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TO: Greenhouse Gas Reduction Fund Program

FROM: **Bryan Cash**, Assistant Secretary for Administration and Finance, California Natural Resources Agency (CNRA)

Jenn Eckerle, Deputy Secretary for Oceans and Coastal Policy, CNRA,
Executive Director, Ocean Protection Council

DATE: May 31, 2023

SUBJECT: Greenhouse Gas Reduction Fund: Ocean Protection Council (OPC) Expenditure Record for Fiscal Year 2022 SB 1 Technical Assistance Program

This Attestation Memorandum documents that the Ocean Protection Council completed the attached Expenditure Record on May 31, 2023, for the SB 1 Technical Assistance Program. The Expenditure Record is consistent with the statutory requirements of Government Code Section 16428.9 to support expenditures from the Greenhouse Gas Reduction Fund.

This Attestation Memorandum and Expenditure Record will be submitted to CARB for public posting on the CARB website at: www.arb.ca.gov/caclimateinvestments. Questions on this Attestation Memorandum or Expenditure Record may be directed to Ella McDougall, OPC Climate Change Program Manager, at ella.mcdougall@resources.ca.gov.

Sincerely,

Bryan Cash

Bryan Cash

Jenn Eckerle

Jenn Eckerle

Attachment: *2022 SB 1 Technical Assistance Program Expenditure Record*

Greenhouse Gas Reduction Fund: Expenditure Record

Ocean Protection Council (OPC)
SB 1 Technical Assistance (SB 1 TA) Program

Authorizing legislation: Section 19.58 of the Budget Act of 2022, as amended by Assembly Bill (AB) 179 (Chapter 249, Statutes of 2022) appropriates to Ocean Protection Council \$37,500,000 for implementation of Chapter 236 of the Statutes of 2021 (SB 1).

Chapter 236 of SB 1 (Atkins, 2021) gives authority to the California Sea Level Rise State and Regional Support Collaborative (Collaborative), facilitated by the Ocean Protection Council (OPC), to expend funds to local and regional governments to support sea level rise (SLR) planning efforts. To achieve this, OPC is developing the Senate Bill 1 Sea Level Rise Adaptation Planning Grant Program (SB 1 Grant Program), expected to launch in fall of 2023.

Section 19.58 of the Budget Act of 2022 appropriates \$37,500,000 to OPC, from the California Climate Investments (CCI), funded via the Greenhouse Gas Reduction Fund (GGRF). On April 24, 2023, OPC unanimously votes to approve the disbursement of up to \$1,000,000 of this appropriation to create the SB 1 Technical Assistance Program. This program will provide technical assistance to under-resourced communities, including Environmental Justice (EJ) communities and California Native American Tribes, to access SB 1 Grant Program funds. Current CCI Funding Guidelines allow for the use of GGRF funds for technical assistance.

Element 1: A description of each expenditure proposed to be made by the administering agency pursuant to the appropriation.

Agency that will administer funding:

- Ocean Protection Council, in coordination with California Sea Level Rise State and Regional Support Collaborative.

Amount of proposed expenditure and appropriation reference:

- The total expenditure is \$1,000,000, per Section 19.58 of the Budget Act of 2022, as amended by Assembly Bill (AB) 179 (Chapter 249, Statutes of 2022) to implement SB 1 (Atkins, 2021).
- Per Chapter 236 of SB 1 (Atkins, 2021), Ocean Protection Council, in coordination with the California Sea Level Rise State and Regional Support Collaborative, is authorized to expend up to \$100,000,000 to support local and regional governments in SLR planning efforts.

Ocean Protection Council (OPC) Expenditure Record for SB 1 Technical Assistance (SB 1 TA) Program

- Current CCI Funding Guidelines allow for the use of GGRF funds for technical assistance.

Estimated amount of expenditures for administering agency administrative costs

- The total expenditure includes \$1,875,000 million for State Operations costs and agency administration, which is 5% of the total \$37,500,000 GGRF appropriation.

If applicable, identify laws or regulations that govern how funds will be used

- Chapter 236 of SB 1 (Atkins, 2021) states how these funds will be used
- Funding Guidelines from the California Air Resources Board allow for program funds to be used for the provision of technical assistance directed to disadvantaged and low-income communities.

Continuation of existing Expenditure Record

- This is a new program that does not have an existing Expenditure Record.

Project Type(s)

- Technical assistance

Describe the projects and/or measures that will be eligible for funding

- Creation of a Technical Assistance Program that will accomplish the following:
 - Define a work program for supplying technical assistance (TA) to coastal community recipients
 - Set criteria for eligible TA recipients based on income, access to resources, and SLR vulnerability
 - Offer direct technical assistance, such as capacity building, project scoping, application assistance, grant execution, etc.
 - Outreach and education to raise awareness to the SB 1 Grant Program and SB 1 TA Program

Intended recipients

- TA Providers:
 - Private entities
 - Non-profit organizations
 - Public or private universities
- TA Recipients:
 - Local, Regional, and Tribal Governments

Program structure and process for selecting projects for funding

- Competitive solicitation, evaluation, and selection of a TA provider, per program guidelines
 - TA recipients will be identified through eligibility criteria developed by the TA provider

Element (2) A description of how a proposed expenditure will further the regulatory purposes of Division 25.5 (commencing with Section 38500) of the Health and Safety Code, including, but not limited to, the limit established under Part 3 (commencing with Section 38550) and other applicable requirements of law.

How the expenditure is consistent with the Investment Plan and the Scoping Plan

- AB 1532 (Chapter 807, Statutes of 2012) requires that monies from the Fund be appropriated in a manner that is consistent with the three-year Investment Plan. The “Cap-and-Trade Auction Proceeds Third Investment Plan: Fiscal Years 2019-20 through 2021-22” recommends support for “technical assistance and capacity building to help priority populations overcome challenges with accessing funds and become active participants in the transition to a low carbon economy.” In addition, the Investment Plan specifically describes and encourages agencies to direct resources towards technical assistance. Therefore, the expenditures covered by this record are consistent with the Investment Plan and align with the priorities expressed in the Plan.
- California’s 2022 Climate Change Scoping Plan identified key strategies and recommendations to continue reducing GHG emissions and achieve the goals and purposes of AB 32 and related statutes. The Scoping Plan specifically referenced the need to invest in technical assistance resources for the California communities that are most under-resourced and vulnerable to environmental and socio-economic burdens. The SB1 Technical Assistance Program is therefore consistent with the Scoping Plan.

Element (3) A description of how a proposed expenditure will contribute to achieving and maintaining greenhouse gas emission reductions pursuant to Division 25.5 (commencing with Section 38500) of the Health and Safety Code.

Describe how expenditures will facilitate the achievement of GHG emission reductions in the State

- Alternate: The program will facilitate GHG emissions by increasing statewide climate preparedness through technical assistance to under-resourced communities, particularly EJ communities and California Native American Tribes, to increase their access to the SB 1 Grant Program (a CCI Program) funding, which aims to prepare the California coastline for the impacts of climate change.

Explain when GHG emission reductions and/or co benefits are expected to occur and how they will be maintained

- GHG emission facilitation will occur through climate adaptation, climate preparedness, and co-benefits via technical assistance provided to low income and under-resourced communities that seek support planning for sea-level rise adaptation as a part of the upcoming SB 1 Grant Program (a CCI Program). The timeline and maintenance will vary according to the guidelines of the SB 1 Grant Program, which is still being developed, and the specific planning projects funded through the Program

Element (4) A description of how the administering agency considered the applicability and feasibility of other non-greenhouse gas reduction objectives of Division 25.5 (commencing with Section 38500) of the Health and Safety Code.

Expected co-benefits, particularly environmental, economic, public health and safety, and climate resiliency

- Projects will support under-resourced communities to obtain equitable participation and outcomes in the implementation of the State's climate change policies and investment programs and the co-benefits resulting from those programs. Technical assistance also improves community engagement co-benefits and improves the ability of under-resourced communities to gain a broad range of benefits.

How the project will support other objectives of AB 32 and related statutes

- This program will support AB 32 objectives by providing technical assistance to under-resourced communities to participate in SB 1 Grant Program (a CCI Program) that will maximize additional environmental and economic co-benefits for California, complement the State's efforts to improve air quality, and provide opportunities for local agencies and community institutions to participate in and benefit from statewide efforts to reduce GHG emissions. In addition, this TA program will support other objectives of AB 32, including:
 - Maximizes additional environmental and economic co-benefits for California
 - Directs public and private investment toward the most under-resourced communities in California
 - Provides an opportunity for local, regional, and tribal governments to participate in and benefit from statewide efforts to address the impacts of climate change
 - Climate adaptation and resiliency

Percentage of total funding that will be expended for projects that are located in and benefit priority populations¹ per CARB guidance

- The administering agency expects that 70% (\$700,000) of the total project funds (\$1,000,000 for the TA Program) that will be utilized to provide direct benefits to disadvantaged or low-

¹ Priority populations include residents of: (1) census tracts identified as disadvantaged by California Environmental Protection Agency per SB 535; (2) census tracts identified as low-income per AB 1550; or (3) a low-income household per AB 1550. See Section VII.B Funding Guidelines for more information on the definitions of priority populations.

income communities, who will be identified as TA Recipients. OPC and the selected TA Provider will work together to develop and utilize scoring criteria to achieve this target.

Describe the benefits to priority populations per CARB guidance

- These projects will provide direct technical assistance for under-resourced communities through capacity building, outreach, networking, project scoping, application assistance, budget development, grant agreement execution, etc., to increase their capacity to obtain, improve, and retain the skills and knowledge needed to participate in and benefit from the SB1 Grant Program (a CCI Program) and other state planning grant programs that reduce climate burdens and improve public safety in coastal communities.

Explain strategies the administering agency will use to maximize benefits to disadvantaged communities

- To help maximize benefits to under-resourced communities, the administering agency will work with the TA Provider to engage with and educate local and regional entities who may be eligible to receive TA services and would be eligible for funding from the SB 1 Grant Program.
- Communities that receive TA will be able to utilize support and assistance to prepare a more complete application for the SB 1 Grant Program, increasing access to grant funding to plan for the impacts of climate change.

Explain how the administering agency will avoid potential substantial burdens to disadvantaged communities and low-income communities or, if unknown, explain the process for identifying and avoiding potential substantial burdens

- The administering agency understands that low-income EJ communities, and California Native American Tribes carry the burden of the impacts of climate change yet have the fewest resources to prepare themselves. The TA Program will bring support and assistance to these communities to build capacity and prepare eligible and complete applications to access funding from the SB 1 Grant Program (a CCI Program).
- The administering agency will work with the TA Provider to create a streamlined and simple process for determining eligibility and accessing TA services.

Element (5) A description of how the administering agency will document the result achieved from the expenditure to comply with Division 25.5 (commencing with Section 35800) of the Health and Safety Code.

How the administering agency will track / report progress to make sure projects are implemented per requirements in statute and CARB guidance

- The administering agency will require funding recipient (TA Provider) to maintain records and submit quarterly status reports. In addition, the administering agency will work closely with the TA Provider and conduct periodic reviews of TA services provided. If a funding recipient does not perform in accordance with program requirements, the recipient will be subject to the remedies for non-performance, as identified in the administering agency's guidelines and the grant agreement.

Describe the approach that will be used to document GHG emission reductions and/or other benefits before and after project completion

- The administering agency will coordinate with CARB to determine how to document GHG emission reductions and/or co-benefits through qualitative metrics.

Type of information that will be collected to document results, consistent with CARB guidance

- The administering agency will collect information on outcomes for the entire funded program, consistent with CARB guidance.

How the administering agency will report on program status

- The administering agency will provide regular updates on expenditures, project status, and benefits in reports prepared according to CARB guidance. At a minimum, the reports will include expenditure amounts, quantification of applicable co-benefits, and other metrics yet to be determined. Reports will also include information on how outcomes for these projects have been linked to practical climate action over a period yet to be determined.