



# AHSC FY 17-18 Program Guidelines QnA

This Questions and Answers (QnA) document represents key information and inquiry responses provided to potential applicants for the upcoming fourth round of the AHSC Program. The questions and answers published below provide clarification and additional detail on the AHSC Program Guidelines and upcoming application process.

This is the first QnA document published in preparation for the upcoming round of funding. Applicable questions and answers from the FY 16-17 round that are still relevant are included for convenience. Responses shall be updated regularly and posted on the SGC website, with new responses since the last FAQ document **in red and other responses new to this round in purple**.

For additional questions and inquiries regarding the AHSC Program, please email the Strategic Growth Council at [ahsc@sgc.ca.gov](mailto:ahsc@sgc.ca.gov). Answers to questions received in this inbox will be answered via email and posted in a subsequent FAQ document.

AHSC program staff will be accepting questions until Tuesday February 4<sup>th</sup>, 2019, one week before the application deadline. Unfortunately, AHSC staff will not be able to respond to questions received after February 4<sup>th</sup>.

The California Air Resources Board, which develops the AHSC Program Quantification Methodology (QM), will publish a QnA document on the QM, which you can find here: <https://www.arb.ca.gov/cc/capandtrade/auctionproceeds/quantification.htm>.

Please send any remaining questions on the Quantification Methodology to [GGRFProgram@arb.ca.gov](mailto:GGRFProgram@arb.ca.gov) no later than February 4<sup>th</sup>.

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**Eligible Projects**

***Project Area Type***

To qualify as a TOD a project must have high quality transit with headway frequency of 15 minutes or less during peak hours, must it be the same line and must it be in the same direction? This is coming up as a question for Caltrain stations that have a train passing every 15 minutes but it’s not always the same line or in the same direction.

To qualify as High Quality Transit service, the 15 minute headways have to be on the same line. The definition for High Quality Transit specifically calls out a “Qualifying Transit Line” that has 15 minute headways and permanent infrastructure. Based on the intention of the definition, the line would need to be going in the same direction as well.

**Can a jurisdiction use a qualifying transit corridor to expand the Project Area? For example, by making intersection improvements along a transit corridor?**



STI improvements made along the transit corridor may count as part of the Project Area (with a half-mile buffer around all STI improvements). TRA components made along a transit corridor without a corresponding STI component would not expand the Project Area, however. There are additional resources to determine Project Area at <http://sgc.ca.gov/Grant-Programs/AHSC-Program.html>

**How far can dedicated bus-only lanes be located from the Project Area in order to qualify as TOD?**

For clarity's sake, we are revising a previous answer that provided more leeway on this option. In order to qualify as a TOD, High-Quality transit (as defined in the guidelines) must be located somewhere within the Project Area.

**How is the distance from the Transit Station/stop to the Affordable Housing Development determined?**

It's a measurement of how far a person living in the part of the development that is farthest from the transit stop would have to walk to get to the transit stop. The half mile is measured from the nearest boarding point of the Transit Station/Stop to the entrance of the residential structure in the Affordable Housing Development furthest from the Transit Station/Stop along a walkable route (as described on page 10 of the Guidelines).

**When determining the project area, are all improvements subject to the 1 mile radius cap? For example, I could envision a scenario where we have pedestrian improvements for 1 mile along a corridor that closes the gap to a new bike lane that is 1.2 miles away from the AHD. Does the 1/2 mile radius follow the entirety of the pedestrian improvements? In that case, the bike lane that is 1.2 miles from the housing site would still be in the project area.**

The Project Area can be defined by a 1 mile buffer around the identified Transit Station/Stop merged with a 1/2-mile buffer around all Sustainable Transportation Infrastructure (STI) improvements. As such, the Project Area is not subject to a 1-mile cap so long as the buffer from the STI improvements is contiguous with the 1-mile buffer around the identified transit station/stop. Please see the Project Area guidance on the AHSC resources page of our website for more information.

**Section 102(b)(3)(c) refers to transit corridors. Are we still limited to the 1 mile radius from the housing site? If the bike corridor is a few miles long, can the AHD be more than a mile away?**

The Project Area can be defined by a 1 mile buffer around the identified Transit Station/Stop merged with a 1/2-mile buffer around all Sustainable Transportation Infrastructure (STI) improvements. As such, the Project Area is not subject to a 1-mile



cap so long as the buffer from the STI improvements is contiguous with the 1-mile buffer around the identified transit station/stop. Please see the Project Area guidance on the AHSC resources page of our website for more information

**For Transit Oriented Development project areas, the AHSC guidelines 102(c)(2) state that the TOD project area must include an Affordable Housing Development, but note that it may be funded from sources other than the AHSC program but must meet the requirements of Section 103(a)(1)(A) through (C). May the affordable housing be already constructed?**

No. To be considered as part of an AHSC project application, and to be eligible for AHD or HRI consideration, the affordable housing project cannot have already been constructed, or be under construction. The “may be funded from sources other than AHSC” allows for the fact that the AHD may be fully funded by other sources, but Housing-Related Infrastructure is being requested as part of the project application. That affordable housing project cannot have started construction prior to the full application deadline (January 2018).

**Does "peak period frequency of every 15 min. or less" mean a) every departure is not more than 15 min. from the last, or b) average headway is 15 min. or less?**

Option A is correct—every departure must not be more than 15 min. from the last. Transit systems that don't meet this requirement would fall under the Integrated Connectivity Project Area Type (ICP) rather than a Transit-Oriented Development (TOD) Project Area Type, as defined in Section 102 (c)(1) and Appendix A (x).

**If you don't have a HQT stop yet, but you will be upgrading an existing bus line to be a BRT line as part of your project scope, are you TOD or ICP?**

This is an ICP project. In order to be considered TOD, there must be HQT at transit stop/station at the time of application submittal.

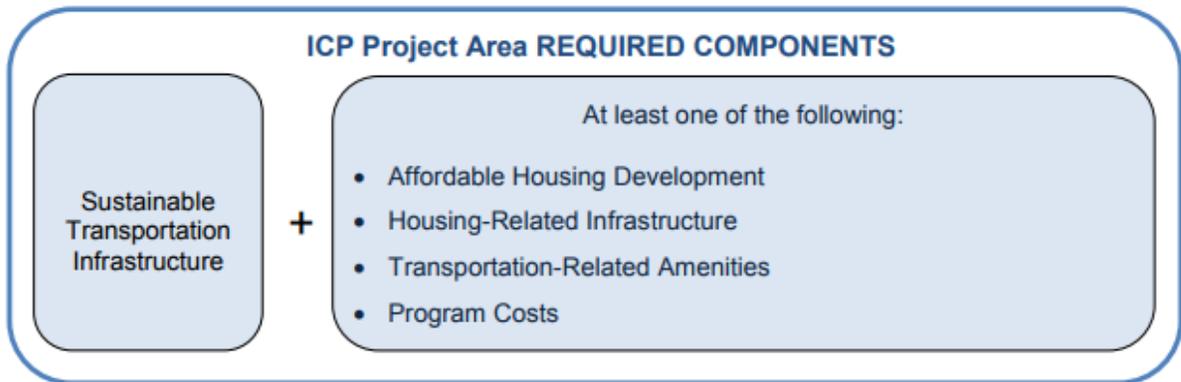
**Does the project have to include an affordable housing development to apply for AHSC funding?**

No. As stated in the guidelines, the Projects are broken down into three Project Area Types: Transit Oriented Development (TOD), Integrated Connectivity Project (ICP), and Rural Innovation Project Area (RIPA). Of these three Project Area Types, only TOD Projects are required to include an Affordable Housing Development (AHD) or Housing-Related Infrastructure (HRI) associated with an AHD as one of the Capital Projects. However, all Project Area Types may include AHD or HRI. Please keep in mind that by law, 50% of AHSC funds are set aside for Affordable Housing Developments or Housing-Related Infrastructure. While AHD is only required for TOD projects, projects across all three Project Area Types can count towards this 50% statutory set-aside.

The vast majority of awarded AHSC projects have a housing component, so keep in mind that including housing may make applications more competitive.

**Can an application have 2 STIs as part of an ICP?**

Yes, as long as there is at least one other Project Component. For an ICP Project Area, eligible projects must have one STI and at least one other Project Component as shown in the graphic below (Section 102 (c)(3)).



***Affordable Housing Development (AHD)***

**For an apartment complex, are roads that are technically open (not gated) inside an apartment complex deducted out of Net Density?**

No—even though they're not gated, these roads are private roads and therefore are not deductible under the Net Density calculation that is explained in Appendix A (nn).

**Can a proposed AHSC Project be comprised of two AHDs adjacent to each other, assuming a combined AHSC funding request?**

Yes, they can be submitted as one application, with more than one eligible entity proposing a scattered site development, or one entity proposing development over multiple sites. However, it must meet the criteria outlined on page 12 of the Guidelines, which states that the two sites must be "developed together as part of a common development scheme adopted, approved, or required by a Public Agency." For example, the city would need to approve both of them together as a pair. Applicants must provide evidence that the proposed projects meet these requirements.

In addition, please keep in mind the following:

- Each AHD will be evaluated to meet the program requirements. If one is ineligible, they both fail. Everything would be aggregated (EFCs, GHG



reductions, total number of units etc.) If it is determined that one project is ineligible, then the AHSC application in its totality would be disqualified.

- All AHD capital projects must begin construction within two years of the award.

### ***Sustainable Transportation Infrastructure (STI)***

**Section 103, Figure 3 of the Guidelines lists traffic calming measures that are eligible costs for AHSC. However, the AHSC Program Quantification Methodology lists additional measures, including “marked crosswalks, count-down signal timers, speed tables, raised crosswalks, raised intersections, median islands, tight corner radii, roundabouts or mini-circles, on-street parking, planter strips with street trees and chicanes/chokers.**

**When providing a list of proposed traffic calming measures, which measures can be included, one provided in AHSC Guidelines or Revised Quantification Methodology?**

The Eligible Costs included in Section 103, Figure 3, are examples and not an exhaustive list. The traffic calming measures in the Quantification Methodology that are listed in the question may also be Eligible Costs, as long as they fall into the Eligible Cost descriptions under each Project Component type. Additionally, the Ineligible Costs in Section 103(c) include “All costs associated with automobile or motorcycle parking” so on-street parking would not be an eligible AHSC cost despite being a traffic calming measure.

**For the definition of "flexible transit" - please confirm whether dial-a-ride with fixed timed routes, qualifies or is ineligible. The transit system in question operates shuttles at regular intervals throughout the day, but to ride a passenger needs to first confirm over the phone. There is no fixed pickup location, but - again - routes run on a regular timed schedule.**

The AHSC definition of “flexible transit” does not typically include traditional forms of dial-a-ride services. The primary distinction here is that flexible transit must operate in “shared-ride mode” with at least two passengers like vanpool, shuttle, or feeder bus systems. However, given that this dial-a-ride service runs on a regular timed schedule, if you can demonstrate that it typically operates with multiple passengers, we may consider it “flexible transit.”

**If there is an improvement that has been required as a condition of approval of the housing, but it is also an STI (example: sidewalk improvements in front of the housing,**



**crosswalks nearby, etc.), can it be applied for as an STI and included in the STI budget, or must it remain as an HRI?**

In this scenario, the applicant could include the Capital Project in either category.

### ***Transportation-Related Amenity (TRA)***

**Can a lighting capital project be counted a stand-alone TRA?**

Yes, provided the lighting is publicly accessible and supporting infrastructure for pedestrians, cyclists, and/or transit riders, a lighting capital project would be a stand-alone TRA.

**Can the required urban greening features be stand-alone TRA components?**

Urban greening improvements, including the 2 required Urban Greening features for the Project Area, can be eligible costs as components of a capital project or as stand-alone TRA projects. In order to be considered stand-alone TRA components, the improvements must meet the guidelines definition of a TRA.

### **Eligible Costs**

#### ***Affordable Housing Development (AHD)***

**Could a rehab project that will include a transfer of ownership from one nonprofit to another that has overlapping but separate boards be an eligible Project?**

The Guidelines [Section 103 (a)(1)(A)(i) b] state that the acquisition must be made through a bona fide sale or transfer from the existing ownership entity to the new ownership entity comprised of a completely disparate ownership structure, which contains no common entity interest at any level of the organizational structure.

Since there may be no common entity interest at any level between the organizations, the details of the organizational structure as presented in the application will be analyzed to determine if a common entity interest exists.

**The per-unit loan limits document for AHSC state that it is “not for Supportive Housing.” What does this mean for supportive housing projects?**

All AHSC projects regardless of unit mix will use the AHSC Loan Limits in the document. The note that says “not for Supportive Housing” on this document is in reference to a different program all together; Supportive Housing Multifamily Housing Program (SHMHP).

**Where can I find the per-unit loan limits for the AHSC Program?**



The loan limits for the AHSC program can be found in the following document, beginning on

Page 91: <http://www.hcd.ca.gov/grants-funding/docs/2018MTSPRegularLimits.pdf>.

**Re-syndication is listed as an ineligible cost in the Guidelines. Are projects undergoing re-syndication as part of substantial rehabilitation eligible for funding?**

AHSC funding cannot be used for re-syndication for the sole purpose of refinancing debt. However, acquisition and rehabilitation of an existing project is allowed, assuming it involves an ownership transfer and substantial rehabilitation as per the definition on pg. 11 of the AHSC Guidelines.

**Is transitional housing an eligible use under AHSC?**

Yes, however, the following must be considered when including transitional housing units in an AHSC-funded project:

- Transitional housing cannot be used towards the 20% affordable housing requirement (as defined on pg. A-1 (d) of the Guidelines), but can be included as units supported by HRI, if the project's 20% AH requirement is met by other units.
- Transitional units can be a component of a mixed tenure project, but cannot be funded by an AHSC loan.
- Transitional units are not included in the net density calculation for purposes of this program.

**Is student housing eligible in the AHSC Program?**

The affordable housing component of the AHSC project requires an affordable housing covenant, which would exclude typical student housing projects from eligibility.

**Is mobile home construction eligible in the AHSC Program? Manufactured Housing?**

No, AHSC is not able to provide funds towards the purchase, rehabilitation, or construction of mobile homes. An Affordable Housing Development that proposes to utilize manufactured housing is eligible under AHSC, as long as the home is on a permanent foundation.

**Is adaptive reuse of an old building (i.e. a hotel) and with new construction eligible?**

Adaptive reuse from nonresidential uses to affordable housing is an eligible use, but the project must include the acquisition of the building as well. If the project includes acquisition and conversion into Affordable Housing, then it is eligible as an AHD.



**Can you add the \$80,000 boost to the base loan limit for a residential manager’s unit in a 4% tax credit deal?**

An unrestricted manager’s unit is eligible only for \$30,000 and not the boost when funded by the 4% tax credit program. If that manager’s unit is a restricted unit, please include it in the loan limit calculation (and it will be eligible for the boost). Please be sure to call out this scenario in applications for you are submitting a manager unit.

**How should an applicant treat a site area that is non-developable when calculating density? For example, if a portion is on a steep slope, or wetlands?**

Non-developable areas can only be deductible from the net density calculation if they are publically accessible. We will not be able to deduct non-developable areas in the back of a parcel if there is no public access.

**For a project sited in an existing subdivision with private, gated roads necessary for accessing the future affordable housing development but that are not a part of the affordable housing parcel, would those roads somehow end up in the Net Density calculation?**

The net density calculation refers only to the Affordable Housing Development, as defined in the guidelines. As such, this calculation will only take the parcel area into consideration.

**Does AHSC have specific guidance on artist preference affordable housing?**

The guidelines do not preclude artist preference projects, but there is no specific guidance.

***Housing Related Infrastructure (HRI)***

**If an applicant is only applying for HRI funds, do they need to provide AHD milestones in addition to HRI milestones?**

If an applicant is applying for HRI (but not AHD) funds, they must still provide AHD milestones, because the completion of the HRI is directly linked to the completion of the AHD.

**Is building material clean-up (e.g. asbestos, lead, etc.) on a rehab project an eligible HRI cost?**

Per Guidelines Section 103 Eligible Costs, required environmental remediation necessary for the capital project is an eligible HRI cost, though the cost of the remediation may not exceed 50 percent of HRI grant funds. These costs may include building material clean-up on a rehab project. Environmental remediation for a



substantial rehab project may also be funded as part of the Affordable Housing Development Loan.

**Can the AHSC grant be used for remediation? For example, there is an affordable housing project, but historical uses impacted the soil. Soil needs to be cleaned up before the construction can begin. Can the grant funds be used for the remediation?**

The AHSC grant is eligible for remediation if said remediation is necessary for project completion. Please see the Round 4 AHSC Guidelines Section 103(a)(2)(A)(iv) for more information.

Please be aware that the project must have all environmental clearances in hand at the time of application as detailed in the Round 4 AHSC Guidelines Section 106(a)(8).

**Will the grant allow for the purchase of property or does the applicant already need to own the land?**

Applicants must have site control at time of application. However, funds may be used for the following expenses as part of a Housing Related Infrastructure (HRI) Capital Project:

- Soft costs such as those incidentally but directly related to construction or other pre-development components including, but not limited to, planning, engineering, construction management, architectural, and other design work, required mitigation expenses, appraisals, legal expenses, and necessary easements. Soft costs shall not exceed 10 percent of total AHSC Program award.
- Real property acquisition of the Housing-Related Infrastructure project site and associated fees and costs (not to exceed 10 percent of the total AHSC Program award). Real estate commissions for purchase or acquisition are not an eligible expenditure.

**Are the various soft costs and impact fees listed in the HRI section supposed to be just the costs associated with the HRI infrastructure project, as opposed to those costs associated with the Housing project?**

HRI costs are defined as capital infrastructure improvements required as a condition of approval of an associated affordable housing development (e.g. sewer improvements). Section 103(a)(2)(A)(ii) refers to soft costs directly related to the HRI capital project and in the case of the example of sewer improvements, could cover construction management costs related to the sewer improvements required as a condition of approval to an affordable housing development. Soft costs related to the actual housing development itself would be covered as part of the AHD eligible use. However, please remember that funds for soft costs – whether for HRI, AHD or both - cannot exceed 10 percent of the total AHSC award.



## ***Sustainable Transportation Infrastructure (STI)***

**The table of Eligible Costs on page 9 of the Guidelines lists “Street crossing enhancements including installation of accessible pedestrian signals” as an eligible STI cost. What does it mean to install accessible pedestrian signals?**

California and Federal regulations provide a comprehensive set of standards describing accessibility requirements. California's Building Standards Codes (Physical Access Regulations) are found in Title 24 of the California Code of Regulations (CCR), and are designed to comply with the requirements of the Americans with Disabilities Act (ADA) and State statutes.

An accessible pedestrian signal and pedestrian pushbutton is an integrated device that communicates information about the WALK and DON'T WALK intervals at signalized intersections in non-visual formats (i.e., audible tones and vibrotactile surfaces) to pedestrians who are blind or have low vision.

**Can electrical charging infrastructure, including PV panels to offset the electricity used to charge the buses being purchased with AHSC funds, be included as an STI?**

Electrical charging infrastructure may be an eligible cost. The table of Eligible Cost Examples in Section 101 of the Guidelines displays renewable energy as an eligible cost. Such costs would include charging infrastructure and any renewable energy components (such as PV panels) that are a part of it, and so may be included in an STI budget.

If you are buying PV panels to offset the energy use of the bus and it is not attached to the charging infrastructure, it would need to be included as part of another AHSC funded capital project in order to be an eligible cost. So you could put PV panels on the AHD, or on a bus shelter being built with AHSC funds, and the PV panels would be eligible as an AHD/HRI cost or a TRA cost respectively.

**Do the cost of transit passes count towards the \$500K cap on program costs?**

The cost of transit passes does not count towards the cap on Program Costs.

**Can you confirm that even if a bike lane is not Context Sensitive, it is still an Eligible Cost and can request AHSC funding and be included in the GHG quantification methodology?**

Yes, even if a bike lane does not meet the definition of Context Sensitive it may be an eligible cost as an STI component, and can be included in the GHG quantification methodology.



**Are housing developers eligible to use the Activity Delivery Costs towards their cost of building out STI/TRA improvements, where the housing developer is responsible for STI/TRA construction?**

Appendix A defines Activity Delivery Costs as "staff costs incurred by the Public Agency that are directly related to implementing specific Capital Project and Program Costs." In the example given, the housing developer would have to be a Public Agency, and would not cover any other costs related to implementing the Capital Projects (such as financing fees). Activity Delivery costs are only eligible costs for STI and TRA components.

**Can AHSC funds be used to cover operations of a new or expanded bus route? Does this change if it's an existing bus or one purchased with AHSC dollars?**

In either case, AHSC funds cannot be used to cover operations of STI components. STI eligible costs must fall under the following categories: 1) capital improvements 2) soft costs related to the capital improvements 3) activity delivery costs (staff costs incurred by public agency that are directly related to implementing specific Capital Project and Program Costs—this does not include operations) associated with implementation of the Capital Project.

**What is the definition of 'Traffic Control devices'? And can existing traffic control devices for bicycle infrastructure that are seeking funds for improvements count as an STI?**

The Guidelines use the term "traffic control devices" in the same way that the GHG QM uses "traffic calming measures." These can include marked crosswalks, count-down signal timers, curb extensions, speed tables, raised crosswalks, raised intersections, median islands, tight corner radii, roundabouts or mini-circles, on-street parking, planter strips with street trees and chicanes/chokers. An existing component must be improved as part of the Project to receive points.

**Is an increase in transit service an STI or a program cost?**

This depends on what is specifically meant by "increase in transit service." If it refers to equipment that increases service or reliability, then it is an STI. An STI must either be capital improvements that encourage mode-shift or soft costs such as those incidentally but directly related to construction or project plans, specifications and estimates including, but not limited to, planning, engineering, construction management, architectural, and other design work, environmental impact reports and assessments, appraisals, legal expenses, and necessary easements. It should be noted, however, that



routine maintenance of transportation infrastructure (including the fleet) is not an eligible cost.

**Can AHSC funds pay for paving an entire street if it is required as part of creating or improving a new bike lane?**

Only if the repaving can be fairly interpreted as a traffic calming project (e.g., it involves a road diet, lane narrowing, median islands, etc.). If there is no change to driving conditions other than pavement quality, the active transportation infrastructure is the only eligible cost.

**Can upgrades to existing bike lanes or pedestrian walkways be funded?**

Yes, as long as they "improve mobility and access" of the bikeway or pedestrian walkway, they may be considered eligible costs.

**Can AHSC funds be used to buy a new, more energy efficient bus for an existing route with no increase in service?**

The transit related equipment must increase service or reliability in some tangible way. If you can demonstrate that the new bus does one of these things, it is an eligible cost.

**How is a transit station improvement as an STI different from a transit station improvement as a Transportation-Related Amenity (TRA)?**

Transit station/stop improvements as an STI would represent an infrastructure change directly resulting in mode shift or increased transit service, such as platform boarding. Transit station/stop improvements as a TRA would not represent such a change, but would encourage the use of the transit or active transportation activity. For example, while a bus shelter would be a transit stop improvement, it would represent a TRA, not an STI.

**What if an eligible STI cost is a condition of Affordable Housing development? Is it an STI or an HRI?**

As stated on pg. 11 of the Guidelines, capital improvements required as a condition of approval of the affordable housing development would be an HRI. This may include transportation or transit infrastructure.

**Does our Sustainable Transportation Infrastructure have to connect to the proposed Affordable Housing Development, or can it connect to other points?**

The STI does not have to directly or physically connect to the AHD, however, there must be a relationship between the various components of a project within a Project Area. Strong projects will show how the different components interact and impact each other in order to reduce GHG emissions.



### **Transportation Related Amenity (TRA)**

**Do urban greening costs count towards the budget of the applicable project component that the greening is a part of, for purposes of calculating the fraction of the total award amount that is STI/TRA?**

Urban greening costs count towards the budget of the applicable project component that the greening is a part of. However, if the urban greening components are standalone components along a public right-of-way, please include the costs in the TRA budget.

**The guidelines state that Urban Greening improvements are eligible costs "as component of a Capital Project" (pg. 9). Are urban greening costs eligible as a stand-alone project? Also, do Urban Greening costs count as a TRA and thus towards the points within the Housing and Transportation Collaboration budget?**

Urban greening improvements can be eligible costs as components of a capital project or as stand-alone projects. Yes, if the urban greening is supporting infrastructure for cyclists, pedestrians, or transit riders it would count as a TRA and, thus, be counted towards the Housing and Transportation Collaboration points. It's worth mentioning that projects must include at least two urban greening features as a part of their overall project.

### **Program (PGM)**

**Can applicants receive credit for electric vehicle car share programs?**

EV car sharing programming is an eligible PGM expense that is potentially eligible for points detailed in Section 107(j) of the AHSC Round 4 Guidelines. The car share program would have to provide exclusive service to residents of the Affordable Housing Development. Ineligible costs include, but are not limited to, cars and car operation and maintenance, EV charging infrastructure is eligible under AHD, HRI, STI, and TRA as follows:

- AHD= located at the AHD for public use, located at the AHD just for residents, or located at the AHD for use by a car share program exclusive to residents of the AHD
- HRI= if a condition of approval (e.g. building code requires)
- STI= EV charging for public transit fleet vehicles
- TRA= publicly accessible EV charging at parking for transit station/stop

**Must programs be publicly accessible?**



No, programs have the option of being available only to residents of the AHSC-funded Housing Development.

**Would operations and maintenance (O&M) be covered for two years for a bikeshare program?**

As indicated in the Guidelines Section 101, Figure 3: Eligible Cost Examples beginning on page 8, bikeshare program operations is an eligible cost. The AHSC Grant may fund up to three years of Program operating costs. While bike share operations are an eligible Program cost, maintenance of the bikes is not. See Section 103(c)(2) of the Guidelines that lists “routine operations and maintenance of transportation infrastructure” as an ineligible cost. This would include the bikes that are part of the bikeshare.

**Can transit pass costs be included in the Program budget for units that are within the AHD building envelope but which are not seeking AHSC funding?**

Transit passes that are provided for other residents of the housing development or the Project Area are an eligible Program cost and may be included in the Program budget.

**On the Quantitative Policy Tab of the AHSC application workbook, under the Programs section, there are only six drop down menu options. None seem to accurately describe purchasing bike share passes for residents. Can you confirm this is still an eligible Program use, and that it would earn points for the Program section, and if so, which workbook drop down option to select for this?**

Bike share programs are an eligible Program Use. On the Quantitative Policy worksheet under AHSC funded eligible program use, select “Education, outreach and training programs for Active Transportation” for bike share Programs.

**In a jurisdiction that offers fully subsidized transit, and the applicant adds a new bus and a new route (requiring additional transit subsidy) would this be considered an eligible program cost?**

Transit subsidy programs may be an eligible Program Cost. The AHSC grant will fund three years of free or discounted transit passes, but may not be used for transit operations or maintenance.

**Other**

**Are maintenance costs for urban greening/street trees an eligible cost under the Program?**

As the eligible costs for STI, TRA, and HRI focus on capital costs or soft costs, and AHD eligible costs additionally include costs for a housing development, as specified in 25



CCR Section 7304 (a) and (b); maintenance costs for urban greening are not an eligible cost unless they can somehow be considered a cost for a housing development (for AHD components only).

**Does the entire award count towards the \$40m developer cap or just the portion that is the responsibility of the developer? For example, a \$20M application might have \$14M of housing ask that is the responsibility of the developer applicant; The \$6 Million remainder is earmarked for STI/TRA and controlled by the city. In this example, does the \$14M or the \$20M count towards the developer's \$40 Million cap?**

The entire award counts towards the cap, not just the amount for which the developer would "receive". As stated in the guidelines, this limitation may be waived in certain circumstances.

**EV charging infrastructure is an eligible cost under the program, right?**

EV charging stations are eligible under AHD, STI, HRI, and TRA costs. Which category they would be listed as would depend on the nature of the charging stations. For example, if they are required by the local jurisdiction to be included at the Affordable Housing Development, they would qualify as HRI.

**Are all EV charging stations within a project area eligible? Is new installation the only eligible cost or can applicants include upgrades to existing infrastructure (e.g. additional charging ports)?**

Upgrades to existing EV charging stations is an eligible cost so long as those upgrades improve the service ability of the EV chargers beyond their previous, fully functioning state (e.g. not repairs). This could include additional charging ports or upgrading to DC fast charging capabilities.

EV charging stations are an eligible costs under the AHD, HRI, STI, and TRA categories. Which category they fall under will depend upon their use.

- AHD= located at the AHD for public use, located at the AHD just for residents, or located at the AHD for use by a car share program exclusive to residents of the AHD
- HRI= if a condition of approval (e.g. building code requires)
- STI= EV charging for public transit fleet vehicles
- TRA= publicly accessible EV charging at parking for transit station/stop

**Can gardens be an urban greening cost?**



Urban Greening improvements such as community gardens must be accessible as public open space as defined in Appendix A(tt). Public accessibility for a community garden must be demonstrated to the satisfaction of Department staff, such as through a recorded instrument, and must run for at least 55 years. Public open space must offer reasonable hours of use for the public, such as dawn to dusk.

**Does the \$40 million limit apply strictly to housing developers? What if a transit/public partner is part of multiple applications that run the risk of exceeding \$40 million in total?**

This limit applies to the housing developer only.

**If an applicant can secure third party funds to subsidize transit passes beyond the 3-year minimum, is this allowable? How would an applicant document this?**

This is allowable and could potentially count as leverage. This would be documented the same way as other enforceable funding commitments.

**Both the guidelines and the draft application state that soft costs for AHDs, HRIs, STIs and TRAs cannot exceed X% of the "total AHSC Program award". However, my understanding is that the soft costs cannot exceed the relevant percentage of the improvement for which it pertains (i.e. if I have a \$1M STI, then soft costs cannot be greater than \$300K). In comparison, for Activity Delivery Costs the guidelines state they cannot exceed 10% of the "costs associated with the Capital Project" which makes more sense. Can you clarify?**

We defer to the language in the guidelines. If it says total program award, the percentage cap is for the total program award. If it says capital project, the percentage cap is for the non-program related components (as defined in the appendix definition for capital project).

**Is speed feedback signage an eligible cost?**

Speed feedback signage can be considered an eligible cost, provided it is a part of a larger traffic calming strategy with other physical improvements.

### **Eligible Applicants**

**Are LP's/LLC's only ineligible applicants if a project has an AHD request? The guidelines state these entities are ineligible when making an AHD loan request. Are they otherwise eligible?**

LP's and LLC's are both potentially eligible applicants as long as they meet all criteria laid out in the Guidelines.



Please refer to Guidelines Section 106(a)(12). Applicants must demonstrate experience on projects that are similar in scope and size to the AHSC proposed project. For STI and TRA components, this can be displayed through an agreement with a non-applicant. If the LLC is the developer responsible for an AHD or HRI component, then it must display this experience. Special purpose entities are unable to display the requisite experience to be a Developer for the AHD and therefore ineligible applicants. Regardless of the corporate structure, the applicant must meet all other requirements, particularly as listed in Section 105. Please be aware of all developer requirements as well, including site control.

**If the ultimate borrower LP isn't created yet do we have to submit a loan authorization form? And all the other documentation under the LP Checklist? Or can that happen close to closing?**

The applicant will have to provide the contact information for the ultimate borrower LP. If this entity is not formed yet, the organizational documents do not need to be part of the application, though they will be required prior to award disbursement.

**In relation to Section 105(2) of the guidelines, can you clarify when does a public agency have a "real property interest"? Is a sidewalk or bike lane in the public right of way considered "real property interest"?**

If a Public Agency has jurisdiction in an area, they would be considered to have a real property interest in the Project, which would include sidewalks or bike lanes in the public right of way. To clarify the requirement in Section 105(2) for this situation, the Public Agency either has to be a joint applicant, enter into an agreement with the applicant to complete the work themselves, or certify that the applicant(s) has/have the Public Agency's permission to develop the improvements themselves either through issuance of an encroachment permit or similar device.

**In a Joint Application structure, do funds disburse to each of the Joint Applicants, or must one applicant be the primary recipient of all funding and pass through to the other applicant? i.e., can funds be "bifurcated"?**

Most awards will result in two Standard Agreements, one for the housing loan and another for the grant funded components. AHSC Program grant funds will be disbursed as reimbursed progress payments for eligible costs incurred after the execution of the Standard Agreement. Funds may only be disbursed to one contractor/recipient at a time.

**Can there be two housing developer Applicants, i.e., can two nonprofit housing development partners be Applicants?**



Applicants that are both housing developers may apply jointly.

**The land the project is proposed on is owned by our transit agency. Does this mean that they will have to submit as a joint applicant with the housing developer vs. side agreement?**

The transit agency does not have to submit as a joint applicant. If an entity other than the agency is developing transportation on agency land, an agreement is needed that displays this entity has the right to build on the land. If this is a housing development, the entity responsible for the development must meet the AHSC Program's definition of "Developer" and display "Site Control".

**Can a developer use the experience of a General Contractor (if the GC is an applicant) to meet the AHD experience requirement?**

According to the AHSC Round 4 Guidelines (Appendix A(q)), a developer is an entity relied upon for experience, as well as site control and capacity. Please refer to the guidelines for all requirements of a developer within the AHSC Program.

### **Program Threshold Requirements**

**(a)(4) An AHD is located within 1/2 mile of a Transit Stop served by High Quality Transit. However, a Qualifying Transit line would be more relevant to the residents. Can the applicant provide Transit passes for the Qualifying Transit instead of the High Quality Transit?**

Transit passes may be provided for any form of Qualifying Transit in order to meet the threshold, as long as there is a stop for that Transit service within ½ mile of the Affordable Housing Development along a walkable route.

**(a)(4) If a city provides free or discounted transit passes to certain populations (i.e. youth, seniors), can these count towards the transit pass requirement for restricted units?**

Unfortunately, these passes may not count towards the transit pass requirement for restricted units because there is no guarantee that residents of the restricted units will qualify for them (i.e., if the restricted unit is not occupied by a family or senior). The intent is for the transit passes to be available to any potential residents of the restricted unit. If transit pass eligibility aligns with eligibility for tenants of restricted units (e.g. free transit passes for anyone making under 60% AMI, and restricted units are all 60% AMI and below), then these passes can count towards the transit pass requirement.



**(a)(4) If you have flexible transit service that is free to the housing residents, do you still need transit passes?**

Yes—we want to ensure that residents of the development have access to the full range of resources and services that local transit provides access to, and not just the locations that the flexible transit service provides access to.

**(a)(4) Do partially subsidized transit passes count for the threshold requirement? The guidelines imply that 50% subsidized is acceptable.**

Yes, transit passes must be discounted at least 50 percent for residents.

**(a)(6) If we want to plant trees for the urban greening component, do the trees have to be planted along the same corridors where we are installing the active transportation improvements?**

Urban Greening features must be located in a publicly accessible part of the Project Area, but not necessarily as part of the Active Transportation route.

**(a)(6) For urban greening threshold requirement, can you do improvements? Or does it have to be a new urban greening feature?**

Urban Greening improvements that build upon existing Urban Greening infrastructure qualify as part of the Project. The Guidelines provide the Applicant with flexibility to design Urban Greening components that are appropriate for the context of their Project. New Urban Greening features, or improvements to existing Urban Greening infrastructure must be substantial enough to make an impact on Active Transportation experience.

**(a)(6) For Urban Greening projects that are street trees in the public right of way where the jurisdiction historically relies on residents to water and care for trees, will this satisfy the 2 years of required dedicated maintenance?**

Where homeowners and other adjacent property owners will maintain urban greening components, provide copies of relevant pages of the adopted municipal ordinance that indicates maintenance of urban forestry will be the responsibility of the adjacent property owner. The AHSC grantee is ultimately responsible for the health of street trees and other urban greening components, and must monitor the health of urban greening components for the life of the contract.



**(a)(6) Can urban greening be located on the AHD parcel?**

Urban greening must be located on public open spaces, as per the Urban Greening definition in the guidelines. Therefore, this would only be possible if the urban greening on the AHD parcel is publically accessible.

**(a)(7) Can ongoing maintenance costs for an STI or TRA be counted as leverage?**

Only eligible costs capitalized in the STI & TRA development budgets will count as leverage. Section 103(c)(2) states ineligible costs includes routine maintenance of transportation infrastructure (including transit fleet).

**(a)(7) Can a private foundation count as an EFC?**

Private foundation funds may be counted as Enforceable Funding Commitments provided they meet the definition of Enforceable Funding Commitment (appearing in Appendix A of the Guidelines) and are accompanied with a commitment letter from the funding entity. The AHSC Application also lists the requirements of an EFC.

**(a)(7) What type of EFC documentation is needed for funding from a local jurisdiction? If they are funding multiple project components, will one letter addressing all components be sufficient?**

A letter clearly delineating the amount of funding provided to each component will be sufficient for documenting a local government Enforceable Funding Commitment assuming it meets the requirements listed in the application. Required EFC documentation from a Local Jurisdiction is no different than any other funding entity.

**(a)(8) Does the developer need NEPA clearance for uncommitted public agency funds?**

If the Project budget includes Federal funds, NEPA clearance is required.

**(a)(8) We are hearing that applicants are interpreting any funding associated with HCD (HOME, No Place Like Home, etc.) as unable to meet the EFC qualifications because commitment letters will state the HCD funds are contingent upon an AHSC award. Can you please confirm?**

This interpretation is not correct. Other funding programs within HCD do not award their funding on a contingency basis. Applicant can list other HCD funding programs that they have applied for in their application. If the applicant has not yet been awarded these funds, they will be considered non-committed and will not count towards the 90 percent or greater funding commitment per Section 106(a)(7) of the AHSC guidelines. Applicant would have to demonstrate how they plan to cover the gap in funding if not awarded the other HCD program funds.



**(a)(8) I can't tell from the application or regulations if entitlements/CEQA/NEPA are needed at application or before we disburse funds?**

For AHD or HRI components of a project, all environmental clearances, including CEQA and NEPA, must be completed and approved at the time of application. There is a 30 day clearance period following the application deadline for any outstanding lawsuits or appeals to lapse. Please see the Round 4 AHSC Guidelines Section 106(A)(8) for this requirement.

**(a)(8) Can a project count EFC's that go toward its housing project as part of its leverage calculation if it not requesting AHD funds from the program? What if it is requesting HRI but not AHD?**

A Project cannot count EFC's towards a project that is not requesting AHSC funding. For example, if a housing development isn't requesting AHD or HRI funds, its EFC's will not contribute to the leverage calculation and it will not be eligible for scoring criteria. If a housing development is requesting either HRI or AHD funds, then its EFC's will count towards the leverage calculation. In this case, total development costs for the affordable housing development will be considered in the calculation of the EFCS. Request of funding subjects project components to the AHSC guidelines and all related requirements.

**(a)(11)How recent do title documents need to be in order to demonstrate site control?**

A Preliminary Title Report demonstrating Site Control may be no older than 30 days. Other documents demonstrating Site Control would stipulate an expiration date which must extend through the Award date.

**(a)(11) If an applicant has a conditional use approved by the municipality at the time of application and the municipality has a conditional use permit administrative appeal process that extends 30 or 60 days beyond the application date, will this still meet threshold requirements?**

The possibility of another entity later contesting an approved permit does not invalidate the existing permit. The timing and scope of the Conditional Use Permit must align with the Project schedule.

**(a)(12) The application workbook in the STI tab lists a required FAAST upload as follows: "Where the party making improvements funded by AHSC is not a public entity, an executed agreement from a public agency certifying the satisfactory completion of similar infrastructure improvements." However, the guidelines state that the Program requires "an executed agreement with that specific Locality or Transportation Agency for**



**the completion of the STI components of the AHSC Project for which funding is sought." Can you clarify what is required as an upload for this section?**

Per the workbook instruction in cell A76, "... provide an executed agreement with that specific Locality or Transportation Agency for the completion of the STI components of the AHSC Project for which funding is sought." This executed document must indicate the project components (as part of this Application) that will be completed by the non-applicant Locality or Transportation Agency. In a revision to our previous answer, it does NOT need to provide documentation or certification of prior experience for the applicant or non-applicant Public Agency that is completing the improvements.

**(a)(12) If a purchase agreement is used to demonstrate site control what expiration date would SGC like to see as a minimum beyond the application due date?**

An enforceable option to purchase or lease must extend through the anticipated date (June 2018 as set forth in the NOFA) of the Program award per the definition of Site Control in the Guidelines Appendix (eee).

**(a)(12) If an applicant is satisfying the STI/TRA experience by signing an agreement with their transportation partners(s), is this agreement needed at time of application, or at time of standard agreement? Does the transportation agency need their board to approve the agreement?**

Unless otherwise noted, all Application Threshold Requirements described in Section 106 of the Guidelines must be demonstrated at time of Application. An executed agreement between the parties must be uploaded as part of the Application package.

**(a)(12) If a local jurisdiction is unwilling or unable to be either a co-applicant or sign an agreement with the applicant stating that they will do the STI and TRA work, but the Developer Applicant has the requisite experience in developing STI and TRA improvements through other condition of approval work, can they still apply and satisfy the experience section?**

Yes, as long as they can demonstrate experience and fulfill all other threshold requirements, a Developer may apply to build the STI and TRA components.

**(a)(12) How should applicants address situations where a non-public partner will be constructing the STI and TRA infrastructure development? For example, what if the Housing Developer builds the bike lane? What if a private Master Developer builds the bus stop? What if a sub-contractor to the City builds the crosswalk? How will the new**



**experience requirements be satisfied where a city outsources the actual construction of a STI or TRA to a private contractor?**

There is nothing preventing a non-public partner from constructing the STI/TRA other than the experience requirement. The exception detailed in Section 106(12)(A) is optional and is only intended to provide additional flexibility. Applicants can use Cities, Counties, or Transit Agencies as a proxy for demonstrating the required experience. These public entities can still fulfill this requirement even if they then contract with a third-party for the actual construction.

**(a)(14) If the developer of a project clears their site of vacant structures for safety purposes but does not do any grading or any type of earth work, would that still be considered starting construction?**

As stated in the threshold requirements, construction of the project may not have commenced as of the Application deadline. Demolition of structures or buildings that have been severely damaged as a result of an earthquake, fire or other disaster, and which requires immediate demolition because of an imminent threat to public safety, are exempt from this requirement. Certification by the Local Building Official to demolish a building on such grounds must be submitted. An emergency demolition permit does not include grading or excavation of a site, or the commencement of construction activities associated with proposed improvements to the site.

**(a)(14) If a site has commenced grading, does this disqualify them from applying?**

Site preparation work, including grading, would be considered as having commenced construction. We did have this clarification in the FAQ from last round on what is considered commencing construction, but it doesn't really get at this issue.

**(a)(16) If a site is currently a homeless shelter, does relocation law apply?**

State Relocation Law applies to every AHSC funded project. Applicants are encouraged to engage an expert in the in California State Relocation Law.

**(a)(19) Is infill something AHSC evaluates as a threshold? How are projects screened to make sure they are infill?**

There is no infill threshold, but threshold 19 states that projects can't result in a loss of "agricultural or other working lands, or natural resource lands for other uses." Agricultural land is defined in the Farmland Mapping and Monitoring Program tool and our exception is clear in the appendix definition of "infill site." There is no such tool to identify "other working lands" or "natural resource lands for other uses," and as such, sites will need to be evaluated on a case by case basis.



**For the farmland impacts program, is the map from the Important Farmland Finder sufficient to document agricultural land avoidance?**

If the FMMP tool clearly displays that the parcel is not agricultural land a map identifying the parcel within the tool will suffice.

**(a)(20) In regards to not replacing already committed funds - if a public agency had an existing streetscape plan with funding but agrees to change their scope so that a portion of that plan could be funded with AHSC dollars, does this violate that specific guideline section?**

If the agency *expands* their existing scope, and would need AHSC funds to fund the newly added components, this would not violate the threshold requirement. For example, if an agency had planned and had funding for a Class II bike path but realized that with additional funding from AHSC, they could install a Class IV bike facility, this would be considered an eligible project.

**(b) Please clarify the intent for the current funding round in terms of funding targets, Disadvantaged Communities, Low-Income Communities, Low-Income Households, and whether targets are for projects benefitting and located in these communities?**

The AHSC Program has a statutory requirement to award at least 50% of funds to projects that benefit disadvantaged communities. New legislation, AB 1550, requires that the California Climate Investment (CCI) Programs award an additional 10% of Cap-and-Trade revenues in low-income communities. While AHSC does not have a statutory requirement to fund projects in low-income communities, Program staff have made a good faith effort to incorporate requirements set forth in the Air Resources' Board Funding Guidelines on funding projects in low-income communities, into the application. The Draft Funding Guidelines provide criteria to evaluate whether a project provides a benefit to a Disadvantaged Community, Low-Income Community, or Low-Income Household. After the Funding Guidelines are finalized, AHSC program staff will work to include any additional requirements, as feasible/to the extent possible, and will build them into the program guidelines for future funding cycles.

## **Scoring Criteria**

### ***Active Transportation Improvements***

**Can a bike lane for which only TRA costs are requested from AHSC be included in the linear miles for Context Sensitive Bikeways points? Must STI funding be included to count linear miles?**

Appendix A (n) defines Context Sensitive Bikeways as “on-street infrastructure for bicycle riding that is appropriately applied based on the traffic volumes and speeds on a specific street.” Because the definition is specific to on-street infrastructure, applicants



must request STI funds for improvement or creation of new Bikeways in order to count linear miles for Context Sensitive Bikeways.

**In order to receive points for linking Key Destinations, the scoring criteria states that walkways and bikeways must be "linked" to the AHD or Transit Station/Stop. What does this mean?**

In order to receive the Key Destination points on the Quantitative Policy tab, the AHSC-funded walkways or bikeways must result in a continuous walkway or bikeway between the key destinations and the AHD or Transit Station/Stop.

**Are points associated with Key Destinations applicable to Key Destinations that are not existing but will be in place by the time the corresponding infrastructure is built count?**

Key Destinations must be operational at the time of application. Applicants are not able to sufficiently prove that Key Destinations will be operational by the time infrastructure is built, so scoring relies upon existing resources.

**Can AHSC funded walkways that act as connections to existing walkways that connect to Key Destinations count for the Walkways Key Destination point?**

If the AHSC funded walkways are closing a gap in an existing pedestrian network that would enable applicants to get from the AHD to the Key Destination where they previously couldn't due to the gap, we would consider that "linked".

**A Safe and Accessible walkway is defined by three categories, one of which is "Attributes which contribute to comfort and safety including, but not limited to, adequate lighting or shade canopy." Can applicants include attributes not listed but which are critically needed to provide comfort and safety to pedestrians utilizing an oversubscribed urban intersection, such as bulb-outs and pedestrian countdown signals?**

The test for providing points for a "Safe and Accessible Walkway" is whether the improvements are contextually designed and substantial enough that a person who might not have walked that distance would be inclined to do so with the improvements in place. The elements described in the question appear to be valuable components of a Safe and Accessible Walkway, as long as they are designed and implemented in such a manner that the corridor is noticeably improved.

**In the definition of Context Sensitive Bikeways, is there any flexibility in posted speed limit and/or Average Daily Traffic (ADT)?**

The definition of context sensitive bike lanes in the appendix must remain consistent across all applications. In order for a project to meet the definition, it must meet the



appropriate bicycle class, or reduce the speed limit of the road to align with the suggested bikeway improvements in order to receive these points.

**If a City is electively planning to install a bike treatment that exceeds the definition of Context Sensitive Bikeways (i.e. a class IV where only a class II or III would otherwise be required per the definition) would this be an eligible cost, and would it count towards the points for Active Transportation?**

Yes and Yes. Projects that go above and beyond the requirements for Context Sensitive Bikeways will absolutely count towards linear miles.

**Are safe and accessible sidewalks counted for both sides of a street for determining linear miles?**

Each block face of safe and accessible sidewalks will be counted toward linear miles. For example, sidewalks on each side of a quarter mile block will count as a half mile. However, a single stretch of sidewalk on one side of the road will only count in one direction.

**How do you count points for bikeways and sidewalks that are on both sides of the street? And different classes of lane?**

Linear miles are counted for each direction. Two way cycle tracks can be counted as double (once for each direction). Sidewalk improvements must be made on both sides of a road in order to be counted in both directions. In order to be counted as linear miles in the scoring section, the upgrades must meet the definition provided in the appendix for "context sensitive bikeway" or "safe and accessible walkway."

**Can a given improvement count as both a bikeway and a walkway? For example, would a rail trail used for both walking and biking count for both?**

Even though facilities like rail trails are functionally accessible to both pedestrians and bikers, they can only be counted once in the linear mile calculation and the QM. The only exception to this would be if there was a "separate" pedestrian facility immediately parallel to the bike facility.

**Do upgrades to existing bike lanes or pedestrian walkways count towards the linear miles for points?**

In order to be counted as linear miles in the Quantitative Policy scoring section, the upgrades must meet the definition provided in the appendix for "context sensitive bikeway" or "safe and accessible walkway." Furthermore, the improvement must be significant enough to change whether or not the bikeway/walkway meets that definition. For example, if a street had a class III bicycle facility, but for it to be considered a context sensitive bikeway it needed to be a class II facility, an upgrade from class III to class II



could count as linear miles in the scoring section. In the QM, upgrades to existing bike lanes will only be considered in the TAC if they change class.

**Do bike lane and pedestrian improvement miles and/or blocks and/or linear feet have to be contiguous to achieve points? Do all four sides of the block have to be on the same block?**

No, the improvements do not need to be contiguous to be counted towards the linear miles calculation.

**In building “Safe and Accessible Walkways”, what criteria should we use for ADA-compliant sidewalks given the new implementation of standards in 2018?**

Applicants should use the ADA standards that are current at time of application submittal.

**If an applicant is proposing traffic calming measures that will reduce Average Daily Traffic (ADT), can the projections of the Transportation Department for the resultant ADT be used to qualify for the appropriate bikeway class for context sensitive bikeways?**

Yes, applicants should use projections of the resulting ADT after the traffic calming measures are implemented to determine the appropriate bikeway class for points received under “Context Sensitive Bikeways”.

**How far away can amenities or existing and operational services be from an AHSC project in order to receive points for them?**

In order to receive points for this for “Active Transportation Improvements” or “Location Efficiency and Access to Destinations” (section 107 (b)(2,4) and (e)(2)), you must demonstrate on a map that the listed amenities are within the Project Area. The Project Area is defined by a 1 mile buffer around the identified Transit Station/Stop merged with a 1/2-mile buffer around all STI improvements.

***Green Buildings and Renewable Energy***

**What are SGC/HCD's expectations for documenting the new Green Building and Renewable Energy standards?**

To earn energy efficiency and renewable energy quantitative policy scoring points, applications must include uploaded certifications from the certified design professional that designed the project that the sustainable building methods and energy production levels described in the Application have been incorporated into the Project design. For ultimately awarded Projects, additional documentation will be required prior to construction loan closing, execution of the Standard Agreement, and issuance of certificate of occupancy.



**To achieve the Net Zero qualification does the Net Zero apply to the housing side only or must we be Net Zero on the commercial as well?**

The Zero Net Energy qualification applies to the footprint of the overall development, including commercial components.

**Can AHSC staff clarify what documentation is required to claim Green Rater/LEED points at time of application?**

A letter from the licensed design professional or HERS Energy Rater contractually responsible for the design and supervision (if applicable) of the project must be uploaded with the application materials. This letter must certify the project's claim to green building status.

**How does AHSC want this to be documented?**

Additional certification from the HERS Energy Rater will be required at the completion of construction.

**Page 25 of the Guidelines states that points will be awarded for projects where one-third of building energy is produced by on-site sources. How do applicants demonstrate Zero Net Energy (ZNE) or energy production? Does this include gas, electric, and water?**

This includes gas and electric, not water efficiency.

***Housing and Transportation Collaboration***

**Please provide a list of "environmentally cleared California high speed rail station planning areas."**

Currently, the list of environmentally cleared HSR stations include:

- Merced
- Fresno
- Kings/Tulare

The Bakersfield F Street Station is still pending, though may clear NEPA by the time applications are reviewed.

***Housing and Transportation Collaboration***

**If a Project has received a grant from California ReLeaf, which received GGRF funding from CalFIRE to provide sub-grants for Urban Forestry, will this count as receiving GGRF Program funding? Does SGC see this as match since it is not directly from a state agency, but provided by one (CalFIRE) to ReLeaf?**

In the Housing and Transportation Collaboration section of the Quantitative Policy Scoring, applicants may receive one point for Projects which have received funding from



other Greenhouse Gas Reduction Fund (GGRF). California ReLeaf is funded through the GGRF so an AHSC proposal that includes a ReLeaf component will receive the point as long as that component directly benefits or contributes to the development of the proposed Project.

**The guidelines state one point will be given to Projects leveraging other Greenhouse Gas Reduction Fund (GGRF) Program funds. How can applicants prove that they are leveraging other GGRF funds?**

A listing of GGRF funded programs is available on the California Climate Investments website at: <http://www.caclimateinvestments.ca.gov/about-cci>. Applicants should submit an award letter from the CCI Program in question to show proof of funding.

***Location Efficiency and Access to Destinations***

**What should applicants do in the case that the AHD straddles two different walkability scores?**

Applicants should use the address of the AHD to determine the walkability score. If the address for the AHD is not available, applicants should use the center point of the Project to determine the walkability score.

***Anti-Displacement Strategies***

**If a "just cause" policy is incorporated into tenants' lease with property management/owner would this be eligible for points in the anti-displacement strategies point section?**

Yes—the exact wording for the Anti-Displacement criteria states that points will be given to Projects that either implement strategies or programs, or are located in jurisdictions with policies, strategies or programs that currently exist to prevent the displacement of local community residents. If it is an enforceable policy for the development, this is allowable.

***Local Workforce Development and Hiring Practices***

**Are "Local Workforce Development and Hiring Practices" intended to be implemented after project award or as part of project construction?**

The available "Local Workforce Development and Hiring Practices" include several options, and while some are intended to be implemented during project construction, others may be targeted towards residents of the AHD once it is occupied. These strategies *may* be implemented during project construction or after completion of the



project. However, they must be implemented within the contract reporting period (generally five years after completion of the Project).

### **What is expected to earn points for "local workforce development and hiring practices"?**

The examples of workforce development strategies included in the guidelines are fairly open ended to allow for applicants to be creative. If the applicant makes a good faith effort to pursue one of the example strategies, they will earn points. Other creative forms of workforce development and hiring practices will also be considered.

### **Programs**

#### **Can applicants receive credit for electric vehicle car share programs?**

EV car sharing programming is an eligible PGM expense that is potentially eligible for points detailed in Section 107(j) of the AHSC Round 4 Guidelines. The car share program would have to provide exclusive service to residents of the Affordable Housing Development. Ineligible costs include, but are not limited to, cars and car operation and maintenance, EV charging infrastructure is eligible under AHD, HRI, STI, and TRA as follows:

- AHD= located at the AHD for public use, located at the AHD just for residents, or located at the AHD for use by a car share program exclusive to residents of the AHD
- HRI= if a condition of approval (e.g. building code requires)
- STI= EV charging for public transit fleet vehicles
- TRA= publicly accessible EV charging at parking for transit station/stop

**For the program points, transit passes are not eligible however does this apply if the passes are offered past the three year grant period? If an applicant offers transit passes for a neighboring development not part of the AHSC AHD ask, would this count?**

For both scenarios, extending beyond the grant period and offering outside of the AHSC-funded development, the applicant(s) would be eligible to receive the program points. If the applicant only provides funding for 3 years to residents of the AHD, this would not qualify for the program points.

### **Urban Greening**

**Can applicants receive credit for gardens? I understand that the Benefits Calculator quantifies co-benefits associated with tree planting (but no GHG credit). Is any credit granted for other vegetation?**



The AHSC Program awards points for Urban Greening expenditures as detailed in Section 107(k) of the Round 4 AHSC Guidelines. Urban Greening improvements such as community gardens must be accessible as public open space as defined in Appendix A(ttt). Public accessibility for a community garden must be demonstrated to the satisfaction of Department staff, such as through a recorded instrument, and must run for at least 55 years. Public open space must offer reasonable hours of use for the public, such as dawn to dusk.

**On the Quantitative Policy tab, the points for Urban Greening appear to be tallying the Urban Greening total project costs (including EFC/leverage sources) in column M of the STI & TRA tabs. Is this correct? Can points be earned for leverage/EFC sources that are used for Urban Greening costs, vs. AHSC dollars? By comparison, the STI & TRA dollar values for assignment of Housing and Transportation collaboration points all sum out of column C, the AHSC request.**

Scoring component 107(k) is for urban greening "costs". These points can be earned for projects that fund urban greening through AHSC funding or through EFC's. Scoring components 107(d)(1) and 107(d)(2) require "AHSC funds" to be eligible for these points. The application workbook is correct.

### ***Community Benefits and Engagement***

**For the letter of support from local community-based, grassroots organization, what is meant by a grass roots organization? What kinds of organizations can qualify?**

The letter should reflect support from representatives of the area, e.g., neighborhood residents, businesses or organizations, where the proposed development will be located, and should describe opportunities that were available for their review and comment or other engagement for the proposed project, or of the public plan(s) or policies which the project will implement. If there is not a CBO in the immediate area, a support letter from an advocacy organization representing low-income or eligible disadvantaged populations in the community could be submitted.

### **Multi-Phased Projects**

**If the Project is larger in size than the AHSC funds requested (i.e. a multi-phased project in which AHSC funds only one phase), can an applicant apply the GHG reductions associated to the Project as a whole, including all phases?**

No. GHG reductions will only be counted for the phase of the Project for which an application is requesting AHSC funding. Previously funded or future phases are not included in the GHG calculation. However, if the phase an applicant requests AHSC funding for a project which includes components that have been funded with other programs, the GHG reductions associated with that whole phase can be counted.



**For multi-phased projects, if one phase has started construction but an applicant is applying for funds for a different phase, does that conflict with AHSC Program requirements limiting the start of Project construction?**

No. Construction cannot have commenced before the application due date (January 15, 2018) for the Phase of the Project for which an applicant is requesting funding. A completely separate phase that is not part of the AHSC application can have commenced construction.

### **Legal and Reporting Requirements**

**Under what circumstances do AHSC projects trigger prevailing wage?**

AHSC Program funds are subject to State prevailing wage law, as set forth in Labor Code Section 1720 et seq., and require the payment of prevailing wages unless the project meets one of the exceptions of Labor Code 1720 (c) as determined by the Department of Industrial Relations. Applicants are urged to seek professional advice as to how to comply with State prevailing wage law.

### **AHSC Application Workbook**

**In the “Development Team Contacts” section of the Overview Tab, the application asks for the full set of legal documents (resolution, certification, org chart, etc) for each entity. The upload checklist and FAAST portal do not include an attachment category for any of the Development Team Contacts entities.**

**Can you please confirm whether or not we need to submit the full set of documents (Owner Cert & Legal Disclosure, Owner Reso, Owner OrgDoc, etc) for the entities in the Development Team Contacts section?**

You will need to submit contact information for anyone who will be a party to the signature block, as long as that organization exists at the time of application. All of the associated FAAST files for each organization will also need to be submitted.

When uploading the FAAST files, name the "Attachment Title" as the "File Name" listed in the AHSC Application Workbook. This will first require you to select an "Attachment Category". The "Attachment Category" you select does not matter. If there are multiple documents of the same name, please add numbers after the "Attachment Title". For example, MGP Org Doc 1, MGP Org Doc 2, MGP Org Doc 3, etc.

**In the “General” tab in Universal Application, applicants are asked to provide the total number of units and number of LIHTC units. The note attached to the LIHTC cell says “Proposed # of Low Income Housing Tax Credit Units (60% AMI or less).”**

**80% AMI units now count as LIHTC units, pursuant to TCAC regs and the amendments made to Section 42 of the Internal Revenue Code by the Tax Cuts and Jobs Act of 2017.**



**Can you please confirm whether we are able to include 80% AMI units in the LIHTC unit count?**

Please fill in the number of LIGGTC units at 60% AMI affordability or less. Units over this affordability will not be counted.

**We notice that the Resolution sample has changed this year. First question: can applicants still use the sample from last year (this is particularly relevant for re-applications)?**

Applicants can still use the template from last year, though the information will need to be updated for the current round. The templates provided on the HCD website are for reference and the applicant can decide which template to use. The upload checklist tab in the AHSC application workbook lists the minimum requirements for a resolution.

**Many of the worksheets on the Universal Application ask for information that is already required in the main AHSC Application workbook, including: Dev Sources, Dev budget, Perm S&U, Experience, Certification, and Legal Status. Do these have to be filled out in the Universal Application?**

On the Universal Application, applicants should make sure to select AHSC as a source on the General Worksheet. This will hide all duplicative tabs in the Universal Application, and ensure that applicants do not have to fill out the same information twice.

**We are noticing that there are some discrepancies between the workbook tabs themselves and the Upload Checklist tab. For example, on the Upload Checklist tabs, it lists both the SCS or Equiv Regional Plan as well as Local Planning Efforts as required uploads. However, the Narrative tab itself only lists and describes the Local Planning Efforts FAAST upload.**

We no longer require the SCS or Equiv Regional Plan, as the Narrative question on SCS consistency is no longer a part of the application. This is listed on the upload checklist tab in error.

**STI Tab, row 31, what is this? I'm not aware of a requirement that STI's be a condition of approval. TRA tab, row 30, what is this?**

For the STI and TRA rows in question, this is not a mandatory document. STI and TRA costs do not have to be conditions of approval. Capital project costs that are required as conditions of local approval are eligible costs, but applicants must provide documentation to show this.



**Can you please confirm that if a part of the project area is in a DAC, it qualifies for the DAC set aside, even if the housing itself is not in a DAC? If so, is there a minimum amount of the project area that must be in the DAC?**

For a project to fulfill our statutory set aside for DAC's but not through housing, it must make a transit improvement with at least one stop within a DAC.

**In the Rd. 4 AHSC application workbook on the overview tab the "Development Contacts" section has been expanded. Can you clarify if all these additional contacts are required?**

Please fill in the development contacts to the extent that they exist. If the project does not have enough development contacts to fill out all of the provided fields, that is alright.

**This year's application requires an appraisal for "applicants claiming a Land Value in the development budget." Does this mean that an appraisal is required if the land cost is anything other than zero?**

AHSC applications will require an appraisal for applicants claiming a land value. Submitting an appraised land value is a typical HCD underwriting requirement.

**There appears to be a formatting issue with the AB 1550 document. The more text entered into the Step 2 description the smaller the text becomes. It believe illegible fairly quickly. Please provide direction as to how applicants should fill out the form.**

Please keep text responses brief. Acceptable responses include listing a single CalEnviroScreen metric or common need as detailed in Approaches C and D and a sentence or two about how the AHSC project addresses this need.

**For the Narrative-Based Policy section of the Application, would it be okay to upload a PDF that includes hyperlinks to the various regional and local plans we reference?**

The Narrative-Based policy answers must be submitted as a PDF that does not exceed 4 pages in length. All additional required documentation must be submitted as a downloadable document, and not as a web link. Because we have no way to verify that online materials submitted at date of application will not change by the time they are reviewed, we cannot accept links.

If you are having issues with uploading documents, please contact the FFAST Help Desk at 1-866-434-1083 or [FFAST\\_ADMIN@waterboards.ca.gov](mailto:FFAST_ADMIN@waterboards.ca.gov).

**Both the Legal Disclosures and the Payee Data Record documents state they are required for all applicants - yet within the documents themselves they state the**



**Public/Governmental entities do not need to complete them. What should applicants that are Public Partners do?**

Whichever applicant is the designated payee must complete the Legal Disclosures and the Payee Data Record documents. If the Public Partner wishes to be the designated payee, they must fill out this form.

Applicants should fill this out to the best of their ability. The critical sections are the Name & Address in Section 2. Public Partners will not have an EIN or SSN so they may leave section 3 blank. In Section 4, they should check the upper box. The Public Partners' Authorized Representative should be the one signing in Section 5. Section 6 they may leave blank.

**Does the workbook itself need to be signed, or only the hard copy applicant materials (resolutions, certifications, etc.?)**

Applicants do not need to submit a signed workbook as part of their hard copy submittal. Signatures are only needed on the hard copy applicant materials that are listed in the Applicant Instructions.

**Where should Transit passes be added to the budget?**

Free and discounted transit pass programs for residents of the Affordable Housing Development may be funded as a Program Cost as identified in the AHSC Application Program Budget.

**Please include ATP as an eligible source of GGRF funding in the Application Workbook. Most projects currently leveraging ATP are awards from prior ATP rounds that were GGRF funded.**

The ATP was only GGRF funded for a single cycle (cycle 3). Three projects were awarded, which include Sierra Boulevard Complete Streets Project, Metro Bike Share USC/South LA/Expo Line Communities Expansion, and Bike Share Expansion into the San Gabriel Valley.

For any AHSC projects with this ATP funding, please direct applicants to select TRICP on the Quantitative Policy tab of the Application Workbook for "GGRF Program that Project has received funding from". Program Staff will note through the leveraged funding documentation that this is Active Transportation Program funding during their review of leveraged funding documentation.

**Implementation**

**Is there a reliable timeframe for how long it will take to execute Standard Agreements (how does this relate to Period of Performance)?**



We understand that the timeframe in previous rounds was difficult to predict, but HCD is aiming to execute Standard Agreements within 90 days for the Fourth Round.

**If funds are requested to implement increased transit service, when must the transit service be operational (by AHD placed in service)?**

This depends, in part, on what the grant funds are actually reimbursing. As a rule, however, transportation components must be operational within the period of time set forth in the Standard Agreement, but not more than five years from the date of the AHSC Program award.

**Many STIs under consideration have already incurred soft costs (although construction of the STI has not commenced). Can those soft costs still be included in the AHSC budget/request?**

Any costs incurred before the Standard Agreement is executed will not be eligible for reimbursement of grant funds.