# Summary of Changes

This document summarizes the changes that the Department of Conservation's (DOC) Regional Forest and Fire Capacity (RFFC) Program is proposing to make to the Draft Climate Bond Guidelines.

DOC proposes these changes in response to comments from RFFC program partners, the public, and California Native American tribes. Thank you for your contributions and feedback to date.

Please reach out to RFFC@Conservation.ca.gov for questions or concerns, visit the RFFC Program Webpage to view the Second Draft Guidelines in full, and provide feedback on the Second Draft via this Feedback Form by Monday, December 14.

DOC strongly recommends reviewing the Second Draft Guidelines document in full. The information in this document summarizes changes and should not be understood as superseding the language in the guidelines.

**Global Proposed Changes**

DOC proposes making these changes throughout the document:

- Capitalizing each instance of the term "Regional Priority Plan" for consistency.
- Capitalizing "Action Plan" when referring to The Governor's Wildfire and Forest Resilience Action Plan for consistency.
- Referrer to the Programs' "goals" instead of "mission" throughout the document for clarity.
- Added references to Public Resource Code Section 4208.2 and AB 109 Sec. 15.04 where appropriate.
- Where applicable, included California Native American tribes (tribes) in organizational, interested parties, and other list types to properly reflect DOC's commitment and expectations to engage with and support tribal priorities with RFFC funding.
- Replaced "fire-prone ecosystems and landscapes" with "fire-prone landscapes" for accuracy.
- Replaced the term "inter-regional" with "cross regional" for clarity.
- Incorporate the terms "regional" to refer to Regional Block Grant scale specifically, "cross-regionally" to mean multiple Regional Block Grant areas, and "intra-regionally" to mean within a Block Grantee's service

area to center Regional Block Grants as the heart of the program and clarify geographic scale.
- In some instances, replaced "RFFC Program Staff" with "DOC" for clarity.
- Added emergency and disaster response to appropriate reference lists to clarify the expected involvement of different organizations involved in disaster response.

**At-A-Glance: Regional Forest and Fire Capacity Program**

- Added text referring to Public Resource Code Section 4208, which is the statute that codifies the RFFC Program.
- Updated Guidelines Release Dates according to DOCs timelines.

**Section 1: Introduction and Program Summary**

- Added a hyperlink to the text referring to Public Resource Code Section 4208, which is the statute that codifies RFFC.
- Moved a paragraph describing tribes, tribal stewardship, and tribal relationships with fire and California landscapes out of Regional Block Grant Objectives subsection and into a new subsection titled "California Native American Tribes" for clarity.
- Removed the term "various" when describing DOC's relationship with The Governor's Wildfire and Forest Resilience Task Force (Task Force) and the working groups for clarity.
- Reworded DOC's Roles and Responsibilities subsection. Emphasized the services and technical assistance offered to Block Grants and the RFFC network for clarity.
- Added a placeholder noting that DOC will link to the 2026 Action Plan in the Final Guidelines.

**Section 2: Block Grant Type, Eligibility, Selection, and Award**

- Reorganized information in the section so that each grant type's subsection includes a geographical description and objectives.
- Revised subsection titles to refer to each grant type rather than grantees to increase clarity (e.g., "Regional Block Grants" rather than "Regional Block Grantees").
- Provided additional clarity between Regional and Coordinating Block Grants.

- Added clarity that Regional Block Grants may issue block grant or project-specific subawards.
- Under Entities Eligible to Receive a Regional Block Grant, moved language about backbone organizations to its own paragraph.
- Under Regional Block Grant Selection Criteria:
    - Added the requirement for a Regional Block Grant to have the "ability to provide support and have the capacity and skills to expand these partnerships" for clarity;
    - Specified the type of wildfire resilience planning to specifically be Regional Priority Planning, in addition to general wildfire resilience plans, and specified Regional Block Grants need to be able to support planning work throughout their region.
- Added a new section: Interagency Collaboration to describe how DOC intends to follow CNRA best practices and may partner with other state agencies to administer and implement the program.
- Added a brief subsection describing how DOC may use multiple statutory authorities and best practices guides to partner with other state agencies on program delivery.
- Added that the amount of funding available for each grant type will be stipulated in the Notification of Funding Availability as opposed to the Guidelines. Since DOC will be using the Notification of Funding Availability instead, DOC removed the estimated amount of funding DOC may invest in each block grant type and region. DOC continues to commit to an equitable distribution of funds.
- Removed the anticipated number of Notification of Funding Availability that DOC may issue to appropriate RFFC Climate Bond funding to add flexibility.
- Clarifies that ant Notifications of Funding Availability will also describe the Technical Assistance (TA) DOC may offer throughout the awarding process.
- Made formatting changes so that the two-phased funding solicitation process is easier to follow.
- Clarifies information that all block grants must describe in the pre-proposal process via re-wording.
- Clarifies that Regional Block grantees must describe the governance and background of the regional partnership(s) they serve, in addition to the ongoing and continuation of planning efforts in a pre-proposal.

- Added that prospective Coordinating Block Grantees must describe their experience working at the cross-regional and/or statewide scales, and how they will coordinate with Regional Block Grants, when submitting a pre-proposal.
- Removed specification to "government" funding when describing what DOC will consider when making Funding Allocations so that funding portfolios with private and philanthropic funding are equally measured.
- Removed "following the due date for Phase 1" so that DOC may use a rolling or other solicitation process.
- Amended that the maximum grant term of up to seven years is a total maximum for clarity and to provide flexibility for the grantee and DOC.

**Section 3: Regional Block Grant Activities**

- Clarified that all activities and deliverables are encouraged to incorporate existing resources, data, and plans to leverage existing work and reduce duplication of efforts.
- Added the term "proactive" to describe how Block Grantees with existing Regional Priority Plans should approach reevaluation and adaptive management of the Regional Priority Plan.
- Replaced reference to compiling planned projects into inter-agency 5-year programs of work with tracking and maintaining project-level data in alignment with Task Force objectives.
- Explicitly referred to tribes in the list of organizations that Regional Priority Plan developers must engage with to ensure Regional Priority Plans reflect tribal priorities, to the extent possible.
- Under Regional Priority Plan Readiness and Essential Capacities, added:
    - "report expenditure with transparency and accountability" to administrative and fiscal capacity requirements, which was implicitly stated.
    - "needed to achieve regional outcomes" to project pipeline requirements for clarity.
    - "workforce" and "other resources necessary" to the list of operational capacity requirements to recognize more than just skills, licenses, training, equipment, and vehicles.
    - "and metrics" to the process that guides a region to "assess process, evaluate outcomes, and apply adaptive management to continuously improve" their wildfire resilience strategies and "implementation" for clarity.

- Clarified that all essential capacities need to be met through the related regional partnership, as opposed to by the Regional Block Grantee.
- Defined implementation projects within the guidelines text as opposed to only the glossary.
- Added parks and recreation enhancement projects to the implementation eligible categories list.
- Clarified that the intended outcomes from hardening of essential community infrastructure include improving community wildfire preparedness, broadly.
- Clarified that Regional Block Grantees should not anticipate that all projects in their portfolio will be funded solely by RFFC program funding, and that RFFC may not solely fund any given project.
- Removed match funding requirements for implementation project approvals. If a specific project has match funding, project implementors will still be required to report on the specific match in the Quarterly Tracker provided in the Grant Agreement (furnishable upon request).
- Explicitly describe tribally led wildfire resilience stewardship activities or projects that incorporate cultural knowledge are consistent with demonstration projects and eligible for demonstration project funding.
- Broadened workforce development definition to include career pathways.
- Clarified that the DOC-provided Implementation Project Packet is a template and resource that implementors may use to submit project information to DOC. DOC will also accept an equivalent process that includes the required information formatted in the Project Packet Template to streamline project submittals and provide flexibility for Block Grantees who will be requesting project information from subawardees.
- Clarified the role that Regional Block Grantees play in administering and collecting project data from subawards. Added a recommendation that Regional Block Grantees should include DOC's Project Packet Template or equivalent when developing and advertising subaward programs so that potential applicants are aware and informed of the necessary information ahead of time.
- Removed reference to "leveraged funds" to solely use the term "match funds" throughout the document. Match funding information will only be used so that DOC can report the amount of match funding being used to facilitate projects as required by the Climate Bond and does not require full match reporting.

- Capitalized "Certified Community Conservation Corps" and included "Tribal Conservation Corps" when describing the requirement to from the Climate Bond to partner with California Conservation Corps, where feasible, on implementation projects.
- Added specific language to Demonstration Projects that states "underutilized techniques or approaches may include tribally led wildfire resilience stewardship activities or projects that incorporate tribal cultural knowledge", for clarity.
- Reframed implementation project packets to implementation project information to clarify the packet itself is not a requirement, but the information collected via the implementation packet is required.
- Added language to clarify the role of Regional Block Grantees providing subgrants for project implementation activities.
- Clarified that investments in partner and local staff development under building and sustaining capacity includes staff time, skill building, training, partnership development, and other capacity building activities for clarity.
- Added the term "equipment" in the list describing acquiring or utilizing tools and resources to differentiate equipment from material costs, which aligns with the Program's cost category definitions.
- Clarified that legal services are eligible activities for due diligence, as applicable, and associated with project development.
- Ensured that expanding, replicating, adapting, or scaling successful existing programs, as well as developing new projects, are all eligible sustaining and building capacity activities.
- Simplified the use of stipends and fellowships so that the requirement is to further the objectives of the RFFC program, when the individuals otherwise would not be able to participate.
- Changed "Coordinating for Regional Efforts" to "Liaisons for Regional Efforts" to clarify distinctions between Coordinating and Regional Block Grants.

**Section 4: Coordinating Block Grant Activities**

- Added "assisting Regional Block Grantees to complete essential program activities, including RPP implementation and maintenance" to help facilitate strategic coordination and improve funding streams for implementation partners.

- Explicitly describe who Coordinating Block Grantees are required to collaborate with when upholding RFFC's collaborative framework to include taking into account the work of Regional Block Grantees to promote collaboration and avoid duplication of efforts with any other RFFC grantee.

**Section 5: Block Grant Administration**

- Clarified that Block Grantees must coordinate with CAL FIRE and US Forest Service representatives at varying scales including local, state, and regional staff according to the different organization types.
- Clarified that environmental compliance is needed for all relevant projects and tasks, and that DOC is not creating new requirements beyond existing laws.
- Clarified the list of program specific reporting that Block Grantees are responsible for by including "if relevant to the program of work".
- Added language to clarify in the instance where DOC partners with another state agency to administer the program, DOC and the state agency will determine statewide reporting responsibility during the Negotiated Award Consultation.
- Under the Funding Pathways to Third Parties, DOC provides definitions differentiating subcontractors and subawardees for clarity.
- Adds reference to the recently passed AB 109 sec. 15.04, which gives Department of Finance the authority to transfer Climate Bond funding between agencies as a mechanism for DOC to partner with other state agencies. DOC and the funding recipient state agency will negotiate budgeting and reporting requirements during the Negotiated Award Consultation Process.
- Clarified that Block Grantees must forecast costs based on cashflow for their organization and funding-dependent partners such as subawards and contractors.
- Added reference to AB 109 sec. 15.04 regarding the ability to transfer funds in the event that DOC provides Climate Bond funding to a state agency to implement the program,
- Added the sentiment that DOC will follow CNRA's best practices for requiring a limited waiver of sovereign immunity for advance payments. This provides flexibility for DOC in the instance best practices evolve over time, and DOC may not require a limited waiver.

- Added clarifying language about consequences in the event a block grantee fails to meet fiscal reporting requirements.
- Changed the term "claw back" to "recover" to describe the action DOC may take in response to significant noncompliance concerns.

**Section 6: Eligible and Ineligible Costs**

- Clarified that parking fees and tolls are examples of travel costs. These costs were always eligible for the program.
- Included software and databases as an example of a supply and material cost for clarity.
- Reworded definition for Contractors to be "payments to individual or an entity under a **procurement contract** with a Block Grantee to perform specific work…", as opposed to saying "payment to individual or an entity under **contract**" for clarity.
- Clarified definition for Subawards (Direct Costs) to clarify that Block Grantees do not need to separate out Subaward Costs to the more specific cost categories such as supplies and materials, equipment, community engagement costs, etc.
- Increased Indirect Cost cap from 20% of the total budget to 25% of the total budget if the Block Grantee or subawardee does not have a NICRA. If there is an existing NICRA, indirect costs are capped at 35% of the total grant award. This reverts the NICRA indirect cost policy to the 2022 Guidelines.
- Reorganized so that Block Grant Indirect Costs come before Subaward Indirect Costs. Clarified that all subaward indirect costs must represent actual costs incurred.
- Added an option for subawards and Block Grantees to use itemized real costs as an eligible method for calculating indirect costs in addition to offering the four indirect cost rate options required by the Climate Bond. Describes what supporting documentation is necessary if using an itemized cost method as opposed to an indirect cost rate method.
- Moved information from Appendix B: Indirect Cost Rate to Section 7 for clarity, including what all indirect costs must be and what they are not applied to.
- Since DOC expanded the total cap on indirect costs for the grant from 20% to 25%, DOC removed the option for increasing the grant cap with approval from the Director.

- Added "costs strictly used for wildfire response unless also utilized for wildfire preparedness activities and approved by DOC in writing ahead of time" to the list of ineligible costs.
- Clarified that ineligible costs include costs used to implement any environmental mitigation requirements and arising from unrelated activities or preexisting violations.
- Clarified that food costs are eligible costs for trainings or workshops where the primary audience may be paid employees, are part of a priority population, and/or whose ability to participate may be restricted if food is not provided.

**Section 7: Definitions and Reference Materials**

- Removed "located in California" for the "California Native American Tribe definition.
- Streamlined the definition for "Collaboration" or "Collaborative".
- Aligned the definition for a "Federally Recognized California Native American Tribe" with the CNRA Tribal Affairs policy document.
- Streamlined the definition for "Partner(s)", "Regional Profiles", and "Regional Resource Kits".
- Added DOC's Tribal Consultation & Engagement Policy to the list of Tribal Consultation and Additional Resources.

**Appendix A: Regions Map**

- Removed the draft Task Force Subregional Map and reverted to RFFC's general Regional Map from the 2022 Guidelines. The Subregional Map is not complete and its intended use may evolve over time. To the extent feasible, DOC will still allocate funding in accordance with the Wildfire and Forest Resilience Action Plan

**Appendix B: Indirect Cost Rates.**

- Renamed Appendix B from "Indirect Costs" to "Indirect Cost Rate" since DOC added the option for itemized indirect costs and this appendix provides information specific to calculating Indirect Cost Rates
- Added definition for Modified Total Direct Cost for clarity.
- Clarified that a Negotiated Indirect Cost Rate Agreement (NICRA) is a published document that reflects an approved indirect cost rate.
- Changed "real" to "reasonable, necessary, and related expenses" costs.

- Information moved out of this appendix and into Section 7: Eligible and Ineligible Costs were stricken from Appendix B, including some information about methods for claiming indirect costs.

**Appendix C: Meaningful and Direct Benefits to Priority Populations and Communities**

- Replaced "processing Implementation Project packet" to "reviewing implementation project information" to be consistent with changes made in Section 3: Regional Block Grant Activities.

Appendix D: Best Practices for Priority Population Engagement

- Under Language Access, added "incorporate indigenous names alongside modern names for places referenced in outreach materials whenever possible."