~~ten~~ 11 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 date.

Tier 1 Project Types

Tier 1 projects funded in the past include 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 sediments 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

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 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 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 $32.8 million is available for the 20212022 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 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 or project expenditures.

Overmatch

For the Tier 1 Grant Program, administering agencies may "overmatch" 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 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 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.

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.

~~2021~~2022 Tier 1 Call for Projects

~~2021~~2022 Tier 1 Call for Projects applications must be received by OCTA **no later than 5:00 p.m. on Thursday,** ~~May 6, 2021~~**June 16, 2022**. ~~Projects that do not award construction contracts by June 30, 2022 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. Projects that do not award construction contracts by December 31, 2023 will not be considered.

After 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~~fall ~~2021~~2022. 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)
- Cost/Benefit (16 points)
- Pollutant Reduction Benefits (12 points)
- Effectiveness Against More Visible Forms of Pollutants (10 points)
- Justification for Project Devices Considered and Proposed (5 points)
- Proposed Device Performance Efficiency and/or Effectiveness (6 points)
- Project Readiness (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

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[1]: — **16**

   - Types(s) of BMP(s) proposed

   - Number of each BMP type

   - Total drainage area(s) contributing to each BMP type

   - Percent of drainage area(s) that is/are considered priority land uses (i.e., high density residential, industrial, commercial, mixed urban, public transportation stations)

   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.

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)[1] — **12**

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[2]	0 to 1.5
C	BMP Multiplier: ▪ 1/3 point for high capacity systems ▪ 2/3 point for filters/biofilters ▪ 1 point for zero-discharge BMPs	0 to 1

[1]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.

[2]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)

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**

100

11. **BONUS:** 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**

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 BMPs.
- 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 a 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.

OCGO
Local Tax Dollars at Work

OCTA will only be accepting electronic copies of completed application forms and supporting documentation. All application materials are to be submitted by the call for projects deadline to the following OCTA staff email:

~~Alfonso Hernandez~~Alison Army

Orange County Transportation Authority

~~AHernandez@octa.net~~aarmy@octa.net

There is no maximum length for proposals. All pages must be numbered, organized, and use the standard 8 1/2 x 11 format size for the application form pages in PDF format. Supporting documentation, such as maps and drawings can be included in the 11 x 17 format size. Electronic application materials can be submitted via email as an attachment, via a link to an online storage device site, such as DropBox and/or OneDrive, or USB drive. CD/DVD files will not be accepted.

Note: Applications are considered final once the electronic application has been submitted. OCTA will document the submittal date and time and download the files for storage and application review. Any applications that do not contain all required information and documentation will be disqualified. Revisions may be allowed if changes are made prior to the application deadline.

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 (ADMINSTERING 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 (ADMINSTERING 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

- Project X funds must be for capital improvements.
- For construction management, project management and final design (for Project X Tier 1 projects only), combined costs cannot exceed 15 percent (15%) of total construction cost.
- 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 consideration.

Ineligible Expenditures

- O&M costs are not eligible expenditures. O&M costs cannot be utilized as a source of matching funds.
- Project X funds are not to be used for planning but can be used for final design, subject to the restrictions above.
- 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 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

Questions regarding these procedures and criteria should be directed to:

By mail:
~~Alfonso Hernandez~~Alison Army
Orange County Transportation Authority
P.O. Box 14184
Orange, CA 92863-1584
Tel: (714) 560-~~5363~~5537
~~Fax: (714) 560-5794~~

In person:
Orange County Transportation Authority
600 South Main Street
Orange, CA 92863-1584

Via email:
~~AHernandez@octa.net~~aarmy@octa.net