

B. Eligible Applicant Documentation

Local Agencies

Is the applicant a local agency as defined in Appendix B of the 2015 IRWM Guidelines? Please explain.

Yes. The Association of Bay Area Governments (ABAG), a local agency as defined in Appendix B of the 2015 Guidelines, is the applicant for the Bay Area Regional Climate Change Preparedness, Proposition 84 (Prop 84), 2015 Integrated Regional Water Management (IRWM) Grant Application (Proposal) submittal.

What is the statutory or other legal authority under which the applicant was formed and is authorized to operate?

ABAG, a joint powers authority (JPA) formed under California Government Code Section 6500, is the comprehensive regional planning agency and Council of Governments for the San Francisco Bay Area. All nine counties and 101 cities and towns within the Bay Area are voluntary members, representing all of the region's population – more than 7 million people. ABAG is governed by a 38-member Executive Board of local elected officials, and an elected official from each member city, town, and county serves as a delegate to ABAG's General Assembly. ABAG was the first Council of Governments formed in California (1961) and serves as a leader in the areas of land use, environmental stewardship, energy efficiency, hazard mitigation, and water resource protection. ABAG has launched and/or housed a variety of distinct innovative environmental programs, including the San Francisco Bay Trail, the Bay Area Water Trail, the Bay Area Green Business Program, and the San Francisco Estuary Partnership.

ABAG has legal authority to enter into agreements with the State of California. ABAG will enter into agreements with each of the local project proponents participating in this Proposal following execution of the Grant Agreement with the California Department of Water Resources (DWR) to ensure performance and tracking of funds.

Does the applicant have legal authority to enter into a grant agreement with the State of California?

Yes. On July 16, 2015, ABAG's Executive Board adopted Resolution 05-15, which gives the agency authority to submit this application and enter into a Grant Agreement with DWR.

Describe any legal agreements among partner agencies and/or organizations that ensure performance of the Proposal and tracking of funds.

The project proponents/Local Project Sponsors (LPS) and ABAG will form a LPS Oversight and Coordination Committee that will review project progress and quarterly reports, oversee grant reimbursement and invoicing, and resolve outstanding matters.

A LPS Agreement between ABAG and each local project sponsor will be established to ensure that matching funds are committed and grant requirements are satisfied. These agreements will include DWR-required provisions and will be consistent with the DWR Grant Agreement. Each of the agreements will have similar general conditions, but each agreement will also be tailored to the specific funding and grant requirements applicable to that project. Generally, the LPS Agreements will be controlling with respect to issues affecting a specific project, whereas the LPS Oversight and Coordination Committee will review issues affecting implementation of the entire suite of 9 proposed projects.

ABAG will appoint a Grant Manager from the San Francisco Estuary Partnership (SFEP). SFEP, a program of ABAG, is part of the National Estuary Program, developed under Section 320 of the federal Clean Water Act with the specific mission of preserving, restoring, and enhancing the ecological health of the estuary through implementation of the Comprehensive Conservation and Management Plan (CCMP). The current CCMP (2007) serves as the overarching watershed plan for the estuary. SFEP collaborates with resource agencies, non-profit organizations, citizens, and scientists working to protect, restore, and enhance water quality and fish and wildlife habitat in and around the San Francisco Bay/Delta Estuary. SFEP has more than 15 years of experience managing similar projects to improve the Estuary and brings its strong record of project and contract management to this effort. SFEP has successfully completed many multi-million-dollar grants and projects funded by government agencies. SFEP has worked with many of the project proponents in past and ongoing efforts. The Grant Manager will oversee the Bay Area Regional Climate Change Preparedness program by coordinating with all LPS' to ensure completeness and timeliness in reporting and invoicing. The Grant Manager will also ensure that project progress occurs according to schedule and concomitant with progress reports and field visits.

Non-profit Organizations

Is the applicant a non-profit organization as defined in Appendix B of the 2015 IRWM Guidelines? Please explain.

No. ABAG is not a non-profit organization.

Does the applicant have legal authority to enter into a grant agreement with the State of California?

N/A

Describe any legal agreements among partner agencies and/or organizations that ensure performance of the Proposal and tracking of funds.

N/A

Include a copy of the certificate of incorporation for the organization.

N/A