

CREEKSIDE NEIGHBOR REBATE PROGRAM APPLICATION

DOWNED TREE/BLOCKAGE REMOVAL PROJECTS ELIGIBILITY QUESTIONNAIRE

Valley Water, at their sole discretion will determine eligibility of your project for the Creekside Neighbor Rebate Program (CNRP) and may issue you a rebate if your project or activity meets the program criteria. To aid us in evaluating your project relative to these criteria, please respond, and explain as appropriate, to the following questions. Valley Water staff will review these responses and make independent findings based on the plans and other information provided for the project. Submit your responses with your Creekside Neighbor Rebate Program application.

Questions about your application may be referred to Valley Water's Community Projects Review Unit staff at any time by contacting us at (408) 630-2650 or cpru@valleywater.org

1. Does the creek have less than 100-year flood capacity as determined by FEMA or Valley Water mapping?

Yes No

If yes, please explain:

2. Is the blockage significant?

Yes No

If yes, please explain:

3. Can the blockage be modified to alleviate any flood hazard?

Yes No

If yes, please explain:

If you answered "Yes" to question 1 or 2 or answered "No" to question 3, please continue to questions 4 and 5. If not, your project does not qualify for the CNRP.

4. Has a qualified engineer and/or biologist determined that removing the blockage is beneficial for flood protection?

Yes No

If yes, please explain:

5. Will the proposed project mitigate for impacts to biological/riparian habitat?

Yes No

If yes, please explain:

If you answered "Yes" to questions 4 and 5, please continue to the Pre-Project Checklist. If not, your project does not qualify for the CNRP.

PRE-PROJECT CHECKLIST

The following information and documents **must** be submitted as part of your CNRP application. Applications missing material required below will be deemed incomplete and such applications will not be reviewed until they are deemed complete.

In order to be eligible for a rebate through the Creekside Neighbor Rebate Program (Program) a complete application must be submitted and approved; a Rebate Agreement must be signed and submitted; and written approval received in the form of a Notice to Proceed from Valley Water prior to the start of any work on a project or purchasing any qualifying equipment or materials. Projects that have been started or projects that have already been completed prior to the Notice to Proceed are not eligible.

Note: Projects that take place on a Valley Water easement are subject to an encroachment permit. If your project requires a Valley Water encroachment permit, a signed permit must be obtained prior to starting work.

INITIAL PROJECT ASSESSMENT CHECKLIST

Did you:

☐ **Complete your Application Package?** A complete application package requires this Creekside Neighbor Rebate Application along with the submission of all the information, drawings, reports, and other documents required by Valley Water. The project package may be submitted by mail or e-mail (CPRU@valleywater.org) or hand delivered to our office located at the letterhead address. ***All hard copy mail delivery other than through the U.S. Postal Service (i.e., FedEx or other express mail service) must be addressed to Santa Clara Valley Water District, 5905 Winfield Avenue, San Jose, CA 95123.*** Engineering plans and calculations, stamped and signed by a California registered engineer or architect are required for engineered or complex work.

☐ Provide all information required on the included **Project Assessment Questionnaire?**

☐ Provide **photo documentation** of the project area, clearly showing the issue to be corrected? Photos should, at a minimum, show existing vegetation, fencing, bank conditions and the ground surface condition in the area of the proposed work, as well as the entirety of the project area.

☐ Obtain **written approval** from all owners or entities that have property rights in the work areas, including all routes of access to and from your work site and staging areas? This approval must be submitted with your application.

☐ Show **property and easements lines** accurately on your project plans?

☐ Include a signed copy of the **Rebate Agreement?**

☐ Include a signed copy of the **Terms and Conditions?**

PROGRAM PROCESS

VALLEY WATER FIELD INSPECTION

Valley Water will schedule a field assessment upon confirmation of initial eligibility and receipt of a complete application package. A completed Valley Water field assessment must occur to obtain project approval. An additional field assessment will occur upon project completion.

PROJECT APPROVAL—Rebate Agreement and Notice to Proceed

Upon completion of a satisfactory Valley Water field assessment confirming project eligibility and application information, you must agree to and sign a Rebate Agreement. After the Rebate Agreement is signed and returned, you will be issued a Notice to Proceed for your project. Once the Notice to Proceed has been issued, you are free to begin your qualifying project.

Retain copies of paid invoices/receipts for all permit fees and actual construction costs as they will need to be submitted when you request your rebate.

Important: Any work performed before the Notice to Proceed has been issued will not be eligible for a rebate.

PROJECT CONSTRUCTION—BEFORE YOU START

Please read the post-construction documentation requirements. The following items must be obtained prior to start of construction:

1. Regulatory permits (You must provide all other permits required to carry out the activities, including without limitation, any permits required by the State Department of Fish and Game, U.S. Army Corps of Engineers, and the Regional Water Quality Control Board. If no other permits are required, Applicant must provide Valley Water with written communication from all applicable agencies that no other permits are lawfully required.)
2. City or County permits (You must check with your local government agency to determine any applicable grading, building, or other permit that may be required).
3. CEQA clearance (This will be provided by the applicable Lead Agency that approves your project—either the City/County or one of the regulatory agencies).
4. Floodplain Development Permit (Projects in FEMA special flood hazard areas (SFHAs) may require floodplain development permits from the local floodplain administrator).
5. Valley Water Encroachment Permit (when necessary)

POST PROJECT DOCUMENTATION

The following information and documents must be submitted to process your request for a Creekside Neighbor Rebate following the completion of your project.

- **CEQA DOCUMENTS:** Issuance of a Creekside Neighbor Rebate is subject to the requirements of the California Environmental Quality Act (“CEQA”). If your project is approved (or will be approved) by another public entity as the lead agency, that public entity’s environmental assessment must include the activities Applicant seeks to carry out. A copy of the document, prepared by the lead agency for the project, must be provided.
- **COPIES OF ALL REQUIRED PERMITS:** You must provide all other permits required to carry out the activities, including without limitation, any permits required by the State Department of Fish and Game, U.S. Army Corps of Engineers, and the Regional Water Quality Control Board. If no other permits are required, Applicant must provide Valley Water with written certification that no other permits are lawfully required.
- **FLOODPLAIN DEVELOPMENT PERMIT:** Projects in special flood hazard areas (SFHAs) may require floodplain development permits. Provide copies of this permit where applicable.

- **SIGNOFF DOCUMENTS FROM ALL PERMITTING AGENCIES**
- **SIGNOFF FROM ALL PROPERTY OWNERS:** If the proposed project area has multiple owners, project signoff must be provided by all property owners.
- **PAID INVOICES FOR ALL CONSTRUCTION AND PERMIT FEES:** Only actual construction costs and regulatory permit fees are eligible for the Creekside Neighbor Rebate. Invoices and receipts are required to determine the rebate amount.
- **COMPLETED W-9 FORM**
- **POST PROJECT PHOTO DOCUMENTATION:** Provide documentation of the project area, clearly showing the corrected issue following the completion of the project. Photos should, at a minimum, show existing vegetation, fencing, and the ground surface condition in the area of the proposed work.
- **STAMPED AS BUILTS:** Bank stabilization and sediment removal projects must provide stamped as built plans.
- **POST PROJECT INSPECTION:** Completed Valley Water field inspection and approval of completed project must happen prior issuance of rebate.

REVIEW TIME

Review times will vary depending on the complexity of the project and available Valley Water staff resources. If the application is incomplete, Valley Water staff, as it deems necessary, will notify the Applicant of the information necessary to continue processing the application.

**CREEKSIDE NEIGHBOR REBATE PROGRAM APPLICATION
DOWNED TREE/BLOCKAGE REMOVAL**

Date: _____

APPLICANT

(Party to whom the rebate, if approved, will be issued). Applicant must be the entity who is the legal owner of the project area or the application must be accompanied by written signed approval from the legal property owner(s) of the project area.

Name: _____

Address: _____ City: _____ State: _____ ZIP: _____

Contact Phone No: 1) (____) _____ 2) (____) _____ Email: _____

DESCRIPTION OF PROJECT (add additional sheets as necessary):

Have you previously discussed this project with Valley Water staff?

Yes No

If yes, identify staff member: _____

Are other agency approvals or permits required:

Yes No I don't know

If yes, identify agency, approval, or permit required and contact person:

Are your engineering drawings, reports, and photos supporting your application and Project Assessment prepared by a qualified professional specializing in stream restoration?

Yes No

If no, please explain:

Projects located in SB 535 Communities are eligible for an additional 25% rebate. Is the proposed project located in a designated SB 535 Disadvantaged Community as shown here: <https://oehha.ca.gov/calenviroscreen/sb535?>

Yes No

If yes, please explain:

COMPLETE APPLICATION PACKAGE

A complete Creekside Neighbor Rebate Application package consists of the completed Eligibility Questionnaire along with the submission of all the information, drawings, reports, and other documents required by Valley Water. As an Applicant, you must show that the proposed work is necessary and of public benefit.

Santa Clara Valley Water District's (Valley Water) Creekside Neighbor Rebate Program (CNRP) provides rebates for permit costs and actual construction costs for creekside property owners in Santa Clara County. I seek to participate in the program and agree as follows:

1. I have read and understand all Creekside Neighbor Rebate Program Terms and Conditions.
2. I certify that all information I have provided in this Application, including but not limited to personal details, qualifications, statements, and documents is true, accurate, and complete to the best of my knowledge. Any application containing inaccurate or misleading information will be disqualified from the CNRP and any and all commitments made by Valley Water related to this application, including commitments to installments, will be automatically rescinded and rendered null and void.
3. I acknowledge that CNRP rebates are available on a first come, first served basis until funds have been depleted or the program terminates. I understand that submitting this Application does not guarantee participation in the CNRP.
4. I acknowledge Valley Water retains sole discretion in the selection process and may reject any Application for any reason without providing justification.
5. I understand that Valley Water does not guarantee or warrant any construction resulting from participation in the CNRP.

APPLICANT SIGNATURE: _____

APPLICANT NAME: _____

DATE: _____