

2025 Update
La Jolla Band of Luiseno Indians
Safeguarding Tomorrow through On-going
Risk Mitigation Revolving Loan Fund
Intended Use Plan



La Jolla Band of Luiseno Indians
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I. Introduction

1.1. Status of the La Jolla Band of Luiseno Indians Safeguarding Tomorrow through On-going Risk Mitigation Revolving Loan Fund

- Summary of Intended Use Plan Purpose, including the fiscal year it covers.

The La Jolla Band of Luiseno Indians risk mitigation revolving loan fund promotes funding to its disaster risk communities through encouraging applicants to develop loan applications for funds that target those areas.

This program provides maximum flexibility for the funding of mitigation projects, allowing La Jolla Tribal communities to use their own criteria for project prioritization. The Tribe does not require the submission of a benefit-cost analysis for capitalization grants or loans to be used.

Mitigation Activities: Eligible project types under this program include activities that mitigate the impact of natural hazards, zoning and land use planning changes, and building code enforcement.

Non-Federal Cost Share: Loans may be used by Tribal government to satisfy its non-federal cost-share requirement for other FEMA Hazard Mitigation Assistance (HMA) grant programs, such as the Hazard Mitigation Grant Program, Hazard Mitigation Grant Program Post Fire, and Building Resilient Infrastructure and Communities grant programs, and recently, other Stafford Act programs including Public Assistance

The Tribe's fiscal year matches the calendar year and runs from January 1st through December 31st. The current fiscal year is 2025.

- Entity agency responsible for emergency management and oversight and management of the fund program.

The La Jolla Band of Luiseno Indians is governed by a General Council. In 2010, the General Council adopted the updated Tribal Constitution. The Constitution provides for a Tribal Council that will handle the Tribe's business affairs. The Tribal Council is comprised of 5 members who are voted into office for staggered two-year terms. The Tribal Council is responsible for emergency management and oversight and management of the fund program. Responsibility for this effort is overseen programmatically by the FEMA Tribal Authorized Representative (TAR), currently Council Member John Paipa, and the Tribe's

Emergency Management Committee. The TAR, Police Chief, Fire Chief, and Public Works Director are the current members of the Emergency Management Committee. This is supported, as well, by the Tribal Administrator. Fund management is overseen by the Tribe's Chief Financial Officer (CFO)

- Body in charge of financial management and administration of the fund (if financial administration is combined as described in Section 4 – Financial Management).

The Tribal Council is responsible for financial management and administration of the fund program. Responsibility for this effort is overseen programmatically by the FEMA Tribal Authorized Representative (TAR), currently Council Member John Paipa. This is supported, as well, by the Tribal Administrator. Fund management is overseen by the Tribe's Chief Financial Officer (CFO)

- Any other entity, agency or other party involved in managing the fund.

Assistance will be provided in project recommendations for funding by the Tribal Committee in charge of updating the La Jolla Tribal Multi-Hazard Mitigation Plan. This La Jolla Emergency Management Committee includes representatives of Tribal Fire, Police, Public Works, Environmental Protection, Historic Preservation, and Tribal Administration.

II. Uses of the La Jolla Band of Luiseno Indians Safeguarding Tomorrow Through Ongoing Risk Mitigation Revolving Loan Fund

The following sections allow entities to describe how they plan to use the grant for approved activities for the Safeguarding Tomorrow RLF program. Entities should provide details in the specified sections that apply to how they plan to use funds in their loan fund.

2.1. La Jolla Band of Luiseno Indians Program Objectives

Describe the objectives of the entity loan fund.

- How will the entity loan fund provide loans to local governments most in need of financing assistance?

The Tribe proposes to finance projects increasing resilience and reducing risk of harm to natural and built infrastructure;

The Tribe supports partnerships between two or more eligible entities to implement a project or similar projects;

The Tribe, and its sister Tribes that are members of the San Luis Rey Indian Water Authority, consider regional impacts of hazards on river basins, river corridors, micro-watersheds, macro-watersheds, estuaries, lakes, and areas at risk of earthquakes, tsunamis, droughts, severe storms, and wildfires, including the wildland-urban interface; and

The Tribe proposes to finance projects for the resilience of major economic sectors and/or critical national infrastructure.

- How will the entity loan fund support hazard mitigation projects and activities to reduce risks from natural hazards for homeowners, businesses, nonprofit organizations, and

communities by decreasing the loss of life and property, the cost of insurance, and federal disaster payments?

2.2. La Jolla Band of Luiseno Indians Program Goals

2.2.1. Connection to Other Plans and Goals

Describe how the fund will be used in line with existing planning efforts, including the entity's Hazard Mitigation Plans, and other programs and efforts to reduce impacts of major disasters.

2.2.2. Mitigation and Resiliency Goals

Provide information about plans to achieve mitigation and resiliency benefits per 42 U.S.C. Section 5135(g)(2)(B), such as:

- Reducing future damage and loss associated with hazards.
By implementing these projects, the Tribe intends to achieve an overall reduction in risk to future fire, flooding, debris flows and drought. Fire and flood prevention and protection projects completed as pre-disaster mitigation as well as projects completed post disaster will result in reduced future insurance claims as well as costly recovery efforts and interruption of enterprise operations including the Tribe's 800-space campground, Water Park, Mountain Bike Park, 1.86 mile zipline, Splash Pad, and Trading Post (Fueling Station, Grill, and convenience store). Mitigation projects that specifically align with FEMA's Risk Rating 2.0 actuarial property assessments may also result in reduced flood insurance premiums for property owners.
- Reducing the number of severe repetitive loss structures and repetitive loss structures.

Frequent flooding occurs on the La Jolla Indian Reservation because of significant rainfall on Palomar Mountain. This has created repetitive loss to residential and commercial serving roads, water tanks and lines, septic systems, Tribal enterprises, governmental operations, and houses and buildings. The reduction of the number of severe repetitive loss structures and repetitive loss structures is a primary mitigation goal. Many properties mitigated through these programs are also considered severe repetitive loss and repetitive loss structures, and by implementing these mitigation projects, the Tribe intends to continue to achieve an overall reduction in risk to future fire and flooding impacts as is a goal cited in United States Code Section 5135(g)(2)(B)

- Decreasing the number of insurance claims due to injuries resulting from major disasters or other natural hazards.

The Tribe does not participate in NFIP but will take action to reduce damage to

structures and reduce potential for loss of life or injury. Resilience has been achieved through FEMA Public Assistance following disasters. The most significant disaster causing injuries was the 2007 Poomacha Fire that destroyed 92% of the Reservation. More recently, the Tribe received disaster declaration DR-4422 for the February 14, 2019 flooding of the San Luis Rey River and La Jolla Reservation, EM 3428 for the COVID pandemic, DR-4683 for the severe storms of December 2022 through February 2023, and DR 4743 for the impacts from Tropical Storm Hilary.

- Increasing community ratings under the National Flood Insurance Program's (NFIP) Community Rating System (CRS).

The La Jolla Reservation is not covered through the National Flood Insurance Program. The National Flood Insurance Program (NFIP) enables property owners to purchase flood insurance. The Tribe agrees, nonetheless, to adopt and implement local floodplain management regulations that contribute to protecting lives and reducing the risk of new construction and substantial improvements from future flooding.

2.2.3. Short-Term Entity Safeguarding Tomorrow RLF Goals

Include a list of short-term goals that will guide decisions for the loan fund. Entities may define short-term goals according to their needs or local communities' needs. Short-term goals may include results that can be measured during the Period of Performance.

The following prompts may support creation of short-term goals:

- How will the entity loan fund support recipients with completing projects?

The La Jolla STORM RLF will provide for the non-Federal cost share of submitted BRIC and similar mitigation projects or completely fund disaster mitigation projects.

- How will the entity loan fund efficiently disburse loans to recipients?

The primary activities of the Emergency Management Committee :

Screens all applicants, inviting promising candidates to submit preliminary information.
Based on preliminary data, invites qualified candidates to submit detailed data.
Makes recommendations to Tribal Council on applications for loans and loan revisions.
Tribal Council approves (or denies) loan and advises the Chief Financial Officer to disburse

- How will the entity loan fund monitor and assess how the recipient executes the project?

A File will be maintained for each borrower containing all relevant documents and materials. The file will also contain a project description and timeline, record of the status of loan repayment, late payments, pre-payments, loan restructuring, correspondence, etc. Checks will be made payable to La Jolla STORM Revolving Loan Fund. Separate, identifiable accounts will be kept by La Jolla Financial Department for recording of borrower payments and deposits, as well as summary accounts for the fund.

Statements will be mailed to borrowers monthly showing the status of their loan repayment as of the end of the prior month, including amount paid in principal and interest separately, and balance to be paid to maturity.

The borrower will provide access to all information necessary for Committee and staff to ensure compliance with project development and completion, loan conditions, condition of collateral and the general financial condition and progress of the borrower. This would include borrower providing copies of periodic financial summaries. This enables timely technical assistance/counsel to borrower to the mutual benefit of the Tribe and the borrower. R.L.F. will also be permitted to visit the site of the project at a time and in a manner to not disrupt operations or cause undue inconvenience to the borrower,

- How will the entity work together with low-income geographic areas and underserved communities? Refer to Appendix C for more information and definitions of these topics.

The La Jolla Indian Reservation is characterized as an area of persistent poverty and a disadvantaged community. The Tribal Council and Emergency Management Committee will provide technical assistance and counseling to applicants as well as recipients. The fund will develop partnerships with other local, regional, and national partners to provide financial literacy training and education, financial coaching and advising, credit counseling, and credit education.

- How will the entity identify and arrange projects that achieve program priorities quickly and efficiently?

The Emergency Management Agency and Tribal Council have already identified and arranged projects to achieve program priorities as part of their development and update of the La Jolla Tribal Multi-Hazard Mitigation Plan.

2.2.4. Long-Term Entity Safeguarding Tomorrow RLF Goals

Include a list of long-term goals that will guide the decisions for the entity loan fund. Entities may define long-term goals according to their needs or the needs of local communities. Long-

term goals may include results that can be measured during the Period of Performance, the advancement of construction and implementation in phasing, coordination with loan recipients, etc.

The following prompts may support creation of long-term goals:

- How will the entity loan fund be managed to maintain a lasting source of funds?

The loan fund will be managed to maintain a lasting source of funds. Consistent with the La Jolla Tribal creation of a “permanent and perpetual fund”, the Tribe will seek quality projects with entities that have the capacity to repay loans. The Tribe will follow existing credit underwriting guidelines that will be applied to this program. Like other loan programs, each application is subject to credit approval prior to execution of a financial assistance agreement to minimize loan losses.

- What financial metrics will be used to make sure the fund is well-managed and remains continuously effective?

Please refer to the Appendix A.2 for the full program.

Asset Perpetuity Test: $\text{Total Fund Assets} / (\text{Total Cumulative Capitalization} - \text{Administrative/TA Costs Reimbursed from Capitalization})$

Loan loss trends

Investment earnings versus appropriate benchmark

Available amounts for Administrative Costs versus Administrative Costs necessary to support program.

Future Lending Capacity

- How will the entity loan fund continue to select projects effectively and clearly?

The Emergency Management Agency and Tribal Council will continue annual updates to both the La Jolla Tribal Multi-Hazard Mitigation Plan and the La Jolla Tribal STORM RLF Intended Use Plan

- How will the entity work with local communities to ensure a steady flow of eligible projects are submitted and ready for funding?

This will be accomplished in the same manner as discussed above with the emphasis on community engagements and General Council inputs.

- How will the entity promote equity for low-income geographic areas and underserved communities throughout the life of the loan fund?

As noted above, the La Jolla Indian Reservation is characterized as an area of persistent poverty and a disadvantaged community. The Tribal Council and Emergency Management Agency will provide technical assistance and counseling to applicants as well as recipients.

- How will the entity use current and future assets and choose local projects in need of funding?

The La Jolla EMC and Tribal Council will establish safeguards to provide for future projects in need of funding including loan terms that provide for timely revolve concurrent with adding assets to the fund from both interest earned and new capitalizations.

- What methods will be in place to ensure capitalization grants and revolving income are used effectively?

This intended use plan and companion appendices will be the foundation of ensuring capitalization grants and revolving income are used effectively.

- How will the entity ensure that it follows federal program requirements?

The Tribal Council and its finance office maintain a solid observance of federal program requirements and will ensure borrowers do the same.

The Tribe has administered FEMA disaster mitigation projects and is participating in Public Assistance for DR-4683 and DR-4743 under a Federal Tribal Agreement.

- How will the entity support recipients with following federal requirements?

They will be subject to the exact same requirements and will be so advised.

This will be accomplished through continuous monitoring of both project implementation and loan repayment.

2.3. La Jolla Band of Luiseno Indians Program Priorities

Complete the following sections using information about the development of your Project Proposal List.

2.3.1 INCREASE RESILIENCE AND REDUCE RISK

How will the entity loan fund support projects that increase resilience and reduce risk of harm to natural and built infrastructures? The following subsections offer potential actions to increase resilience and reduce risk.

Provide information that addresses the following prompts, as applicable:

2.3.1.1. HAZARD MITIGATION

- How will the entity award loans to support hazard mitigation planning?

<i>Hazard Category</i>	<i>Specific Hazard</i>	<i>Justification for Inclusion</i>
<i>Natural Hazards</i>	<i>Drought</i>	<i>Weather history and climate study show the possibility for drought.</i>
	<i>Earthquakes</i>	<i>There are fault zones in San Diego County as well as the Lake Elsinore Fault, which runs through the Reservation.</i>
	<i>Extreme Heat</i>	<i>Weather history and climate study indicate the likelihood of this. Extreme heat could increase the chance of a wildfire, while extreme heat during a blackout could cause health problems.</i>
	<i>Floods</i>	<i>The steep mountainous slopes of the Reservation, now bare from wildfires, create a high risk for flooding due to rain. The 2010 floods is a result of this example.</i>
	<i>High Winds</i>	<i>Santa Ana winds may fuel wildfires as they did during the October 2007 Poomacha Wildfire.</i>
	<i>Landslides and Liquefaction</i>	<i>Steep slope topography and the prevalence of wildfires create the potential for landslides during rain events.</i>

	Wildfires and Structural Fires	Recently wildfire destroyed nearly 94% of the Reservation and has occurred on other occasions. Concern from residents about the presence of hazardous materials and inappropriate dumping of garbage and waste.
	Communications	Assure protection of all communications from natural disasters Telephone and Internet communications are essential and frequently interrupted.
Lifelines	Transportation	Rt. 76 is the only road for entering and exiting the Reservation and is susceptible to flooding, landslides, traffic accidents and hazardous material spills. Tribal arteries are also subject to the same issues as shown after the 2007 wildfires and 2019, 2022, and 2023 flooding.
	Utilities • Blackout - Electricity • Water Sewer	Water tanks, pumps, and lines have been impacted by natural disaster as well as the roads used to maintain and operate them. Septic tanks and leachfields have been repeatedly negatively impacted by flooding.

- How will the loan fund be used to support local hazard mitigation activities that reduce the impacts of natural hazards? Include which hazards the entity plans to address. Eligible natural hazards may include:
 - Drought,
 - Extreme heat,
 - Severe storms, including hurricanes, tornadoes, windstorms, cyclones, and severe winter storms,
 - Wildfires,
 - Earthquakes,
 - Flooding, including the construction, repair, or replacement of a non-federal levee or other flood control structure,
 - Shoreline erosion,
 - High water levels, and
 - Storm surges.

Eligible natural hazards mitigated may include Drought and prolonged episodes of intense heat, Severe storms, including hurricanes, tornadoes, windstorms, cyclones, and severe winter storms, Wildfires, Earthquakes, Flooding, including the construction, repair, or replacement of flood control improvements, riverbank erosion, high water levels, storm surges.

This will include consideration of mitigation projects on the priority list as well as those considered for BRIC applications.

2.3.1.2. ZONING AND LAND USE PLANNING

If the loan fund will include projects for zoning and land-use planning, provide information that addresses the following prompt:

- *How will the entity loan fund be used to carry out zoning and land-use planning changes? The following bullets display approved zoning and land use activities.*
 - *Development and improvement of zoning and land-use codes to encourage low-impact development, resilient wildland–urban interface land management and development, natural infrastructure, green stormwater management, conservation areas next to floodplains, implementation of watershed or greenway master plans, and reconnection of floodplains.*

The 9,880 acre La Jolla Reservation is not zoned. However, there are five defined residential communities. In addition, there is one large commercial area known as the La Jolla Tribal Adventure Park. The Tribal Council is very interested in updating an obsolete land use ordinance as well as creating a zoning ordinance.

- *Study and creation of agricultural risk compensation districts where there is a desire to remove or set-back levees protecting highly developed agricultural land to mitigate for flooding, allowing agricultural producers to receive compensation for assuming greater flood risk that would lessen flood exposure to population centers and areas with critical national infrastructure.*
- *Study and creation of land-use incentives that reward developers for using low impact development stormwater best management practices. Such practices could swap density increases in some areas for increased open space in other areas, improve catch basins to mitigate urban flooding, reward developers for including and augmenting natural infrastructure near building projects without reliance on increased sprawl, and reward developers for addressing wildfire ignition.*

These incentives will be included in the proposed updated land use ordinance.

- *Study and creation of an erosion response plan that accommodates river, lake, forest, plains, and ocean shoreline retreating or bluff stabilization due to increased flooding and disaster impacts.*

The Tribe is currently working with USDA NRCS to prepare a flood control plan. This effort may require follow-on specific planning that could be considered for loan funding.

2.3.1.3. BUILDING CODE ADOPTION AND ENFORCEMENT

If the fund will be used to support building code adoption and enforcement, provide information that addresses the following prompt:

- *How will the entity loan fund be used to support building code adoption and enforcement?*

The Tribe has adopted the Uniform Building Code. It may well consider use of loan funds for enforcement.

2.3.1.4. COST SHARE

An entity loan fund may provide a loan to a local government for its non-federal cost share requirement of a grant under one of FEMA's Hazard Mitigation Assistance (HMA) grant programs if the use follows all relevant program and legal requirements. An applicant should list any potential projects, where a loan may be used for this purpose, in the Project Proposal List submitted with its application. Federal funds that are used to meet the non-Federal cost-share requirement must meet the purpose and eligibility requirements of both the relevant HMA grant program and the Safeguarding Tomorrow RLF program. Local governments interested in using loan funding as matching funds for a HMA grant should work with the applying entity to understand funding priorities, ensure the project is captured in the entity's Intended Use Plan and Project Proposal List, and to position loan funding with project and grant timelines. There is no limit to the percentage of grant funds that can be used for this purpose by loan recipients.

What is(are) the name(s) of the other grant program(s) for which the loans will provide matching funds?

All FEMA Mitigation grant program

2.3.2. Partnerships

How will the entity loan fund include partnerships between eligible entities to carry out a project or similar projects?

The eligible entity is the Tribe itself. Partnerships will be intratribal and interdepartmental. The Tribe will partner with FEMA and Cal-OES for mitigation project design and implementation.

2.3.3. Regional Impacts

How will the entity loan fund support projects that consider regional impacts of hazards on river basins, river corridors, micro-watersheds, macro-watersheds, estuaries, lakes, bays, coastal regions, wildland-urban interfaces, and areas at risk of earthquakes, tsunamis, droughts, severe storms, and

wildfires?

One of the major hazards impacting La Jolla Reservation is the algae bloom at Lake Henshaw. This flows into the San Luis Rey River that traverses the Reservation and creates a toxic environment for those swimming in, tubing on, camping near, and drinking from the River. The Tribe will partner with neighboring Tribes that are members of the San Luis Rey Indian Water Authority.

2.3.4. Major Economic Sectors and National Infrastructure

How will the loan fund help projects that make key economic sectors and critical national infrastructure more resilient? This includes areas like ports, power and water facilities, essential bridges and waterways for interstate commerce and global commodity supply chain assets located within the entity's jurisdiction. Reference [FEMA's Community Lifelines Resources](#) to inform the content.

The La Jolla's Tribe's economic base is its Adventure Park consisting of an 800-space campground, 1.86 mile zipline, 18-trail Mountain Bike Park, Water Park, Splash Pad and Trading Post (Grill, Fuels, and convenience store). Access is from Highway 76 and on-Reservation roads. Natural disasters have required evacuation from the Adventure Park's attractions and have limited access until recovery could be achieved.

III. Criteria and Method for Distribution of Funds

3.1. Loan Management Information

- *Does the loan fund currently contain funds that are available to be disbursed as loans?*

The loan fund will be available following capitalization. The Tribe has contributed \$510,000 and is awaiting the \$5,100,000 from FEMA. For the second year, \$5,100,000 from FEMA and \$510,000 from the Tribe will be provided to the fund.

- *What is the loan application process for financial assistance from the loan fund?*

Tribal applicants are surveyed for interest in funding from the Revolving Loan Fund. Information is submitted in an application upon confirmation of a STORM RLF capitalization grant and amount. The La Jolla Emergency Management Committee will review applications for completeness prior to recommending funding to the Tribal Council. Following final acceptance and approval the Tribal Council will execute a financial assistance agreement.

- *How will the entity use financial planning to ensure funding is available in the future?*

The Tribe will utilize cash flow modeling to measure asset perpetuity and the capacity for existing revolving loan programs. The information for all existing loans serves as a base. Assumptions for other variables, such as, terms, rates, future capitalization grants, state appropriations, earnings and bond issuances enable scenario analysis.

- *What are the short-, medium-, and long-term financial projections for the fund?*

Note: If available, provide a detailed loan application process and/or financial planning method and supporting materials in Appendix A; include a reference in your explanation above.

3.2. Criteria and Method for Loan Distribution

Provide the following information:

- What are the criteria and methods for disbursing funds to loan recipients? The following prompts may support defining criteria and methods.
 - *How will the entity determine if loan applicants have the required skills and resources to*

meet requirements?

The loan applicant will need to demonstrate both the ability to conduct the project and repay the loan. The Emergency Management Committee will perform due diligence to verify the presence of necessary skills and resources. Please refer to Appendix A.

- *How will the entity loan fund target funding for low-income geographic areas and underserved communities? How will interest rates vary?*

The Reservation is an area of persistent poverty and a disadvantaged community. Thus, interest rates and terms will be as favorable as possible.

- *How will the entity determine different types of assistance and interest rates for loan applicants based on their needs?*

Note: If applicable, provide a complete loan distribution procedure in Appendix B.

3.2.1. Creating a Project Proposal List

Entities are required to provide a list of project proposals that include local government hazard mitigation projects per 42 U.S.C. Section 5135(b)(1)(A). These lists should be prioritized to identify how the entity will use the capitalization grant funds.

These are some of the disaster damages that require mitigation and resilience:

- Eastern Tank Road Repair
- Campground Road Debris removal and repair
- Campground Access Road
- Culverts Debris removal and damage repair
- Third Gate Road Repairs
- Zipline Road (Vallecitos Road) Repair
- Parcell Road
- Church Road Debris removal
- Residential Road repair
- Mountain Bike Access Road
- Mountain Bike Parking
- Mountain Bike Trails
- Weather Station Road
- Poomacha Water Tank Road
- Campground and Zipline Buildings
- Water tanks and lines
- Trading Post and Grill
- Water Park
- Zipline
- Mountain Bike Trails
- Campground buildings and amenities
- Splash Pad
- Trading Post

- Tribal Hall
- Governmental Buildings

Provide confirmation that the entity submitted a Project Proposal List with the grant application.

Note: FEMA offers a Project Proposal List template spreadsheet to support the entity with drafting.

3.2.1.1. PRIORITIZATION METHODOLOGY

Provide a summary of the methodology the entity used to prioritize projects in the Project Proposal Lists. FEMA recommends creating a ranking system to determine the priority order of projects to be funded. Categories for ranking may include, but are not limited to:

- Duration of a project (multi-year vs. annual),
- Population served,
- Projects aligned with the statutory objectives,
- Projects aligned with the Hazard Mitigation Plan,
- Readiness to proceed, and

The Tribe has three primary criteria for prioritizing projects.

- Is the project under consideration for FEMA BRIC funding?
- Does applicant have the financial and administrative capabilities to track and repay a loan ?
- Is project cost less than \$5,000,000.00?

Please see complete ranking system for prioritization in Appendix C.

3.2.1.2. TIE-BREAKING PROCEDURE

- Provide information about how the entity will determine which project to select if the projects have equal scores.

The Tribal Council will vote on the merits of the projects with equal scores and select the winner.

IV. Financial Management

4.1. Financial Status of the La Jolla Band of Luiseno Indians Safeguarding Tomorrow RLF

If the entity intends to combine the financial administration of the loan fund with the financial administration of another revolving loan fund established by the entity and not associated with the Safeguarding Tomorrow RLF program, provide the following:

- *Provide the name of the agency handling the program's finances and explain the entity's role in managing the financial side of the program.*

The Financial Department of the Tribe will oversee the financial administration of the revolving loan program. The Finance Department uses MIP fund accounting software that will track capitalization, receipts, disbursements, and interest earned. It will also process late payment requests and counsel the borrower on avoiding potential default. It will monitor the fund's performance and track metrics. In turn, it will be accountable to the Tribal Council as grantee and provide monthly reports to Tribal Council and quarterly reports to General Council. Reports will be made to FEMA as required in the grant agreement.

- *Describe how the entity will separately account for the following: the capitalization grant, entity share, repayment of loans, and interest earned on amounts in the entity loan funds.*

The MIP fund accounting software provides the necessary modules for separately accounting for the capitalization grant, entity share, repayment of loans, and interest earned on amounts in the entity loan funds.

- *Describe how the emergency management agency will keep control over assistance priorities and oversight activities.*

Performance of the La Jolla Band of Luiseno Indians STORM RLF will be tracked on the agenda of their bi-monthly meetings and included in the quarterly reports to the General Council (shareholders) and annual updates to the La Jolla Tribal Multi Hazard Mitigation Plan.

- *Provide the name of any other revolving loan fund(s) with that will be combined with the entity's*

loan fund under this program for the purpose of financial management.

This will be the initial revolving loan fund administered by the La Jolla Band of Luiseno Indians

- *How will the entity loan fund be used to pay the administrative costs for starting the loan fund and operating it, as per 42 U.S.C. Section 5135(f)(6)(A)?*

Administrative costs for fund administration will be paid from the loan fund in accordance with a cost allocation plan and be accounted for separately.

- *What percentage of funding for this fiscal year is expected to be used for administrative costs?*

\$100,000 is expected to be used for administrative costs during FY 2024 which amounts to 1.8%. Part of the administrative activity will include continuous reference to and updating of the La Jolla Band of Luiseno Indians Multi-Hazard Mitigation Plan.

4.1.1.1. FOR THE CURRENT FISCAL YEAR:

- *Where are the sources of the funds in the entity loan fund? This includes the capitalization grant, entity match, bonds, loan repayments, interest repayments, and investment earnings.*

The Tribe seeks a \$5,100,000 capitalization grant from the FEMA STORM program. On receipt, this will be matched (funds deposited) with an entity (Tribal) match of \$510,000. The Tribe will use funds from its General Fund and/or receipts from the San Luis Rey Indian Water Settlement.

- *How are the funds in the entity loan fund used? This covers administrative expenses, transfers, capital projects, and bond debt service.*

For FY 2024, program marketing has occurred with public notice of the La Jolla Band of Luiseno Indians Safeguarding Tomorrow through On-going Risk Mitigation Revolving Loan Fund Intended Use Plan. Loan funds will be used for administrative expenses up to \$100,000 for program staff and operations expenses. The administration activity will include convening stakeholders for updating of the La Jolla Band of Luiseno Indians Multi-Hazard Mitigation Plan. As shown in Table 3, below, proposed disbursements for the first fiscal year are projected to be \$3,300,000. Since the project is designed to have a 24-month period, the balance of \$2,310,000.

When the Emergency Management Committee recommends and Tribal Council approves loans for capital mitigation projects, the Finance Department will create the account in the MIP Fund Accounting software and provide a repayment schedule.

Table 2: Sources Table

<i>Sources</i>	<i>Previous Fiscal Year</i>	<i>Current Fiscal Year</i>
▪ FEMA Capitalization Grant	\$5,100,000	\$5,100,000
▪ Entity Match	\$510,000	\$510,000
▪ Interest Earned	\$0	\$0
▪ Total:	\$5,610,000	\$5,610,000

Table 3: Uses Tables

<i>Uses</i>	<i>Previous Fiscal Year</i>	<i>Current Fiscal Year</i>
▪ Loan Agreements	\$	\$3,200,000
▪ Administrative Costs	\$0	\$100,000
▪ Total:	\$0	\$3,300,000

<i>Uses</i>	<i>First Fiscal Year</i>	<i>Second Fiscal Year</i>
▪ Loan Agreements	\$3,200,000	\$6,210,000
▪ Administrative Costs	\$100,000	\$100,000
▪ Total:	\$3,300,000	\$6,310,000

4.2. Financial Terms of Loans

Financial terms of loans have limits set by statute. The requirements are as follows:

- *Interest rates cannot exceed 1% but can be lower.*
- *Annual principal and interest payments from the borrower must start no later than one year after the project is completed. The entity has the option to begin payments earlier.*
- *Standard loans must be repaid within 20 years of project completion. Loans to low-income geographic areas must be repaid within 30 years of project completion. This is the longest period allowed for repayment; entities can choose to have borrowers fully repay the loans earlier than this timeframe.*

- *All loans should be repaid before the project's design life ends.*
- *Borrowers must identify a specific revenue source to repay the loan.*
- *Borrowers must have a FEMA approved Hazard Mitigation Plan.*
- *All payments made by borrowers for both principal and interest must be deposited into the entity loan fund.*

Entities should also describe if they intend to collect fees, how they will be collected, where they will be deposited, and their intended use.

4.2.1. Standard Loans

Provide information on standard loan terms using the loan term limits in 4.2 and the following prompts:

- *How will the fund set terms for standard loans? Based on repayment capability and capacity.*
- *What will interest rates be? 0.5% to 0.9%*
- *What is the expected repayment timeline? Monthly for 10 to 30 year terms.*
- *How will the entity confirm that borrowers have or will establish a dedicated source of revenue? Underwriting verification*

4.2.2. Loans for Low-Income Geographic Areas or Underserved Communities

Provide information about loan terms for communities that are categorized as low-income geographic areas or underserved using the loan term limits in 4.2 and the following prompts:

- *How will the entity revolving loan fund set terms for loans to low-income geographic areas or underserved communities? The loans will be made on the La Jolla Indian Reservation which is considered both an area of persistent poverty as well as a disadvantaged community*
- *What will interest rates be? 0.5% to 0.9%*
- *What is the expected repayment timeline? Monthly for 10 to 30 year terms.*
- *How will the entity check that borrowers have or will identify a dedicated revenue source for repayment? Underwriting verification*

4.3. Loan Disbursements

Provide information on the following prompts:

- *How much of the fund does the entity plan to use as loans for fiscal year 2024? The Tribe anticipates lending up to \$3,200,000 during its first full year of operations and will obligate the balance during the first 6 months of the following fiscal year.*
- *What is the funds utilization goal?*
 - *The utilization goal measures how loan funds effectively disburse loans. The calculation is cumulative assets divided by cumulative funds available for projects. Entities establish a target measure that best aligns with their specific needs. FEMA suggests aiming for a pace level around or above 100%. If entities are falling behind or experiencing a decline, they should review loan policies, procedures, and outreach. Pace levels exceeding 100% typically indicate advanced loan commitment.*

The Tribe will aim for a 100% fund utilization goal

- *Has the entity worked with local governments to identify possible revenue sources to support projects and activities that do not make money, per 42 U.S.C. Section 5135(f)(1)(A)(iii)?*

Yes, the Tribe has identified revenues for loan repayment from enterprises, collected taxes, and funds made available through the San Luis Rey Indian Water Settlement Agreement, to provide for projects and activities that do not make money.

V. Entity Program Management

5.1. Technical Assistance

If applicable, provide information that addresses the following prompts:

- *How will the entity loan fund be used to provide technical assistance to recipients, per 42 U.S.C. Section 5135(f)(6)(B)? Tribal program staff will provide outreach services to Tribal departments. For those interested in applying for loan funds, technical assistance will be provided.*

The Tribe will provide technical assistance regarding the actual loan program through the Tribal Administrator. The TA will provide technical assistance when developing loan applications and promote the use of the fund to off-set the non-federal cost share.

- *What percentage of the fiscal year's funding is expected to be used for technical assistance. Administrative costs for entity management shall not exceed \$100,000 per year, 2 percent of the capitalization grants made to the participating entity in a fiscal year, or 1 percent of the value of the entity loan fund, whichever amount is greatest, plus the amount of any fees collected by the entity for such purpose regardless of the source per 42 USC 5135(f)(1)(C). Technical assistance will be provided as a portion of this administrative cost.*

5.2. Local Capacity Development

Provide information on how the loan fund is helping local communities by building their capacity. At La Jolla Reservation, disaster recovery has provided a level of capacity in terms of response. Capacity will be built for the important function of disaster mitigation and resilience.

5.3. Environmental and Historic Preservation Compliance

Describe how the entity plans to follow Environmental and Historic Preservation (EHP) compliance procedures. This includes how proposed projects will be pre-screened and which activity types will be submitted to FEMA for review. All loan funded activities will be given cultural and historic preservation clearance prior to any ground disturbing activity taking place. Per the Tribe's Tribal Historic Preservation Ordinance, any cultural finds encountered during future construction activity will require cessation of construction, preparation of an inadvertent discovery plan, and consultation with the Tribal Historic Preservation Officer (THPO). Environmental review will be initiated in consultation with the Environmental Protection Office.

Note: FEMA will provide entities with guidance and materials to complete this section.

5.4. Public Meetings and Comment Activities

Provide information on the following items:

- *How did the entity include public input, consultations with government agencies, and feedback from interested groups before submitting the annual Intended Use Plan?* Public Notice was placed on the Tribal bulletin board and presentation was made at a General Council meeting.
- *How has the entity used information from public meetings and comment activities to assist in carrying out the loan fund?* The comments received from the notice and the meeting have provided substantial portions of the Intended Use Plan
- *Describe the public notice process and actions taken to address public comments for project proposals.* Public Notice was placed on the Tribal bulletin board and presentation was made at a General Council meeting. Questions were answered at the meeting and phone calls have provided answers to those who responded to the posted notice. The intended use plan is available for review as it is posted on the Tribal website, www.lajollaindians.org.
- Availability of the intended use plan for community review was accomplished through public notice on the bulletin board at the Tribal Administration Building.

VI. Audits and Reporting

6.1 Compliance with Federal Reporting Requirements

To ensure clarity, all program materials are posted on our website www.lajollaindians.org. We will use the services of an outside certified public accountant firm to run an independent audit to ensure finances are correct for the one and two-year audits. It is also possible to include audits of the fund as part of the Tribe's annual agencywide audit.

We commit to entering project and benefits data into the FEMA Non-Disaster Grants system (ND Grants) and financial data in Payment and Reporting System (PARS) to support the evaluation of the *La Jolla Band of Luiseno Indians Safeguarding Tomorrow RLF* program. Among other requirements, FEMA will use the data from the audits and reporting to assess how the loan funds:

- Efficiently administer the fund.
- Provide project benefits to local communities.
- Promote equity.

We will enter project benefits data into ND Grants by the end of the quarter in which the capitalization grant is received. After the Period of Performance, we will enter required project benefits data into FEMA's ND Grants by the end of the fiscal year for this Intended Use Plan.

6.2 Publication of Information

Provide information about the frequency and location of the Publication of Information requirement. Per 42 U.S.C. Section 5135(h)(2), the entity should publish and periodically update all projects receiving funding from the loan fund. This includes project location, type and amount of assistance provided from the loan fund, the expected funding schedule, and the expected date of project completion.

Note: The recipient should publish information publicly on a preferred platform and at times most suitable to the recipient during, and after, the Period of Performance.

The Tribe shall publish information and periodically update all projects receiving funding from the loan fund. This includes project location, type and amount of assistance provided from the loan fund, the expected funding schedule, and the expected date of project completion.

6.3 Recipient Auditing and Reporting

Provide information on how the entity loan fund will monitor and evaluate the performance of loan recipients, to ensure they follow fund usage guidelines, if it applies.

The Tribal Finance Department uses MIP Fund Accounting which includes a system to track that borrowers are paying back loans on the schedule set in the loan agreement. Repayment monitoring is important because the borrower's financial situation might change throughout the loan term.

Repayment monitoring will include a more detailed check of loan recipient finances, including how much they earn and spend. This information will be obtained through requiring loan recipients to submit information such as audited financial statements, an Annual Comprehensive Financial Report (ACFR), credit reports, or tax payments.

Site visits during project development will be undertaken to verify use of the loan proceeds.

Appendix A

A.1. Loan Application Process

Marketing is a critical component to the success of any RLF program. Developing a comprehensive marketing strategy that incorporates a variety of community messages and engagement will help to strengthen relationships with borrowers and grow the RLF. The Tribe's marketing strategy will incorporate websites, emails, printed materials, social media, outreach efforts, and broader engagements with the General Council.

A loan application will be required for potential borrowers that includes a clear description of the proposed disaster mitigation project with a cost estimate and work plan. Financial statements will be required to show repayment ability. The applicant will need to identify sources of funds for repayment for the entire loan repayment period.

A.2. Financial Planning Methodology

The Tribe appreciates reference to the FEMA Program Support Material March 2024 1 Safeguarding Tomorrow through Ongoing Risk Mitigation Revolving Loan Fund Program – Financial Management and Analytics.

Keeping track of where the assets come from and how they are used gives Tribal Council a basic understanding of how funds move in and out of the loan fund. Money can come from different sources like capitalization grants, entity match, bonds, loan principal repayments, and investment earnings. These funds can be used for administrative costs, fund disbursement, capital projects, and bond service debt. A table outlining these sources and uses should be included in the Intended Use Plan. Revolving loan funds usually grow through interest repayments and additional funding. Since interest is optional for the Safeguarding Tomorrow RLF program, entities are encouraged to plan to increase money to support the growth of their fund. This can be done through the Tribe setting aside money in their budget and submitting future Safeguarding Tomorrow RLF grant applications.

Financial models, such as cash flow modeling, can help the Tribal Council see how their decisions about fund management will affect their finances over time and answer questions about future lending. Cash flow modeling gives them a view of their current available funds and predicts how much money will be available in the short and long term. Understanding the availability of funds helps avoid having unspent funds and supports the overall health of the fund. Cash flow modeling allows the Tribe to assess the potential of using additional funds by pinpointing when it might be necessary to do so to meet cash flow needs. Examples of financial models used include scenario-based, asset-liability, and capacity planning models. Scenario-based models estimate changes in cash flows by looking at different possible outcomes. Asset-liability models focus on the timing of cash flows to ensure there are enough assets to cover liabilities. Capacity planning models give an idea of available capacity, whether using additional funds is possible, and debt service coverage projections.

The Tribe, through its Financial Department, will implement a capacity planning model. This planning tool provides a relevant framework for decision-making and provides a high-level capacity projection within a given set of assumptions. Major inputs, assumptions and outputs are highlighted below.

Inputs and Assumptions	Outputs
Actual Application Requests	Capacity Indication
Future Project Loans	
Loan Subsidy and Terms	
Loan Draw Timing	Leverage (Go/No-Go)
Level of Additional Subsidy	
Federal Capitalization Grants	
Tribal Match Requirements	Debt Service Coverage Projections
Existing Loan Repayments	
Borrowing Rates	Perpetuity Test Results
Investment Rates	
Reserve Fund De-allocations	

Appendix B

B.1. Loan Distribution Methodology

The Tribal Finance Department will have control over the schedule for disbursing loans. After selecting projects for funding, the Tribe will first promise loans through a loan agreement. Then, the Tribe can either disburse loans immediately or in portions. For example, a loan agreement may include providing portions of the loan on a regular schedule (e.g., monthly). Another example is that the Tribe may request the loan recipient to submit requests for review and approval prior to portions of the loan being disbursed. In rare cases, the Tribe may choose to disburse loans in full at the time the loan agreement is completed.

The Borrower agrees to apply the loan proceeds solely and exclusively to the payment, or to the reimbursement of the borrower for the payment, of project costs and further agrees to exhibit to the Finance Department receipts, vouchers, statements, bills of sale or other evidence of the actual payment of such project costs.

The Tribe is attempting to achieve a loan utilization rate of 100%. The loan utilization is calculated by dividing the amount of executed loans (the total value of loans that have been promised to recipients through loan agreements) by cumulative funds available (all funds that are held by the entity loan fund, including those that have been disbursed as loans).

The Tribe is also considering distributing funds within 18 months after receiving the capitalization grant from FEMA.

Based on initial loan distribution activities, the Tribe may implement advanced loan commitment, which means committing loans based on the future availability of capitalization grant funds. The Tribe will compare actual loan disbursements to projections to support financial trend analysis. Tracking loan disbursement trends will also help the Tribe inform loan recipients of the availability of funds for the next loan application cycle.

Appendix C

C.1. Project Proposal List Prioritization Methodology

The priority list for projects begins with projects that mitigate the frequent damage resulting from severe storms and flooding, as well as associated debris flow. This is followed by projects that mitigate the damage resulting from wildfires. Determination criteria will be used in selection of projects.

Questions considered in prioritization include:

- Is the project included in the La Jolla Tribal Multi-Hazard Mitigation Plan?
- How much risk is mitigated by the project in terms of
 - A. frequency of damage,
 - B. greatest need
 - C. highest benefit in relation to cost
- What benefits are provided by the project?
- Expressed interest of Tribal departments in applying for disaster mitigation loans?
- Do applicants have the financial and administrative capabilities to track and repay a loan?
- Did applicants include projects that were less than \$5,000,000.00?

