
CALIFORNIA RIVER PARKWAYS AND URBAN STREAMS RESTORATION GRANT PROGRAMS

**Funded by
THE SAFE DRINKING WATER, WATER QUALITY AND SUPPLY,
FLOOD CONTROL, RIVER AND COASTAL PROTECTION
BOND ACT OF 2006**

PROPOSITION 84 GRANT GUIDELINES & APPLICATION



**STATE OF CALIFORNIA
THE RESOURCES AGENCY
AND
THE DEPARTMENT OF WATER RESOURCES**

AUGUST 2008

Technical Assistance Workshops

Five workshops will be held during September and October 2008 to provide applicants assistance in preparing grant applications for both grant programs (see shaded box below for workshop dates, times and locations).

Staff from both programs as well as members of the technical committee will be available at each workshop to answer questions.

As workshops are subject to rescheduling, we recommend that you RSVP* to the workshop of your choice, check the website at resources.ca.gov, or call (916) 653-2812 before traveling to the workshop.

October 2 Thursday	Fresno (Central Valley) 1:00 – 3:30 p.m. Fresno County Library – Woodward Branch Meeting Room 944 East Perrin Avenue, Fresno, CA 93720 (Free parking available adjacent to the library.)
October 8 Wednesday	Los Angeles 10:00 a.m. – 12:30 p.m. Los Angeles River Center – California Building Atrium 570 West Avenue 26, Los Angeles, CA 90065 (Free parking available adjacent to the LA River Center.)
October 9 Thursday	San Diego (Southern Coast) 10:00 a.m. – 12:30 p.m. San Diego County Department of Planning and Land Use - DPLU Hearing Room 5201 Ruffin Road, San Diego, CA 92123 (Free parking available adjacent to the building, but may be limited due to voter registration deadline.)
October 14 Tuesday	Redding (Northern California) 1:00 – 3:30 p.m. Redding City Hall - Community Room 777 Cypress Avenue, Redding, CA 96001 (Limited parking available at City Hall.)
October 15 Wednesday	Mountain View (San Francisco Bay Area) 10:00 a.m. – 12:30 p.m. Mountain View City Hall - Council Chambers 500 Castro Street, Mountain View, CA 94039 (Free parking is available in the parking garage located below City Hall.)

***RSVP for Technical Assistance Workshops is recommended. Please call (916) 653-2812 or email riverparkways@resources.ca.gov to confirm attendance.**

Application Deadline

Applications must be received by 4:00 p.m. on Wednesday, November 12, 2008.

Send application package to:
California River Parkways Grant Program/
Urban Streams Restoration Grant Program
The Resources Agency
Attn: Bonds and Grants Unit
1416 Ninth Street, Suite 1311
Sacramento, CA 95814

Contact Information

For general application process questions, contact Resources Agency at:

Phone: (916) 653-2812
Email: riverparkways@resources.ca.gov

For technical project questions, contact:

River Parkways

Phone: (916) 653-2812
Email: riverparkways@resources.ca.gov

Website:

http://www.resources.ca.gov/bonds_riverparkways.html

Urban Streams Restoration

Bill Hoffmann
Phone: (916) 651-9626
Email: whoffman@water.ca.gov

Website:

<http://www.watershedrestoration.water.ca.gov/urbanstreams/>

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I. INTRODUCTION

The Resources Agency (Agency) and the Department of Water Resources (DWR) collaborated in preparing this combined grant application process for the River Parkways (RP) and Urban Streams Restoration (USR) grant programs. The intent is to provide applicants the opportunity to submit one application package for these two programs, which have similar goals and objectives. However, since there are differences between the programs, grantees are encouraged to read the guidelines thoroughly. Once awards are determined, Agency will continue to administer RP grants and DWR will continue to administer USR grants.

These guidelines establish the process that will be used to solicit applications, evaluate proposals, and award grants under these two competitive programs. Program goals include:

River Parkways: (1) protecting and restoring riparian and riverine habitat; and (2) directly improving the quality of life in California by providing important recreational, open space, wildlife, flood management, water quality, and urban waterfront revitalization benefits to communities in the State.

Urban Streams Restoration: (1) reducing property damage caused by flooding or erosion; (2) restoring, enhancing, or protecting the natural ecological values of streams; and (3) promoting community involvement, education, or stewardship.

California voters passed the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006. It added to the Public Resources Code, Section 75050, authorizing the Legislature to appropriate the following:

River Parkways: The sum of sixty-two million dollars (\$62,000,000) to Agency for the acquisition, restoration, protection and development of river parkways in accordance with the California River Parkways Act of 2004 (see page 53).

Urban Streams Restoration: The sum of eighteen million dollars (\$18,000,000) to DWR for the USR program pursuant to Water Code Section 7048 (see page 55).

- The term “programs” applies to both the RP and USR grant programs, except where specified.
- Definitions for key words can be found in the Glossary, (see page 64)
- Applicants to both programs must meet all requirements for both programs

- There are no minimum grant amounts and matching contributions are not required but are strongly encouraged to be competitive. However, evaluation of USR projects will consider the financial resources available to the applying partners.

II. ELIGIBILITY

A. Applicants

Applicants may apply for funding from the RP program, the USR program, or both. Use the following criteria to determine whether the project is eligible for funding from one program, or both.

Applicant *	Eligibility		
	RP	USR**	Both grant programs**
Local Public Agency*	X	X	X
Nonprofit* (501(c)(3))	X	X	X
State*	X		
Citizens' Group*	X***	X	X
* See Glossary (see page 64)			
** Must have <u>two</u> applicants, one of which is a Local Public Agency and the other a Citizens' Group or Non-Profit			
*** Must be 501(c)(3) Nonprofit			

B. Projects

- **All** - Must involve natural creeks, streams and/or rivers, even if they flow only during the rainy season, **or** channelized or culverted creeks, streams and/or rivers.
- **River Parkways** - Must meet at least **two** of the following five statutory conditions:
 - **Recreation** - Provide compatible recreational opportunities, including trails for strolling, hiking, bicycling and equestrian uses along rivers and streams.
 - **Habitat** - Protect, improve, or restore riverine or riparian habitat, including benefits to wildlife habitat and water quality.
 - **Flood Management** - Maintain or restore the open space character of lands along rivers and streams so that they are compatible with periodic flooding as part of a flood management plan or project.
 - **Conversion to River Parkways** - Convert existing developed riverfront land into uses consistent with river parkways.
 - **Conservation and Interpretive Enhancement** - Provide facilities to support or interpret river or stream restoration or other conservation activities.

Must provide public access

- **Urban Streams Restoration** – Must have the following elements:
 - Provide flood management or erosion control benefits.
 - Restore or enhance riparian or riverine ecosystem functions.
 - Promote public awareness and local stewardship of streams by involving the community in planning, implementing, monitoring or maintaining the stream restoration project.
 - Meet the definition of an Urban Stream (see page 68).
 - Grant request cannot exceed \$1 million.

C. Ownership/Site Control

River Parkways: If the project site is not owned by the grantee, an agreement (e.g. lease, joint powers agreement, easement, encroachment permit) is required between the grantee and the owner of every parcel, allowing for the development and operations and maintenance of the property as required by the program (see page 44).

Urban Streams Restoration: If the entire project site is not owned by one of the grantees, property owners must sign letters which demonstrate knowledge of the proposed project and allow grantees (with reasonable notice), to access, implement, and when applicable, operate and maintain the project (see page 45).

D. California Environmental Quality Act (CEQA) Compliance

All projects must comply with CEQA. Applications for the River Parkways and/or Urban Streams Restoration program must include one of the following:

1. Initial Study (IS) or Checklist (*Drafts acceptable for application purposes.*)
2. Notice of Exemption (NOE)
3. Negative Declaration or Mitigated Negative Declaration
4. Environmental Impact Report

E. Other Eligibility Requirements

- All projects must comply with labor codes and other applicable codes and regulations.
- All real property to be acquired must be from a willing seller(s) (see page 68, for definition of willing seller).
- Applicants and co-sponsors that are water supply agencies, or sub-divisions of water supply agencies, must provide documentation showing they have a complete Urban Water Management Plan or are not subject to the Urban Water Management Planning Act (California Water Code, Sections 10610 et. seq.).
- Applicants that are urban water suppliers may be required to comply with Water Code Section 10631.5, which conditions grant funding on implementing the water demand management measures described in Section 10631. Applicants will be notified prior to grant award if compliance with Water Code Section 10631.5 will be required.

Water demand management measures include, but are not limited to:

- System Water Audits, Leak Detection and Repair
- Metering with Commodity Rates for All New connections and Retrofit Existing Connections
- Public Information
- School Education
- Conservation Pricing
- Conservation Coordinator
- Water Waste Prohibitions
- Wholesale Agency Assistance Programs (as applicable)

For additional information regarding the *Urban Water Management Planning Act*, visit the DWR website on the topic at: <http://www.owue.water.ca.gov/urbanplan/index.cfm>

F. Eligible and Ineligible Projects – Examples for River Parkways

Eligible River Parkway Projects - The items below provide examples of project elements that meet statutory conditions. (This is <u>not</u> a comprehensive list.)	Ineligible River Parkway Projects/Applications – The items below provide examples of projects and elements NOT funded under this program. (This is <u>not</u> a comprehensive list.)
<p>Recreation</p> <ul style="list-style-type: none"> • Create or expand trails for walking, bicycling and/or equestrian activities that are compatible with other conservation objectives. • Improve existing river parkways by providing amenities such as picnic and rest areas, shade ramadas, etc. • Provide river access for non-motorized activities such as fishing, canoeing, etc. • Acquire property along a river to be used for compatible recreational opportunities such as picnics, nature viewing, etc. • Relocate or reconstruct existing trails to correct environmental damage. <p>Habitat</p> <ul style="list-style-type: none"> • Convert channelized streams or rivers to a more historical flow pattern that will promote the structure, function and dynamics of Riparian and Riverine habitat. • Acquire land that will be managed to increase the size and quality of existing Riparian Habitat. • Remove exotic and/or invasive plants along stream corridors that damage habitat. <p>Flood Management – as part of a flood management plan or flood management project</p> <ul style="list-style-type: none"> • Expand existing River Parkway by acquiring adjacent lands to accommodate periodic flooding. • Restore land to natural floodplain forms, including wetland areas that will accommodate periodic flooding. • Acquire streamside parcels that have historically flooded to become a River Parkway. <p>Conversion to River Parkways</p> <ul style="list-style-type: none"> • Convert riverfront land from industrial use into public multi-use areas such as floodplains, wetlands, public trails, etc. • Revitalize urban neighborhoods by removing abandoned structures along the riverfront to provide open space with river access for the public. • Acquire commercial or agricultural property along a riverfront to expand existing River Parkways. <p>Conservation and Interpretive Enhancements</p> <ul style="list-style-type: none"> • Construct an overlook area for a restored wetland with interpretive signage, where the public can observe the project benefits. • Construct a boardwalk adjacent to sensitive habitat to allow public viewing without disturbing flora or fauna. • Develop open-space areas such as demonstration gardens/basins that illustrate Restoration/conservation project benefits. • Provide informational displays, interpretive kiosks and signage to present information/maps about the River Parkway, its restoration projects, wildlife, etc. • Construct small scale structures designed to secure kiosks and displays. 	<ul style="list-style-type: none"> • Projects with no river or stream linkage. • Projects that include acquisition of property that cannot be purchased at fair market value. • Planning only, or operations and maintenance projects. • Programmatic projects, such as education and outreach. • Projects that exclusively fulfill mitigation requirements. • Active recreation projects (including playgrounds, skateboard parks, basketball courts and ball fields). • Recreational activities not compatible with the specific environment or location in which they are situated. • Projects that upgrade, expand or facilitate motorized use of trails (even when used by non-motorized trail users). • Projects that create or improve roads for motorized use. • Projects that will not be completed in the allotted timelines. • Parking lots, bridges or infrastructure. (Parking areas, bridges or infrastructure may be funded only as a necessary but minor component of the project to make the River Parkway accessible to the public.) • Dredging behind dams to reduce siltation, or other purposes. • Projects that construct multiple-use buildings, educational facilities or regional community centers. • Renovation/restoration of structures on converted riverfront land. • Development projects contingent on future acquisition for project implementation. • Projects that include both acquisition and development (project must be one or the other, not both.) • Projects that attempt to meet one of two statutory conditions with Landscaping instead of Restoration. (Landscaping may be funded only as a minor component of a larger project that meets two statutory conditions.) • Projects that are intended to correct problems caused by inadequate maintenance. • Applications that include more than one project.

G. Eligible and Ineligible Projects – Examples for Urban Streams Restoration

Eligible Urban Streams Projects - The items below provide examples of past Projects that have been competitive for Urban Streams Restoration Grant funding: (This is <u>not</u> a comprehensive list.)	Ineligible Urban Streams Projects/Applications – The items below provide examples of projects and elements NOT funded under this program. (This is <u>not</u> a comprehensive list.)
<ul style="list-style-type: none"> • Projects designed to organize and/or supervise volunteer labor to clear trash and excessive debris from stream channels and perform revegetation, erosion control and bank stabilization work. • Projects designed to develop and implement stream restoration and/or flood plain/corridor restoration plans. Planning projects must contain an action component indicating that on-site work will be performed. • Projects designed to use bioengineering techniques to install plant materials, large woody debris, rock, biodegradable fabrics, mulch, fencing, irrigation or drainage systems necessary to control erosion, stabilize banks, improve channel capacity, and diversify habitats. • Projects designed to remove culverts or storm drains as needed to stabilize and restore channels while preserving or accomplishing flood control objectives. • Projects designed to carry out nonstructural flood control actions that contribute to the goal to protect, restore and enhance natural stream environments, including the acquisition of land, and the elevation, relocation and/or flood proofing of public or private structures in conjunction with restoration activities. • Projects that utilize local Citizens' Groups, neighborhood volunteers, community conservation corps, or Nonprofit organizations, to provide local stream, stewardship, or implement flood mitigation, restoration, or cleanup activities. 	<ul style="list-style-type: none"> • Exclusively educational or fish and wildlife enhancement projects (though projects that address flooding or erosion and include educational and habitat benefits are more competitive and eligible than a single purpose project) • Lakes or reservoir enhancements • Wetlands or marsh projects, except where restoration will reduce flooding or erosion or address sediment problems on an adjacent urban stream • Projects that do not include an “on-the-ground” implementation component (a planning only grant). • Mitigation for development or other projects (though <u>USR</u> can fund restoration activities which are above and beyond mitigation requirements at the same site if clearly distinguished from mitigation work). • Projects focused on flood-proofing multiple structures only.

III. SELECTION PROCESS

1. Applicants submit a complete grant application to the State by the deadline.
2. Applications are reviewed for completeness and eligibility.
3. Incomplete or ineligible applications may not be evaluated or considered for funding, at the sole discretion of the State. (A "master" application containing several projects at more than one location is not eligible for funding. However, applicants may submit more than one grant application per grant round.)
4. Applications will be evaluated using the established criteria and any additional funding considerations for each program (see page 14).
5. Site visits may be scheduled prior to funding decisions.
6. Proposals are recommended for funding to the Secretary for the Resources Agency and the Director for the Department of Water Resources.
7. Final funding decisions are determined and announced.

All information contained in grant applications is confidential until the grant awards are announced.

IV. GRANT ADMINISTRATION

1. State sends Grant Agreement and materials for grant administration to grantee.
2. Grantee signs and returns all required copies back to the State for signature (a fully executed copy will be returned to the Grantee).
3. Grantee submits completed appraisal, purchase documents, etc., for State review (acquisition projects only).
4. Grantee commences preliminary work (planning/design/CEQA, etc.) on the project and submits requests for reimbursements, as applicable.
5. Grantee submits CEQA compliance documentation.
6. Grantee may be asked to submit preliminary plans to the State for review and comments.
7. Grantee submits final site plans, bid documents, cost estimate (as applicable) for review by the State prior to commencing with construction, and verification that all required permits are secured.
8. Grantee posts signs at a visible spot on the site acknowledging source of funds.
9. Grantee commences construction work on the project and may submit payment requests for reimbursement of project expenditures.
10. State may schedule periodic on-site visits and request periodic progress reports from the grantee.
11. Grantee completes project and submits project completion packet (to be provided under separate cover).
12. State makes final project inspection and approves final payment.

The grant may be audited annually during the course of the project and for three years after the project is completed.

A. Eligible Costs

River Parkways: Direct project-related costs incurred during the project performance period specified in the Grant Agreement will be eligible for reimbursement. All eligible costs must be supported by appropriate documentation. Costs incurred outside of the performance period are not eligible for reimbursement. Indirect/overhead costs are not eligible for reimbursement (see page 67 for definition of overhead costs).

Urban Streams: Direct project-related costs specified in the Grant Agreement will be eligible for reimbursement. All eligible costs must be supported by appropriate documentation. Costs incurred prior to the performance period may be eligible for reimbursement, at the Department's discretion. Some overhead costs are eligible for reimbursement (see page 67 for definition of overhead costs).

The project scope (i.e., the activities to be completed using either 100% grant funds or a combination of grant funds and matching funds) must meet the eligibility requirements stated below. However, grant funds need not fund all activities used to meet eligibility requirements.

B. Payment of Grant Funds

Funds cannot be disbursed until there is a fully-executed Grant Agreement between the State and the Grantee. Funds for construction/implementation cannot be disbursed until CEQA is completed.

Development projects:

- Payments will be made on a reimbursement basis (i.e., the grantee pays for services, products or supplies and is then reimbursed by the State).
- Ten percent (10%) of the amounts submitted for reimbursement may be withheld and issued as a final payment upon project completion.
- As a general rule, advance payments for development project costs are not allowed.

Acquisition projects:

- State-approved purchase price, together with eligible acquisition costs, may be advanced into an escrow account within 60 days of close of escrow. All disbursements may be subject to a ten percent (10%) retention, withheld at the sole discretion of the State.
- The remainder of the Grant, if any, shall be available on a reimbursable basis for other eligible project costs.

C. Site Visits

The State may make periodic visits to the project site, including a final inspection. The State will determine if the work is consistent with the approved project scope and ensure compliance with signage requirements.

D. Loss of Funding *(not a complete list)*

The following are examples of actions that may result in a grantee's loss of funding:

- Grantee fails to execute a grant agreement.
- Grantee withdraws from the grant program.
- Property cannot be acquired at approved fair market value.
- Grantee loses willing seller(s).
- Grantee fails to submit required documentation within the time periods specified in the grant agreement.
- Grantee fails to submit evidence of CEQA compliance as specified by the grant agreement.
- Grantee changes project scope without prior approval from the State.
- Grantee fails to complete the project.
- Grantee fails to demonstrate sufficient progress.

If grant funds were advanced, those funds, plus any accrued interest, must be returned to the State.

V. APPLICATION PACKAGE

Online application form and instructions available at:

<http://resources.ca.gov/bonds/apply/GrantsApplication.html>

Once the application form is completed and submitted online, print, sign and mail the application form and the required supporting materials to the Resources Agency (see page iii for mailing address).

Preparing a Grant Application Package

Submit one application package for each project. If a project meets both RP and USR program requirements, submit one application form for each program, with one copy of the required supporting material (see page 24). Each application form should reflect the total grant dollars being requested for the project.

1. Use 8½" x 11" paper and a 12-point type, easy-to-read font. [Note: This is 12- point type, in Arial font.]
2. Clearly label each item and number all pages in sequential order (hand written page numbers are acceptable).
3. The titles used by applicants to represent project elements should be consistent throughout the application package, including scope and cost estimate.
4. Application package to submit:
 - One (1) hard copy with all original signatures, including electronic submission of application form(s)
 - Please refer to Application Package Checklist (page 46) for additional copies to submit.
 - One (1) CD with all application materials in an electronic format
5. Materials should be presented unbound in the order indicated below and as summarized in the application package checklist on page 46.

The grant application package has four sections:

1. Application form(s) (see pages 10-12)
2. One-page summary - provide a brief summary of the project that includes all applicable requested information (see page 13)
3. Project evaluation – answer all project evaluation questions that apply to the proposed project (see Project Evaluation, beginning on page 14)
4. Required supporting materials (see page 24 for a detailed list). All supporting documents are also listed in the application package checklist (see page 46).

Certain types of projects may require the services of a licensed professional engineer or licensed professional geologist to comply with the requirements of the *Business and Professions Code Section 6700 et. seq. (Professional Engineers Act)*, and *Section 7800 et. seq. (Geologists and Geophysicists Act)*.

Section A. River Parkways Grant Program Application Form

Online application form and instructions available at
<http://resources.ca.gov/bonds/apply/GrantsApplication.html>.

Once the application form is completed and submitted online, print, sign and mail the application form with the required supporting materials to the Resources Agency (see page iii for mailing address).

Project Name	Estimated Date of Completion: _____ Grant Amount Requested: \$ _____ Estimated Total Project Cost: \$ _____ (State Grant and other funds and In-Kind donations)					
APPLICANT/SPONSOR (with mailing address) Check one: Non-Profit <input type="checkbox"/> Local Public Agency <input type="checkbox"/> State Agency <input type="checkbox"/>	County	Nearest City/Town				
Project Address (or nearest cross street)						
<table style="width: 100%; border: none;"> <tr> <td style="width: 33%; border: none;">Senate Dist.</td> <td style="width: 33%; border: none;">Assembly Dist.</td> <td style="width: 34%; border: none;">US Congressional Dist.</td> </tr> </table>				Senate Dist.	Assembly Dist.	US Congressional Dist.
Senate Dist.	Assembly Dist.	US Congressional Dist.				
Applicant's Representative Authorized in Resolution (Signature required at bottom of this page)						
Name: _____ Title: _____ Phone: _____ Email Address: _____						
Project Manager - Person with day to day responsibility for project (if different from authorized representative)						
Name: _____ Title: _____ Phone: _____ Email Address: _____						
Brief description of project (Summarize major activities to be funded by this RP Grant)		Latitude	Longitude			
		Coordinates Represent: _____ Coordinates Determined Using: _____				
Name of River, Stream or Creek:						
Two (2) statutory conditions	Recreation <input type="checkbox"/> Habitat <input type="checkbox"/> Flood Management <input type="checkbox"/> Conversion <input type="checkbox"/> Conservation & Interpretive Enhancement <input type="checkbox"/>	Public Access <input type="checkbox"/> Project Type: _____ Created: _____ Restored: _____ Acquired: _____				
I certify that the information contained in this project application, including required attachments, is complete and accurate.						
Signed: _____ Date: _____ <div style="text-align: center; color: red;">Applicant's Authorized Representative as shown in Resolution</div>						
Print Name:	Print Title:	Designee? Y N If yes, attach letter of designation from authorized representative.				

Urban Streams Restoration (USR) Grant Program

Application Form (page 1 of 2)

Online application form and instructions available at
<http://resources.ca.gov/bonds/apply/GrantsApplication.html> .

Once the application form is completed and submitted online, print, sign and mail the application form with the required supporting materials to the Resources Agency (see page iii for mailing address).

Project Name		Estimated Date of Completion:	
		Grant Amount Requested: \$	
		Estimated Total Project Cost: \$ (State Grant and other funds and In-Kind donations)	
Brief description of project (Summarize major activities to be funded by this USR Grant)		Latitude	Longitude
		Coordinates Represent: _____	
		Coordinates Determined Using: _____	
Name of River, Stream or Creek: _____			
List all Counties the Stream runs through: _____			
USR program requirements	Restoration <input type="checkbox"/>	Public Access <input type="checkbox"/> Project Type: _____ Created: _____ Restored: _____ Number of Acres to be Acquired: _____	
	Flood Management or Erosion <input type="checkbox"/>		
	Community Involvement <input type="checkbox"/>		
	Urban Streams Definition Met? <input type="checkbox"/>		
	APPLICANT/SPONSOR (with mailing address) Check one: Non-Profit <input type="checkbox"/> Local Public Agency <input type="checkbox"/> Community/Citizens' Group <input type="checkbox"/>		County
Project Address (or nearest cross streets)			
		Senate Dist.	Assembly Dist.
		US Congressional Dist.	
Applicant's Representative Authorized in Resolution (Signature required on page two of this form)			
Name: _____		Title: _____	
Phone: _____		Email Address: _____	
Project Manager - Person with day to day responsibility for project (if different from authorized representative)			
Name: _____		Title: _____	
Phone: _____		Email Address: _____	

Urban Streams Restoration Grant Program

Application Form (page 2 of 2)

Online application form and instructions available at
<http://resources.ca.gov/bonds/apply/GrantsApplication.html>

Once the application form is completed and submitted online, print, sign and mail the application form with the required supporting materials to the Resources Agency (see page iii for mailing address).

Project Name: _____		
CO-SPONSOR (with mailing address) <div style="text-align: right;">Check one:</div> <div style="display: flex; justify-content: flex-end; gap: 10px;"> <div>Non-Profit <input type="checkbox"/></div> <div>Local Public Agency <input type="checkbox"/></div> <div>Community/Citizens' Group <input type="checkbox"/></div> </div>	FISCAL AGENT (with mailing address) <div style="text-align: right;">Check one:</div> <div style="display: flex; justify-content: flex-end; gap: 10px;"> <div>Non-Profit <input type="checkbox"/></div> <div>Local Public Agency <input type="checkbox"/></div> </div>	
Co-Sponsor's Representative Authorized in Resolution Name: _____ Title: _____ Phone: _____ Project Manager Name _____ Title: _____ Email address: _____ Phone: _____	Fiscal Agent's Representative Name: _____ Title: _____ Phone: _____ Project Manager Name _____ Title: _____ Email address: _____ Phone: _____	
I certify that the information contained in this project application, including required attachments, is complete and accurate. Signed: _____ Date: _____ <div style="text-align: center; color: red;">Applicant's Authorized Representative as shown in Resolution</div>		
Print Name:	Print Title:	Designee? Y N If yes, attach letter of designation
I certify that the information contained in this project application, including required attachments, is complete and accurate. Signed: _____ Date: _____ <div style="text-align: center; color: red;">Co-Sponsor's Authorized Representative as shown in Resolution</div>		
Print Name:	Print Title:	Designee? Y N If yes, attach letter of designation
I certify that my agency will serve as Fiscal Representative for the Applicant/Sponsor. (No other certification implied.) Signed: _____ Date: _____ <div style="text-align: center; color: red;">Fiscal Agent's Representative</div>		
Print Name:	Print Title:	

SECTION B: ONE-PAGE PROJECT SUMMARY

- A. Summarize how the project meets the program goals. Include a brief description of current site conditions, project activities, community partnerships, and benefits of the proposed project.

- B. Summarize major components of the project.

Sample Project Categories	Requested Grant Funds	Other Funding Source(s)	Total Cost
Project management/administration			
Planning, design, & permitting			
Implementation/construction			
Land acquisition			
Plant establishment & project assessment			
Contingency			
Total			

- C. Summarize any public access components of the project. If the project is part of a larger parkway plan, summarize how the project is incorporated into this parkway plan.

SECTION C: PROJECT EVALUATION

The information provided in this section will be used to evaluate the project and should demonstrate how effectively the project meets the respective goals of the RP and/or USR grant programs.

Projects will be evaluated using the following criteria to determine an initial ranking, with a score of 120 points possible. **Points will be attributed to each section and not to individual questions.**

Criteria		RP Points	USR Points
1.	Project Requirements/Statutory Conditions	30	45
2.	Community Support and Collaboration	30	30
3.	Public Access and Location	15	N/A
4.	Organizational Capacity & Project Sustainability	15	15
5.	Project Readiness	15	15
6.	Additional Project Characteristics and Benefits	10	5
7.	Other Sources of Funds & In-Kind Contributions	5	10
Total Points Possible		120	120

Proposals submitted to both programs for consideration will be scored separately based on each program's criteria. Projects may be more competitive in one program versus another.

Additional Funding Considerations

- Projects including hardscape such as restrooms, parking lots and in-stream engineered structures may be subject to additional technical review to determine engineering is compatible with environmental issues and geomorphic constraints and consideration.
- For the USR program, DWR will consider the balance between small and large projects (as specified in Water Code Section 7048(b)(3)), and will coordinate with the CALFED Bay-Delta Program to ensure that projects do not conflict with CALFED goals and objectives.
- The State may consider other factors in the final grant awards for both programs, such as but not limited to, multiple agency collaboration, support and involvement of community groups, economic benefits, statewide significance, and the geographic distribution of bond funds. Partial funding may be considered to fully maximize grant awards.

SECTION C - Key Points

- Answer all questions, unless otherwise noted, in the order listed and clearly label each response.
- Limit the project evaluation questions to fifteen numbered pages.
- In C-1 (Project Requirements/Statutory Conditions) each applicant will answer different questions depending upon the program selected.

C-1: Project Requirements and Statutory Conditions

River Parkways: Answer each of the questions listed under the two statutory conditions that best apply to the project, as indicated on the Application Form (see pages 10-12). (If the project meets additional statutory conditions, an opportunity to explain is provided in Section C-6, page 22.)

Urban Streams Restoration: Answer all questions listed under A & B below, the habitat and the flood management sections. (If the project provides additional benefits, an opportunity to explain is provided in Section C-6, page 22.)

A. Habitat

1. Describe the current hydrologic conditions. Include information on type of stream (perennial, intermittent, ephemeral), channel configuration (natural, channelized, culverted, etc.), and factors affecting stream function such as watershed development, land use changes, dams or other artificial constrictions.
2. Describe the project site conditions in the context of the stream reach, including environmental concerns about vegetation (e.g., natives, exotics), wildlife and aquatic species habitat, water quality and other issues.
3. Describe how the project will protect, restore, enhance, or preserve a riparian environment using either common or scientific names to identify elements.
 - How will the project specifically benefit fish and wildlife?
4. Describe the planned stream restoration or watershed management techniques, including any biotechnical methods or other innovative methods intended.
 - For innovative approaches to stream management, describe how the approach may influence imminent projects in the area.
 - If the project will use conventional construction materials like manufactured block or concrete, describe why these materials were selected vs. other alternatives, and how these materials will be integrated into the landscape in a natural way.
5. Describe specific riverine or riparian elements that will be established with the project, including but not limited to:
 - Structures: channel, riparian corridor, floodplain, terrace, pools and riffles, etc.

- Functions: transporting sediment, forming and/or reforming bars and pools, flooding onto the floodplain, restoring habitat for threatened or endangered species, or re-establishing wildlife corridors.
 - Dynamics: re-vegetating to provide shade and erosion control on floodplain, providing food for insects or removing exotic species.
6. If the project includes restoration or reestablishment of wetlands habitat, explain plans to employ habitat management strategies designed to reduce mosquito production. (See: Central Valley Joint Ventures Technical Guide to Best Practices at www.centralvalleyjointventure.org/materials/CVJV_Mosquito_BMP_rev.pdf.)
 7. Is there an imminent threat to the habitat (i.e., projects planned and approved in the immediate vicinity that will preclude or conflict with the maintenance of the habitat)?
 8. What will happen to the existing habitat if this project does not occur? Will the habitat improve, decline, or be entirely lost? And, over what time period?

B. Flood Management

National Flood Insurance Program (NFIP) - If applicant is a participant in the NFIP program, it may be necessary to submit to the local flood agency certified topographic data and/or hydrologic and hydraulic analysis to support a Letter Of Map Revision (LOMR).

See the FEMA website at www.fema.gov/fima/nfip.shtm, or contact Bill Hom, Department of Water Resources, at billh@water.ca.gov or (916) 574-1413.

1. Describe current hydrologic conditions. Include information on type of stream (perennial, intermittent, ephemeral), channel configuration (natural, channelized, culverted, etc.), and factors affecting stream function such as watershed development, land use changes, dams or other artificial constrictions. (If not already answered in the Habitat section above.)
2. Describe flooding/erosion problems at the site, including information on property damage, bank failure, sedimentation, and safety hazards.
3. Describe methods used and project benefits, including:
 - How will the project reduce these flooding/erosion problems and/or stabilize the site? Quantify where possible, and provide a basis for the estimate, including any modeling that has been completed.
 - Does the project remove or improve any culverted, channelized, or other stream impairment that affects flood flow, fish passage, or other environmental factors?
 - Does the project include any innovative techniques to reduce flooding or control erosion?
4. Is there a larger flood plan/program covering the site of the project? If so, provide an overview and describe how the project relates to it.
5. Describe how the project is a supplement to or being planned in lieu of a local or cooperative local/federal flood control project? If so, provide the following information:
 - Identify and describe the local, State or federal flood management agencies involved in the project.

- Describe the proposed plans for the project and stage of the planning process.
 - Discuss involvement of the appropriate federal, State or local flood agency. Have they concurred that the project is compatible with flood protection purposes?
6. Will the project implement more environmentally sensitive flood or erosion management approaches than would otherwise be implemented? Describe.
 7. Will the project fully treat problems at the site or will additional stream-related problems exist?
 - If additional problems will remain, briefly describe the scope and funding needs of other similar projects or phases that would fully address these problems.

C. Recreation

1. Specifically describe each recreational component planned for the project:
 - Explain how the components contribute to the overall recreational goals and objectives.
 - Explain how the components are compatible with the environment and location.
2. What national, State or local construction standards will be used for recreational facilities and amenities such as trails, restrooms, bike paths, etc.?
3. If the project includes a trail, what construction materials will be used? Include any environmentally-friendly materials that will be used for trail construction (e.g., permeable surfaces). What percentage of the proposed trail system will be ADA accessible? Describe accommodations.

D. Conversion to River Parkways

1. What is currently on the property? How is the property used now?
2. How will the project convert the property into a river parkway? Include any plans for recreational and scenic amenities.
3. How does the current use contribute to the economic, social and/or recreational life of the community? How will that change as a result of the project?
4. Is the site currently occupied? Describe the number and type of occupants and any relocation plan.

E. Conservation and Interpretive Enhancements

1. Provide an overview of the planned conservation and interpretive enhancements.
 - For interpretive displays (e.g., signs, panels and/or kiosks explaining the history, biology, geology, etc., of the habitat the visitor may encounter):
 - If more than one display is planned, what overall interpretive theme will connect them?
 - What subjects will be explored and how will the information be presented?
 - If continuing an interpretive style or tradition already used elsewhere in other facilities, what feedback has been received from staff or the public, if any, on its value or effectiveness?

- For conservation enhancements (e.g., boardwalks to protect sensitive areas; overlooks to facilitate observation of a restored habitat without disturbances):
 - How will the planned conservation enhancement(s) help communicate the significance of the resource?
-

C-2. Community Support and Collaboration

A. Collaboration with Organizations

1. Describe partnerships with nonprofit groups, citizens' groups, non-governmental organizations and public or governmental agencies and their corresponding roles.
2. How does the project incorporate participation of local agencies, nonprofits, non-governmental organizations and citizens' groups in project planning, design, or implementation?
 - Describe any work completed on the project to date by each of the groups identified above.
 - Describe any outreach efforts in bringing groups from diverse cultural backgrounds and incomes into the planning process.
3. Are there relevant local land use, watershed, water management or general plans that cover the project?
 - How is the project consistent with these plans?
 - Has this project been coordinated with local land use authorities?

B. Community Support and Involvement

1. Describe community involvement and support for the project, including watershed groups, appropriate business groups, landowners, local governments, environmental groups, technical experts, neighborhood associations and individual citizens, etc.
2. Has there been any opposition to the project? If so, explain the nature of the concerns and how they were addressed.
 - Describe efforts to address potential conflicts between competing user groups.
3. Discuss any demographic, social, and/or cultural issues that are important to the local community and that will influence design, implementation, and maintenance of the project.
 - Describe the importance of the project to the local community.
4. How does the project promote and/or encourage involvement or use from diverse cultural backgrounds and incomes?
5. Describe how the project will use State or local youth employment programs (e.g., California Conservation Corps, local conservation corps or similar youth employment programs) and how the youth employment element will be integrated into the program.
6. Explain plans to keep the community informed and involved in the project.

C. Project Need

1. Describe any compelling reason(s) (timing, loss of matching funds, project momentum, etc.) the grant review team should select the project:
 - Is there an urgent need to implement the project this year?
 - What will happen to the project site if this project does not occur?
 - Describe any future actions needed beyond the scope of this project to fully address the overall project goals.
2. Is the project a continuation of previously completed work, and if so, is the next phase crucial for the continued success of the prior work? If the previous work was funded by the Agency or DWR, list the project name and year the grant was awarded.

D. Local and Regional Impacts

1. What is the expected benefit for the local community?
 - How will the project contribute to the economic stability or development of the community?
 - How does the project address environmental justice concerns?
2. Will this project encourage tourism in the area? If so, describe how.
3. Is there an Integrated Regional Water Management planning effort for this area? If so, discuss how this project relates to that plan.
4. (Acquisitions only) Does the acquisition resolve a larger resource conflict? (For example, does the acquisition take flood-prone property out of potential residential development?) If yes, explain.
5. (Acquisitions only) If the project involves acquisition of land that will not be improved until a later date, why is immediate acquisition necessary?

E. Watershed Conditions and Impacts

1. Describe how the project relates to the larger watershed. Discuss the historical and current conditions in the watershed, and describe any proactive steps being taken related to watershed management.
 2. Is there a watershed planning effort completed or underway for the stream/creek or river involved in the project? If so, describe.
 3. Describe the benefits of the project to the watershed: How will the project contribute to the health of the watershed? Describe any measurable and demonstrable water quality benefits that will result from this project.
-

C-3: Public Access and Location

All RP projects must provide public access, or be a component of a larger parkway plan that provides public access. USR projects may provide public access.

- A. Describe if and how the public will access the project site.
- B. Has the issue of competing interests between public access and ecological protection been addressed? Explain.

(Also answer questions C-E, if the project provides public access)

- C. Describe the project location and the populations to be served by the project. Address local, regional and statewide uses, if appropriate. Identify new populations served.
 - D. Describe how the project is in, or close to, population centers and the various transportation methods that are available for the public to access the project, including streets and highways, public transportation, non-motorized trails or routes of travel and other access routes.
 - E. Describe any limits such as parking, hours of operation, available staffing, user fees, seasonal restrictions or other ecological considerations.
-

C-4: Organizational Capacity and Project Sustainability

Entities must demonstrate their ability and willingness to complete and maintain the project according to program requirements.

A. Organizational Capacity:

- 1. Describe the applicant's experience in completing this type of project or similar projects within the scheduled timeframe and within the allowable budget.
- 2. Is the expertise needed for the project readily available within the applicant's organization? If not, what are the plans to acquire it? List other potential expertise needed and the persons/organizations being considered.
- 3. Identify and describe steps to be taken and the work to be completed within the first year following the award of grant funds.
- 4. Explain methods used for estimating costs and in what way the project is cost-effective.

B. Monitoring, Operations and Maintenance:

- 1. Describe data to be collected within the project performance period (grant period) to help determine whether the project has been effective and successful.

2. Describe how long-term monitoring, operations and maintenance will be provided over the time period required by the grant including:
 - What is planned for long-term maintenance?
 - Who will perform long-term maintenance? Describe their experience in maintaining this type of project.
 - How will ongoing maintenance be funded?
 3. If the project is easily affected by external events (e.g., weather, floods, fire or other disturbances), what is planned within the project design to ensure the sustainability of the project?
 4. How will the project be protected from vandalism and deterioration?
 5. What local organizations or partnerships will be assisting with ongoing operations and maintenance of the river parkway or urban stream?
-

C-5. Project Readiness

Projects that are ready to proceed may be more competitive for funding.

- A. For development projects, explain the status and timeline of the following:
 - Preliminary plans
 - CEQA compliance
 - Commitments from project partners, etc.
 - Native plant list
 - Land access/tenure agreements
 - Required permits or reviews by other agencies
 - Project mitigation requirements (permits or environmental clearance)
 - Property restrictions and/or encumbrances
- B. Describe any possible factors which could significantly delay the implementation and/or completion of the project and how these factors will be addressed (e.g., permitting delays, habitat seasonal restrictions, etc.).
- C. Are there any toxins on the property? Has a Phase I or Phase II Toxic Report been done? If so, address timing of clean-up, type of toxins and delays to project construction that might result from toxins on the site.
- D. Are there other impediments on the project site (e.g., overhead or underground utilities)? If so, explain their location and nature, including any mitigation measures planned.

(Also answer questions E-H if the project is an acquisition)

- E. Describe the actions to be taken after the acquisition is completed to develop the project. Describe the timeline to begin development (habitat or stream restoration, recreation, etc.)?

- F. Indicate how many parties will be involved in the transaction, what their roles are, and whether any party other than the applicant owns an option to buy the real property in question.
- G. Address the status and timeline of all the following:
- CEQA compliance
 - Commitments from project partners and contractors
 - Details on sale including comparable sales data.
 - Appraisal
 - Preliminary title report
 - Property restrictions and/or encumbrances
 - Negotiations with a willing seller
- H. For conservation easements, describe plans for perpetual stewardship and address the ongoing funding that will be needed to support the terms and conditions of the stewardship plan.
-

C-6: Additional Project Characteristics and Benefits

- A. Additional benefits and statutory requirements:

River Parkways: If the project meets other statutory conditions in addition to the two conditions answered in Section C-1 (page 15), indicate the additional statutory condition met and associated benefits.

Urban Streams Restoration: If the project has additional benefits such as recreation or interpretation, describe those benefits.

- B. Environmental benefits:

1. The State may consider the potential of projects that beneficially reduce or sequester greenhouse gas emissions. If the project will be used to reduce or sequester greenhouse gas emissions, explain how.
2. Will the project use recycled or reclaimed water? Will the project replace irrigated landscaping (i.e., plants, vegetation, etc.) with water-conserving, local, native plants? Describe how these practices will be included in the project.
3. Will the project utilize recycled-content materials? List the recycled-content materials to be used.
4. What, if any, energy efficiency measures will be incorporated into the project?

- C. Regional landscape use (optional for USR):

1. Within the project service area, what is the current use of river frontage?
2. Estimate the acreage of park and open-space areas currently found within the community where the project is located. How much acreage will this project add?

D. Public health (optional for USR):

1. Describe how the project may increase physical activity levels and fitness among users. What measurements (i.e., surveys) exist, or are planned, to support these projections?
 2. How will appropriate security and safety be provided?
 3. How will the project impact local/regional energy or land use, air pollution or auto emissions? Will the project be used as, or contribute to, an alternative transportation mode? Describe.
 4. Describe efforts to attract people to use the parkway? What ongoing efforts will be used to maintain and develop usage? If the project is part of a larger community-wide health initiative or coalition, provide details. Who is being partnered with to encourage use (e.g., creating walking groups, community gardens)?
 5. Describe any other public health benefits provided by the project.
-

C-7: Other Funding Sources and In-Kind Services

- A. Identify the source and amount of funds already committed to the project and expected timing of funds. Cite specific dollar amounts for cash contributions, in-kind services, volunteer effort, donated labor and materials, technical expertise, etc.
- B. Indicate any other grants where funding has been requested, the requested amount, and the expected notification date.
 - If funding is not received from other sources, is the requested grant amount sufficient to complete the project? Explain.
- C. What other options are available to meet the project objectives if this grant request is not successful?
- D. What is the contingency plan for implementation if the project is over budget?

SECTION D: REQUIRED SUPPORTING MATERIALS

Please refer to Application Package Checklist (page 46) for the appropriate number of copies of each of the following, to submit with the application package:

1. **Assessor's Parcel Map** – Photocopy from Assessor's Office, with project parcels highlighted and full parcel number clearly labeled.
2. **Location Map** – Directional map, with enough detail to allow a person unfamiliar with the area to locate the project site. Include a Thomas Brothers Guide map if project is in an urban area; include other maps or aerial photographs. Streets and other notable landmarks should be clearly marked to allow for easy identification. Maps or images must fit into an 8½" x 11" folder.
3. **USGS 1:24,000 Scale Quad Map** – Project area should be clearly marked.
4. **Site Plan** – All site plans should contain details of the property. Indicate the names and location of rivers, creeks or streams that abut or cross the property, other natural/geologic features, as well as any existing buildings and/or impediments (wells, storm drains, power lines, etc.), including exterior boundaries, public access points and proposed signage (bond acknowledgement signage and any other interpretive signage).
 - For all USR and any RP projects that cite stream and streamside habitat restoration as an objective, submit the following information:
 - Summary of a concept restoration plan that includes a cross-section, and plan-view and longitudinal profile of the proposed restoration project.
 - Submit the same information and views for existing conditions.
 - A list of plants that currently inhabit the site (dominant overstory and understory species) and an appropriate local native plant species list proposed for implementation.
 - Any additional maps, photos, etc. that will help evaluate the benefits of the project.
 - For RP development projects, the site plan should include details regarding the location of the improvements (trails, vegetation, restrooms, amenities, etc.). Plan should be specific enough to allow someone unfamiliar with the project to visualize it in detail. Site plans of a future or master parkway may be submitted but should not replace the project site plan.
5. **Flood management project information** –
 - Evidence that the responsible umbrella flood agency (federal, state, local level) concurred that the project is compatible with flood protection purposes and state whether it is part of a flood management plan or project.
 - Floodplain maps (state and federal). Show location of the project relative to mapped flood zones as applicable. Floodplain maps are not required for USR creek cleanup projects.
6. **Local support** -
 - USR applicants must include letters of support from the local community and organizations involved in the project.
 - RP applicants that are not a city or county must provide evidence of collaboration and support from the applicable local jurisdiction.

7. **Cost estimate and timeline** – For development projects, provide a cost estimate reflecting all costs associated with the project. Identify costs included in the grant request and costs covered by other funding sources. Show all costs by type, unit, quantity and total dollar amount. Indicate the timeline to complete each major task. Projects using in-house services must also detail the labor, materials and equipment costs as separate line items. Include Proposition 84 acknowledgement signage costs as an individual line item (see page 48).
8. **Land acquisition form** – Submit a land acquisition form for each escrow (see page 34).
9. **Photographs** – Provide up to ten (10) labeled color photographs of different views of the project site reflecting current conditions, flooding or erosion problems, and/or the locations of restoration work. Pictures should be no larger than 8 ½ by 11 inches.
10. **Signed authorizing resolution(s) from applicant and co-sponsor, as applicable -**
 - **RP** must submit authorizing resolution from governing board (see page 36). Certification Letter acceptable for agencies without a governing board (see page 37).
 - **USR** must submit authorizing resolutions from both the applicant and the co-sponsor (see pages 38-40).

Resolutions may be submitted later than the application filing deadline if the board meeting schedule prohibits the applicant from obtaining a signed resolution at application filing. Submit the draft resolution(s) and indicate the board meeting date(s) when the resolution(s) will be adopted.

11. **Evidence of Willing Seller** – For acquisitions, provide a letter from each landowner indicating they are a willing participant in the proposed real property transaction (see page 41). The letter should clearly identify the parcels owned by each willing seller and indicate that if grant funds are awarded, the seller is willing to enter into an agreement or negotiation for an agreement for the sale of the real property at a purchase price not to exceed fair market value.

If the grantee has plans to immediately transfer title to the property, a letter of agreement between the grantee and the eventual title holder must be also be included with the application. All transfers must be approved by the State.

12. **Project Permit/Approval Status** – For development projects, indicate the types of permits necessary to complete the project, permitting submittal and acquisition status, and potential project delays due to permitting (see Project Permit/Approval Status, page 42).
13. **Property Data Sheet** – For development projects, complete the property data sheet for all parcels included in the project (see page 43).
14. **Adequate Site Control/Land Tenure** – Provide copies of documents specifying current ownership information associated with each and every parcel involved in the project.

Examples of such documents include tax records, owner data sheets from county records, recorded deeds, title reports or other documents that verify ownership. All documents verifying ownership must have the parcel numbers clearly indicated on the document (handwritten acceptable).

For RP projects, if the property is owned by a party other than the applicant, provide copies of leases, joint powers agreements, easements, encroachment permits and/or other documents that show long-term access to and interest in the property and that authorize the applicant to develop the project (see page 44 for minimum site control requirements).

For USR projects, if the entire project site is not owned by one of the grantees, property owners must sign letters which demonstrate knowledge of the proposed project and allow grantees (with reasonable notice) to access, implement, and when applicable, operate and maintain the project (see page 45).

15. Operations and Maintenance

For RP projects, if operations and maintenance will be performed by another entity explain and provide evidence of concurrence from that entity, e.g., memoranda of understanding, operational agreement, letters of intent, etc., signed by all parties. If an agreement has not yet been executed, a signed letter by the landowner indicating their intent to enter into such an agreement is acceptable.

For USR projects, see page 45.

- 16. Stewardship Plan** – If acquiring a conservation easement, provide a plan describing the proposed restrictions and reservations for the easement and the funding mechanism available to support the plan.
- 17. Other Sources of Funds** – Identify all funding sources necessary to complete the project. Indicate if funds have been committed or requested and provide evidence. Include cash contributions, in-kind services, volunteer efforts, donated labor and materials, technical expertise, etc. Cite specific dollar amounts and the percentages of the total project funding provided from all sources.
- 18. Eligibility for Nonprofit Applicants** - Evidence that the corporation is qualified under Section 501(c)(3) of the *Internal Revenue Service Code*.
- 19. Eligibility for Water Supply Agencies** - applicants and/or co-sponsors who are water supply agencies must provide documentation that they have a complete Urban Water Management Plan or are not subject to the *Urban Water Management Planning Act*.
- 20. Status of environmental compliance (CEQA)** (see page 49)

SECTION E: SAMPLES, TEMPLATES, and INSTRUCTIONS

1. Cost Estimate and Timeline (page 28)
2. Eligible Costs – River Parkways (page 29)
3. Eligible Costs – Urban Streams Restoration (page 31)
4. Land Acquisition Form (page 34)
5. Land Acquisition Instructions (page 35)
6. River Parkways - Resolution Template (page 36)
7. River Parkways - Certification Letter Template (page 37)
8. Urban Streams - Resolution Template (page 38)
9. Urban Streams - Resolution Template for Local Public Agencies (page 39)
10. Urban Streams - Resolution Template for Citizens' Groups (page 40)
11. Willing Seller Letter (page 41)
12. Project Permit/Approval Status (page 42)
13. Property Data Sheet (page 43)
14. River Parkways - Site Control/Land Tenure Requirements (page 44)
15. Urban Streams Restoration - Site Control/Land Tenure Requirements (page 45)
16. Application Package Checklist (page 46)
17. Memorandum of Unrecorded Grant Agreement (for all RP projects and USR acquisition projects (page 47)
18. Signage Guidelines (page 48)
19. Environmental Compliance (page 49)

1. SAMPLE COST ESTIMATE FORM FOR DEVELOPMENT URBAN STREAMS RESTORATION AND RIVER PARKWAYS PROJECTS

Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006 – Proposition 84

Attach the proposed budget. Where possible, quantify the components of the project (e.g. labor, materials, etc), the lateral and linear extent of restoration work, labor, materials, and equipment requirements. Indicate tasks to be funded by River Parkways, Urban Streams Restoration and by other sources, as well as in-kind contributions. All cost elements included should be clearly described in the Project Proposal Evaluation.

Project Elements (SAMPLE ONLY)	Unit Price	Units	Quant.	Total Project Costs	River Parkways Grant	Urban Streams Restoration Grant	Local Contributions (Specify)	Other Funding Source(s) (Specify)	Estimated Schedule for Completion
<u>Direct Project Management & Administration</u>									March 2012
Staff Time									
Incidental Charges	LS	LS	LS		Ineligible				
Consultants									
<u>Subtotal</u>									
<u>Planning, Design & Permitting</u>									August 2010
Staff Time									
Consultants									
Permit Costs	LS	LS	LS						
<u>Subtotal</u>									
<u>CEQA Compliance (if applicable)</u>									Jan 2010
Staff Time									
Consultants									
<u>Subtotal</u>									
<u>Subtotal Preconstruction Costs</u> (for RP, not to exceed 25% of grant)									
<u>Implementation/Construction</u>									Dec 2010
Labor									
Materials									
Equipment									
Restrooms, Kiosks, etc.						Ineligible			
or Bid Items									
<u>Subtotal</u>									
<u>Land Acquisition (if applicable)</u>									May 2010
Staff Time									
Consultants									
Appraisal, Escrow, Title Reports, etc.									
<u>Subtotal</u>									
<u>Contingency</u> (not to exceed 10% of grant)									
<u>Grant Completion Date:</u>									March 2012
<u>GRAND TOTAL:</u>									

Category listing should be detailed and customized to fit the project proposal. Each funding source, whether in-kind or cash should have its own column. Specify in-kind or cash in each column heading. The unit price multiplied by the quantity equals the Total Project Costs column. The RP and/or USR Grants and Other Funding Sources should also sum to the Total Project Costs column. LS = Lump Sum.

2. ELIGIBLE COSTS - RIVER PARKWAYS

Direct project-related costs incurred during the project performance period specified in the grant agreement will be eligible for funding. All eligible project costs must be supported by appropriate documentation. Costs incurred outside of the project performance period, and overhead rates/costs are not eligible for reimbursement. (see page 67 for definition of overhead costs)

Any project financed with funds made available by the *Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006* (Proposition 84) must comply with all provisions of Section 1771.5 of the California Labor Code. Be sure to include prevailing wages in the cost estimates, as applicable. Refer to the Department of Industrial Relations' Division of Labor Statistics and Research Web site at <http://www.dir.ca.gov/DLSR/PWD/index.htm> for general prevailing wage determinations.

A. Development

Project Management – For RP projects, up to 25 percent (25%) of the grant funds may be spent on non-construction costs (CEQA compliance, environmental impact reports and assessments, planning and design, utility coordination, architecture and engineering, construction plans, bid preparation, direct project administration and management).

Personnel or employee services – Costs for services of the grantee's employees directly engaged in project execution must be computed according to the grantee's prevailing wage or salary scales, and may include fringe benefit costs such as vacations, sick leave, Social Security contributions, etc., that are customarily charged to the recipient's various projects. Costs charged to the project must be computed on actual time spent on the project and evidenced by time and attendance records describing the work performed on the project as well as payroll records. Overtime costs are allowed under the recipient's established policy provided the regular work time was devoted to the same project.

Salaries and wages claimed for employees working on State grant-funded projects must not exceed the grantee's established rates for similar positions.

Construction - All necessary labor and construction activities, from site preparation (including demolition, excavation, grading, soil/water testing, monitoring during construction, on-site/field supervisor, etc.) to the completion of the project are eligible costs.

Equipment owned by the grantee may be charged to the project for each use. Equipment use charges must be made in accordance with the grantee's normal accounting practices. The equipment rental rates published by the California Department of Transportation or local prevailing rental rates may be used as a guide.

If the grantee's equipment is used, a report or source document must describe the work performed, indicate the hours used, relate the use to the project, and be signed by the operator and supervisor.

Equipment may be leased, rented, or purchased, whichever is most economical. If equipment is purchased, its residual market value must be credited to the project costs upon completion of the project.

Supplies and materials may be purchased for a specific project or may be drawn from a central stock, providing they are claimed at a cost no higher than paid by the grantee. When supplies and/or materials are purchased with the intention of constructing a piece of equipment, a structure or a part of a structure, the costs that are charged as supplies and materials may be capitalized according to the grantee's normal practice or policy. If capitalized, only that cost reasonably attributable to the project may be claimed under the project.

Other expenditures - In addition to the major categories of expenditures, funding may be provided for miscellaneous costs necessary for execution of the project at the discretion of the State. Some of these costs may include:

- Premiums on hazard and liability insurance to cover personnel and/or property.
- Work performed by another section or department of the grantee's agency that can be documented as direct costs to the project. (See requirements above under personnel or employee services).
- Transportation costs for moving equipment and/or personnel.

B. Acquisition

Costs of acquiring real property are eligible and include the purchase price of the property at the approved fair market value, appraisals, surveys for boundary adjustments, preliminary title reports, escrow fees and title insurance fees. Direct staff and consultant costs are limited to \$10,000 per grant. Costs of obtaining State approvals of purchase price and transaction reviews from the Department of General Services are also allowable.

Relocation costs are allowable for acquisition projects that result in displacement of any person and/or business. Grantee must comply with the State Relocation Act requirements (Government Code, Chapter 16, Section 7260 et seq.), even if relocation costs are not claimed for funding as part of the grant request.

C. All Projects

Contingency – Up to 10% of the grant may be budgeted for contingency costs. All such costs must be eligible per these guidelines. Contingency funds may not be used to increase the amount of funds used for project management beyond the 25 percent maximum nor any other caps set forth in the guidelines.

Signs and interpretive aids – Costs include construction of exhibits, kiosks, display boards or signs located at and communicating information about the project and the costs of required acknowledgement signs (see page 48).

3. ELIGIBLE COSTS – URBAN STREAMS RESTORATION

Direct project-related costs specified in the grant agreement will be eligible for funding, consistent with Section 451.3 of the California Code of Regulations. Costs incurred prior to applying for or entering into a grant agreement for funding may be reimbursed at the Department's discretion. All costs submitted for reimbursement must be supported by appropriate documentation.

Certain types of projects may require the services of a licensed professional engineer or licensed professional geologist to comply with the requirements of the Business and Professions Code Section 6700 et seq. (Professional Engineers Act) and Section 7800 et seq. (Geologists and Geophysicists Act). This may affect your project budget.

Eligible costs include, but are not limited to, the following:

Project Management and Administration– Coordinating staff, consultants, or volunteers; managing planning, design, and construction, managing contracts and contractors; completing reports, grant documents, bid preparation documents, and invoices; coordination with utility companies; overhead expenses incidental to but directly related to the project (see note on Reimbursable Overhead Expenses, page 33).

Planning and Design – baseline assessments, surveying, engineering, hydrology and hydraulic analysis, modeling; coordinating public involvement in design process.

Permitting and CEQA Compliance – site surveys and assessments; time spent meeting with regulatory agencies; preparing reports; preparing draft and final CEQA documents, and responding to comments.

Project Construction – Labor, materials, and equipment for all phases from site preparation to the completion of the project, including excavation, grading, soil/water testing, monitoring during construction, on-site/field supervision, etc.

Project Establishment and Evaluation – Follow up work during plant establishment period; adaptive management activities and project assessment prior to end of the Project Performance Period.

Signs – Construction and placement of informational signs, which describe the project and its connection with larger river and watershed processes and for required Bond acknowledgement signs (see Appendix K).

Acquisition – Costs of acquiring real property including: purchase price of the property at approved Fair Market Value, appraisals, surveys for boundary adjustments, preliminary title reports, escrow fees and title insurance fees.

Contingency – Up to 10% of the grant may be budgeted for contingency costs. All such costs must be eligible per these guidelines. Contingency funding is available for use in any of the budget categories. Explanation may be required prior to expenditure of contingency funds.

Specific notes on eligible costs:

Personnel or Employee Services – Costs for services of the Grantees' employees directly engaged in project execution must be computed according to the Grantees' prevailing wage or salary scales, and may include benefit costs that are customarily charged to the grantee's various projects. Costs charged to the project must be computed on actual time spent on the project and evidenced by time and attendance records describing the work performed on the project or as payroll records. Overtime costs may be allowed under the grantees' established policy provided the regular work time was devoted to the same project.

Be sure to include prevailing wages in your cost estimates, as applicable. Any project financed with funds made available by the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006 (Proposition 84) must comply with all provisions of Section 1771.5 of the California Labor Code. Refer to the Department of Industrial Relations' Division of Labor Statistics and Research website, <http://www.dir.ca.gov/DLSR/PWD/index.htm>, for general prevailing wage determinations.

Salaries and wages claimed for employees working on State grant funded projects must not exceed the Grantee's established rates for similar positions.

Consultants – Reasonable costs directly related to the project are eligible for reimbursement and must be documented. Travel costs are subject to State rates.

Equipment - Equipment owned by the Grantee may be charged to the project for each use. Equipment use charges must be made in accordance with the Grantee's normal accounting practices. The equipment rental rates published by the California Department of Transportation or local prevailing rental rates may be used as a guide.

If the Grantee's equipment is used, a report or source document must describe the work performed, indicate the hours used, relate the use to the project, and be signed by the operator and supervisor.

Depending on what is most economical, equipment may be leased, rented, or purchased at the discretion of the Department. If equipment is purchased with grant funds for the project, its residual market value must be credited against the project costs upon completion of the project. Costs for purchase of moveable equipment (i.e. backhoes, mowers, trucks) that are not an integral part of the project are not eligible.

Supplies and Materials – Supplies and materials may be purchased for a specific project or may be drawn from a central stock, providing they are claimed at a cost no higher than paid by the Grantee. When supplies and/or materials are purchased with the intention of constructing a piece of equipment, a structure or a part of a structure, the costs that are charged as supplies and materials may be capitalized according to the Grantee's normal practice or policy. If capitalized, only that cost reasonably attributable to the project may be claimed under the project.

California native plants used in the project should be from plant source materials originally collected from the local watershed or applicable surrounding area, when feasible. Costs of collecting and growing native plants are eligible for funding. The Department may request verification of the original source for the plant material stock.

Relocation costs - Relocation costs are allowable for Acquisition projects that result in displacement of any person and/or business. Grantee must comply with the State Relocation Act requirements (Chapter 16, Section 7260 et seq., Government Code) even if relocation costs are not claimed for funding as part of the grant request.

Reimbursable Overhead Expenses – Reimbursable overhead expenses are the necessary costs incidentally but directly related to the project including an appropriate pro-rata allocation of expenses that are regularly assigned to all such projects in accordance with the standard accounting practices of the grantees. Reasonable overhead expenses may be included as project costs and the amount will depend on the complexity of the project preparation, planning, coordination, construction, acquisitions, implementation and maintenance.

Other Expenses - In addition to the major categories of expenditures, funding may be provided for miscellaneous costs necessary for project execution at the State's discretion. Some of these costs may include:

- Premiums on hazard and liability insurance to cover personnel and/or property.
- Work performed by another section or department of the Grantee's agency that can be documented as direct costs to the project. (See Personnel or Employee Services, page 32).
- Transportation costs for moving equipment and/or personnel.
- FEMA Letter of Map Revision (LOMR) - Expenses incurred for analysis and preparation of a LOMR, when applicable.

4. LAND ACQUISITION FORM

Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006 Proposition 84 - California River Parkways and Urban Streams Restoration Grant Programs

(Complete one form for each escrow - see instructions on reverse)

Project Title:					
Assessor's Parcel Number(s):	Acreage	Fee Title or Easement	Willing Seller Name and Address		
ACQUISITION COST ESTIMATE					
	Total Costs	RP	USR	Other Sources of Funds (specify by name)	
Estimated Fair Market Value of property					
Relocation Costs					
Preliminary Title Reports, Appraisal					
Escrow Fees, Title Insurance, Closing Costs					
Surveying (limited to boundary line adjustment)					
Direct costs (staff and consultants) – limited to \$10,000 per grant					
State approval costs of appraisal, transaction review etc.					
Contingency (Not to exceed 10% of total grant)					
Required signage					
Other (Specify)					
Grand Total					

Acquisition Schedule	Timeframe	Comments
Complete Appraisal		
Submit appraisal and title report for State review		
Submit instruments of conveyance, etc.		
Close of escrow (submit all final closing documents specified in the grant agreement)		
Install Bond Acknowledgement Sign		
Close-out		

5. LAND ACQUISITION FORM - INSTRUCTIONS

Complete a separate form for each escrow.

1. **Estimated fair market value of land and improvements** – Provide an estimate for each parcel. On a separate sheet, describe existing improvements and explain the proposed use or disposition.

Note: The State must approve the fair market value of the acquisition.

2. **Relocation Costs** – Attach additional pages as needed. Provide a parcel-by-parcel analysis of the extent of the relocation assistance required by Government code and the *State Relocation Act*, Chapter 16, Section 7260.

Include at a minimum:

- a. Number of persons/businesses displaced.
 - b. Types of displaced entities (families, small retail businesses, large wholesale or manufacturing enterprises, farms, churches, hospitals, etc.).
 - c. Tenure (month-to-month rent, long-term lease or fee title) of the displaced entities.
 - d. Special problems inherent in relocating the displaced entities (lack of adequate replacement housing, large inventory of merchandise to be moved, or unique quality of the enterprise difficult to duplicate at any other location).
3. **Preliminary Costs** – Provide an estimate of the preliminary acquisition costs. Direct staff and consultant costs are limited to \$10,000 per grant.
 4. **Cost of State approval of appraisal, transaction review, etc.** – For cost estimation purposes, use \$10,000 per escrow.
 5. **Contingency** – Grantees are allowed to use ten percent (10%) for contingency to cover unexpected eligible costs. For USR projects with both acquisition and implementation, the contingency for the whole project may not exceed 10 percent (10%).
 6. **Required signage** – Provide an estimated cost of required signage (see Appendix K).
 7. **Other** – Include any additional tasks directly related to the proposed acquisition.
 8. **Acquisition timeline** – Provide the estimated dates of completion for each acquisition task. (Grantee should submit evidence of progress on the acquisition, e.g. appraisal, title report, purchase documents, correspondence with owner, etc., within 6 months of grant execution.)

6. RIVER PARKWAYS – RESOLUTION TEMPLATE

Resolution No: _____

RESOLUTION (*GOVERNING BODY OF GRANTEE*)

APPROVING THE APPLICATION FOR GRANT FUNDS FOR THE CALIFORNIA RIVER PARKWAYS GRANT PROGRAM UNDER THE SAFE DRINKING WATER, WATER QUALITY AND SUPPLY, FLOOD CONTROL, RIVER AND COASTAL PROTECTION BOND ACT OF 2006 (Proposition 84)

WHEREAS, the Legislature and Governor of the State of California have provided funds for the program shown above; and

WHEREAS, the Resources Agency has been delegated the responsibility for the administration of this grant program, establishing necessary procedures; and

WHEREAS, said procedures established by the State Resources Agency require a resolution certifying the approval of application(s) by the Applicants governing board before submission of said application(s) to the State; and

WHEREAS, the Applicant, if selected, will enter into an agreement with the State of California to carry out the project

NOW, THEREFORE, BE IT RESOLVED that the _____ (Governing Body)

1. Approves the filing of an application for the (*name of the project*);
2. Certifies that Applicant understands the assurances and certification in the application; and,
3. Certifies that Applicant or title holder will have sufficient funds to operate and maintain the project(s) consistent with the land tenure requirements; or will secure the resources to do so; and,
4. Certifies that it will comply with all provisions of Section 1771.5 of the California Labor Code; and,
5. If applicable, certifies that the project will comply with any laws and regulations including, but not limited to, the *California Environmental Quality Act* (CEQA), legal requirements for building codes, health and safety codes, disabled access laws, and, that prior to commencement of construction, all applicable permits will have been obtained; and,
6. Appoints the (*designate position, not person occupying position*) _____, or designee, as agent to conduct all negotiations, execute and submit all documents including, but not limited to applications, agreements, payment requests and so on, which may be necessary for the completion of the aforementioned project(s).

Approved and adopted the _____ day of _____ 20____. I, the undersigned, hereby certify that the foregoing Resolution Number _____ was duly adopted by the _____ (*Governing Body*).

Following Roll Call Vote:

Ayes:	_____
Nos:	_____
Absent:	_____

Clerk/Secretary for the Governing Board

7. RIVER PARKWAYS – CERTIFICATION LETTER TEMPLATE

If an applicant does not have a governing board, a certification letter from the organization's director or chief executive officer must be furnished. The letter must:

1. Approve the application for *grant funds* from the River Parkways Grant Program under the *Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006*.
2. Approve the filing of an application for the (*name of the project*).
3. Certify that the applicant understands the assurances and certification in the application.
4. Certify that applicant or title holder has or will have sufficient funds to operate and maintain the project(s).
5. Certify that the project will comply with any laws and regulations that apply to development projects including, but not limited to, the *California Environmental Quality Act* (CEQA), legal requirements for prevailing wages, building codes, health and safety codes, and disabled access laws.
6. Certify that prior to commencement of construction all applicable permits will have been obtained.
7. Certify that it will comply with all provisions of Section 1771.5 of the California Labor Code.
8. Appoint the (***designate position, not person occupying position***), or designee, _____ as agent to conduct all negotiations, execute and submit all documents including, but not limited to applications, agreements, payment requests and so on, which may be necessary for the completion of the aforementioned project(s).
9. Contain the signature of the Director or Chief Executive Officer.

8. URBAN STREAMS RESTORATION – RESOLUTION TEMPLATE

The Urban Streams Restoration Grant Program requires both the sponsor and the co-sponsor group to submit a resolution of support for the proposed project. (For administrative purposes, designate a position rather than a specific individual when providing designations of those with authority.)

Public agency resolution

If the applicant is a local public agency, a resolution is required either stating that the agency is sponsoring the project or is aware of the plans and will act as co-sponsor, if the citizens' group is sponsoring the project. The resolution must also explain how the agency has addressed or will address CEQA, designate a person (by title of position) from the agency to sign a grant contract, and designate a person (by title of position) to act as Project Manager. The Project Manager should be the same person designated in the citizens group resolution and will have authority to delegate responsibility for various tasks, including submitting invoices to DWR for reimbursement (see page 39 for a sample resolution for local public agencies).

If the resolution cannot be drawn up and adopted before the application is due, a letter of intent will be accepted until the resolution can be submitted. This letter should be signed by a mayor or city manager, if a city is applying; a chairperson of the board of supervisors, if a county is applying; or the manager or director, if a water district or agency is applying. If one of these people is not available, the signature of a designated staff person or assistant will be accepted. The letter must state support for the project, accept responsibility for compliance with CEQA, and state when the resolution will be sent to DWR.

Private citizens' group resolution

If the applicant is a private citizens' group or organization, resolution is required from the board of directors stating that the board is the sponsor of the project or that it supports the project if the local government agency is the sponsor. The resolution must also designate a person (by title of position) from the organization to sign a contract, and a person (by title of position) to act as Project Manager. The Project Manager should be the same person designated in the agency resolution and will have authority to delegate responsibility for various tasks, including submitting invoices to DWR for reimbursement.

The resolution should also state how CEQA compliance will be met (see page 40 for a sample resolution for citizens' groups).

If there is no time to get a resolution drawn up before the due date, a letter of intent signed by the chairperson or designated assistant of the chairperson will be accepted. The letter must express support for the project and state when the resolution will be sent to DWR.

Notes for both parties

Both resolutions must designate the same person by title of position to act as the Project Manager. This may be someone from the local public agency, the citizens' group or another party (see information on ad hoc groups below).

If not submitted with the application, resolutions must be submitted before the contract will be approved, if the project is awarded a grant. Grant reviewers may consider whether resolutions are included in the package when evaluating readiness to proceed with implementation.

Ad hoc groups

An ad hoc group may act as the Citizens group sponsor for the project. Usually in this case, the governmental co-sponsor will act as the fiscal agent to submit invoices to DWR. However, if the governmental co-sponsor will not have staff acting in this capacity, the sponsor must secure a fiscal agent, in the form of another local public agency or an organization having nonprofit status. The fiscal agent must submit a letter or resolution stating support for the project and agreeing to act as agent, and show evidence of federal tax-exempt status. The fiscal agent submits all documentation to the State and receives funds from the State on behalf of the sponsor and co-sponsor.

9. URBAN STREAMS – LOCAL PUBLIC AGENCY RESOLUTION TEMPLATE

Resolution endorsing application for an Urban Streams Restoration Grant and determining appropriate environmental impact document, conditionally accepting grant if offered, and designating contract manager and fiscal agent.

WHEREAS, the California Department of Water Resources, Division of Planning and Local Assistance, Urban Streams Restoration Program has announced the availability of funds for grants; and

WHEREAS, said grants are intended to help solve flooding and erosion problems in a way that provides environmental *enhancement*; and

WHEREAS, the (Citizens' Group co-sponsor) has proposed to *co-sponsor* a grant application with (Government Agency adopting resolution); and

WHEREAS, we have concluded the project proposed for funding with the grant funds would be environmentally beneficial and (pick one of the following):

- a) categorically exempt from requirements of the *California Environmental Quality Act* (CEQA) under one or more of the following exemptions per sections 15300-15329 of the CEQA Guidelines: (select appropriate class[es]) _____;
- b) we have adopted a(n) (identify the name and year of environmental document, e.g., Negative or Mitigated Negative Declaration, Environmental Impact Report, date) _____;
- c) we will comply with all requirements of CEQA prior to implementation of the project.

WHEREAS, we consider the prospects of receiving a grant to be reasonably likely.

NOW, THEREFORE, BE IT RESOLVED

We the (Local Public Agency Governing Board) approve the joint application with (Citizens' Group) for an Urban Streams Restoration Program grant.

If offered such a grant, we authorize (Title of Signatory for Public Agency) to accept and sign any contract for administration of the grant funds, and (Title of Project Manager) to act as Project Manager for the project. We hereby delegate authority to the Project Manager to manage the Agreement, and to delegate authority to others to provide management and support services required for performance of the work and administration of the Agreement. The delegation of authority to submit invoices requires written consent by both grantees which will be provided to the Department of Water Resources.

LOCAL PUBLIC AGENCY

(Signature)

(Title)

Date: _____

10. URBAN STREAMS -- CITIZENS' GROUP RESOLUTION TEMPLATE

Resolutions endorsing application for an Urban Streams Restoration Grant and determining appropriate environmental impact document, conditionally accepting grant if offered, and designating contract manager and fiscal agent.

WHEREAS, the California Department of Water Resources, Division of Planning and Local Assistance, Urban Streams Restoration Program has announced the availability of funds for grants; and

WHEREAS, said grants are intended to help solve flooding and erosion problems in a way that provides environmental enhancement; and

WHEREAS, the Government Agency co-sponsor has proposed to co-sponsor a grant application with Citizens' Group; and

WHEREAS, we have concluded the project proposed for funding with the grant funds would be environmentally beneficial and (*pick one of the following*):

- a) categorically exempt from requirements of the *California Environmental Quality Act* (CEQA) under one or more of the following exemptions per sections 15300-15329 of the CEQA Guidelines: (*select appropriate class[es]*) _____;
- b) we have adopted a(n) (*identify the name and year of environmental document, e.g., Negative or Mitigated Negative Declaration, Environmental Impact Report, date*) _____;
- c) we will comply with all requirements of CEQA prior to implementation of the project.

WHEREAS, we consider the prospects of receiving a grant to be reasonably likely.

NOW, THEREFORE, BE IT RESOLVED

We the (Citizens' Group) approve the joint application with (Local Public Agency Governing Board) for an Urban Streams Restoration Program grant. If offered such a grant, we authorize (Title of Signatory for Citizens' Group) to accept the grant and sign any contract for administration of the grant funds, and (Title of Project Manager) to act as Project Manager for the project. We hereby delegate authority to the Project Manager to manage the Agreement, and to delegate authority to others to provide management and support services required for performance of the work and administration of the Agreement. The delegation of authority to submit invoices requires written consent by both grantees which will be provided to the Department of Water Resources.

PRIVATE CITIZENS' GROUP OR ORGANIZATION

(Signature)

(Title)

Date: _____

11. WILLING SELLER LETTER

(Acquisition Projects Only)

All acquisition application packages must include willing seller letters from each legal owner. The letter must include the following information and be signed and dated from the legal owner(s) of each parcel to be acquired.

(Sample -- Willing Seller Letter)

Date:

To: Resources Agency
California River Parkways/Urban Streams Restoration Grant Programs

From: Name(s) of Legal Owner (*Trust, etc.*)
Address of Legal Owner(s)

Re: Parcel numbers:
County:
Property Address:

To Whom It May Concern:

This letter is provided to confirm that (*name of owner, trust, etc.*), owner of the above referenced property, is a willing participant in the proposed real property transaction. Should grant funds be awarded to the grant applicant (*name of grant applicant*), then (*name of owner, trust, etc.*), as Seller, is willing to enter into negotiations for the sale of the real property for a purchase price not to exceed fair market value.

Acknowledged:

Signature of land owner (trustee, etc.)

Date signed

12. PROJECT PERMIT/APPROVAL STATUS

List is not all inclusive. It is Grantee's responsibility to comply with all applicable permits.

Permitting Agency	Type of Requirement	Required?	Applied?	Acquired?	Date Anticipated
State Agencies:					
California Department of Fish and Game	Streambed Alteration Agreement Permit (Section 1600)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
California Department of Fish and Game	Incidental Take Permit	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
CalTrans	Encroachment Permit	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Coastal Commission	Coastal Development Permit	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Coastal Commission	Letter of Consistency	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Regional Water Quality Control Board	401 Water Quality Certification or Waste Discharge Requirement	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
State Water Resources Control Board	Water Rights Permit	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
State Water Resources Control Board	General Industrial Storm Water Permit	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Central Valley Flood Protection Board	Permission to Encroach on Waterways within Designated Floodways	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
State Lands Commission	Permit required if using State owned property	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
State Office of Historic Preservation	Cultural Resources-Submission of findings to State Historic Preservation Officer (National Historic Preservation Act, Section 106)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Federal Agencies					
U.S. Fish and Wildlife Service (USFWS)	Section 7 consultation if federal nexus (see ACOE), or Section 10 Permit	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
U.S. Army Corps of Engineers (ACOE)	Clean Water Act, Section 404 Permit, will consult w/USFWS & NMFS Section 7	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
U.S. Army Corps of Engineers	Rivers and Harbors Act, Section 10 Permit	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
U.S. Coast Guard / U.S. Army Corps of Engineers	Rivers and Harbors Act, Section 9 Permit	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
U.S. National Resources Conservation Service	Consultation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
National Marine Fisheries Service (NMFS)	Section 7 consultation if federal nexus see ACOE, or Section 10 Permit	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Local and Regional Planning Agencies					
City/County	Grading Permit	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
City/County	Environmental Health Department	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
San Francisco Bay Conservation and Development Commission	Any relevant permit	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Tahoe Regional Planning Agency	Any relevant permit	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Local Resource Conservation District	Consultation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Flood Control Districts	Floodway & Hydrological Analysis	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Others (List):					
Describe any potential delays due to permitting (indicate specific permits):					

13. PROPERTY DATA SHEET

Use the Property Data Sheet to list the owner(s) of all parcels included in the proposed project. Indicate and attach all required documents including any clarifying comments below. Attach additional sheets if necessary.

No	Owner Name	Assessor Parcel Number(s)	Acreage	If parcel(s) owned by applicant(s), indicate type of ownership			For all parcels, indicate document used to demonstrate ownership and attach a copy of each document-clearly labeled with the APN-to this document	If parcel(s) not owned by applicant(s) indicate document verifying Permission to Develop and attach						Entity to perform O&M	# of years O&M to be performed
				Fee Simple	Easement	Other (describe)		Proof of Ownership (tax bill, grant deed, etc.)	O&M Agreement	Lease	JPA	Letter from Owner	Other (describe)		
1															
2															
3															
4															
5															
6															
7															
8															
9															
10															

Comments:

Total Number of Parcels: _____ Total Number of Acres: _____

14. RIVER PARKWAYS - SITE CONTROL/LAND TENURE REQUIREMENTS

The State recognizes that specific activities may change over time; however all uses on the project property must remain compatible with the RP and/or USR grant programs in accordance with the following requirements:

Acquisition projects

The grantee or the grantee's successor in interest shall hold the real property only for the purpose for which the grant was made and make no other use or sale or other disposition of the property without the written permission of the State.

Development projects

The grantee shall maintain and operate the property developed pursuant to this grant for a period of:

- a. At least 10 years for grants up to \$100,000
- b. At least 20 years for grants up to \$1 million
- c. At least 25 years for grants over \$1 million

All projects

- A document must be recorded against the real property that defines the State's interest in the property (see page 47). Exceptions may be granted as appropriate and at the sole discretion of the State.
- The grantee shall not use or allow the use of any portion of the real property for mitigation (i.e., to compensate for adverse changes to the environment elsewhere) without the written permission of the State.
- The grantee shall not use or allow the use of any portion of the real property as security for any debt.
- With the approval of the State, the grantee or the grantee's successor in interest in the property may enter into an agreement with another party to maintain and operate the property in accordance with this program. At a minimum, the agreement must do the following:
 1. Clearly spell out the roles of each party in detail,
 2. Be signed by both parties signifying their acceptance,
 3. Not terminate prior to the length of site control/land tenure required by the grant agreement (only agreements that allow early termination for cause or by mutual consent will be acceptable) and,
 4. Include language that the grantee would resume responsibility for ongoing operations and maintenance in the event of cancellation.
- Grantee may be excused from its obligations for operation and maintenance of the project site only upon the written approval of the State for good cause. "Good cause" includes, but is not limited to, natural disasters that destroy the project improvements and render the project obsolete or impracticable to rebuild.

15. URBAN STREAMS RESTORATION - SITE CONTROL/LAND TENURE REQUIREMENTS

The Department recognizes that specific activities may change over time; however, uses of the project property must remain compatible with the USR Program in accordance with the following requirements:

Projects That Include Acquisitions

The Grantees or the Grantee's successor in interest shall use the real property acquired with grant funds only for the purpose for which the grant was made and make no other use or sale or other disposition of the property without the Department's written permission.

A document must be recorded against the real property that defines the State's interest in the property (see page 47 for sample document). Exceptions granted as appropriate and at the Department's sole discretion.

The Grantees shall not use any portion of the real property for mitigation (e.g. to compensate for adverse changes to the environment elsewhere) or as security for any debt without the Department's written permission.

Management & Maintenance – All Projects

USR projects generally should be maintained for a minimum of ten (10) years, unless the Department permits otherwise. The USR Program includes restoration of natural stream processes, and recognizes that streams are dynamic systems which change over time. To facilitate project success, grantees shall provide a mutually agreeable plan of long-term management and maintenance as part of their grant agreement. Specific terms and conditions appropriate to the scope of the project may be negotiated prior to grant execution.

With the Department's approval, the Grantees or the Grantees' successor in interest in the property may enter into an agreement with another party to maintain and operate the property in accordance with this program.

Grantees may be excused from their obligations for operation and maintenance of the project site only upon the Department's written approval for good cause. "Good cause" includes, but is not limited to, natural disasters that destroy the project improvements and render the project obsolete or impracticable to rebuild.

Working on Private Property

An applicant may propose a project that includes working on private properties; however, to be competitive the project must also result in a larger community benefit (e.g. bank stabilization work on several private properties that contributes to downstream community flood reduction benefits). If the project site is not owned by one of the project sponsors, the application package must include letter(s) from the property owner(s) stating support for the project, allowing access by the project sponsor(s) to implement the project, and willingness to manage the stream in accordance with the goals of the program (or to allow the project sponsor(s) to manage the stream for an appropriate period with the Department's concurrence to ensure success of the project).

16. APPLICATION PACKAGE CHECKLIST

Submit one Application Package for each project. If the project meets both RP and USR requirements, submit one set of copies with both RP and USR Application Forms. Application Packages should be organized in the following order. Clearly number and label each item and number all pages in sequential order. The appropriate number of copies should be provided. Bind packages with binder clips only. Do not put in folders or notebooks.

Submit six (6) unbound copies (one original and five copies) of items 1 - 12:		
1.	Completed Application Form(s) (pages 10-12) <input type="checkbox"/> One application form filed electronically <input type="checkbox"/> Original application form with original signatures	<input type="checkbox"/>
2.	One-page summary - see page 13	<input type="checkbox"/>
3.	Project evaluation - see page 14	<input type="checkbox"/>
4.	Assessor's parcel map (project area highlighted)	<input type="checkbox"/>
5.	Project location map	<input type="checkbox"/>
6.	USGS quad map (1:24,000 scale)	<input type="checkbox"/>
7.	Site plan For stream/habitat projects, also submit: <input type="checkbox"/> Plan View, Longitudinal Profile, and Cross Sections for proposed project <input type="checkbox"/> Plan View, Longitudinal Profile, and Cross Sections of current stream/habitat conditions <input type="checkbox"/> California Native Plant List Applicable for the Site	<input type="checkbox"/>
8.	Flood project information, submit all the following: <input type="checkbox"/> Flood Agency Concurrence <input type="checkbox"/> State and Federal Floodplain Maps	<input type="checkbox"/>
9.	Local support letters	<input type="checkbox"/>
10.	Cost estimate (development projects) - see page 28	<input type="checkbox"/>
11.	Land acquisition form - see page 34	<input type="checkbox"/>
12.	Photographs	<input type="checkbox"/>
Submit three (3) unbound copies (one original and two copies) of items 13-22:		
13.	Signed authorizing resolution(s) or certification letters from CEO <input type="checkbox"/> River Parkways - Resolution Template – see page 36 <input type="checkbox"/> River Parkways - Certification Letter Template – see page 37 <input type="checkbox"/> Urban Streams Restoration - Public Agency Resolution Template – see page 39 <input type="checkbox"/> Urban Streams – Citizens' Group Resolution Template – see page 40	<input type="checkbox"/>
14.	Evidence of willing seller (acquisition projects) – see page 41	<input type="checkbox"/>
15.	Project permit / approval status – see page 42	<input type="checkbox"/>
16.	Property Data Sheet – see page 43	<input type="checkbox"/>
17.	Adequate site control/land tenure Proof of ownership (tax rolls, grant deed, etc)	<input type="checkbox"/>
18.	Operations & maintenance documents	<input type="checkbox"/>
19.	Stewardship plan (conservation easements)	<input type="checkbox"/>
20.	Other sources of funds	<input type="checkbox"/>
21.	Eligibility for nonprofit applicants	<input type="checkbox"/>
22.	Water supply agency requirement	<input type="checkbox"/>
Submit one (1) copy of item 23:		
23.	Environmental Compliance (CEQA) <input type="checkbox"/> Environmental Compliance Summary - see page 49 <input type="checkbox"/> Copies of CEQA documents listed on Summary – see page 49	<input type="checkbox"/>

17. SAMPLE MEMORANDUM OF UNRECORDED GRANT AGREEMENT

(for all RP projects; for USR acquisition projects)

Recording requested by, and)
when recorded, return to:)
State of California)
Resources Agency)
Bonds & Grants)
1416 Ninth Street, Suite 1311)
Sacramento, CA 95814)

Space above this line for Recorder's use

MEMORANDUM OF UNRECORDED GRANT AGREEMENT

This Memorandum of Unrecorded Grant Agreement (Memorandum), dated as of _____, 20____, is recorded to provide notice of an agreement between the State of California, by and through the Resources Agency ("Agency") and

("Grantee").

RECITALS

- On or about _____, _____, Agency and Grantee entered into a certain Grant Agreement, Grant No. _____ ("Grant"), pursuant to which Agency granted to Grantee certain funds for the acquisition of certain real property, more particularly described in attached Exhibit A and incorporated by reference (the "Real Property").
- Under the terms of the Grant, Agency reserved certain rights with respect to the Real Property.
- Grantee desires to execute this Memorandum to provide constructive notice to all third parties of certain Agency reserved rights under the Grant.

NOTICE

- The Real Property (including any portion of it or any interest in it) may not be sold or transferred without the written approval of the State of California, acting through the Resources Agency, or its successor, provided that such approval shall not be unreasonably withheld as long as the purposes for which the Grant was awarded are maintained.
- The Grantee shall not use or allow the use of any portion of the real property for mitigation without the written permission of the State.
- The Grantee shall not use or allow the use of any portion of the real property as security for any debt.
- For additional terms and conditions of the Grant, reference should be made to the Grant Agreement, which is on file with the Resources Agency, 1416 Ninth Street, Suite 1311, Sacramento, California 95814.

GRANTEE:

By:_____

18. PROPOSITION 84 SIGN GUIDELINES

Types of Signs

1) Sign posted during construction

A sign is required during construction. Recommended minimum size of sign: 4.5 feet x 7.5 feet.

2) Signs posted upon completion

All grantees are required to post a sign at the project site. The sign must be available for the final inspection of the project. There is no minimum or maximum size other than the minimum size for the logo as long as the sign contains the required wording.

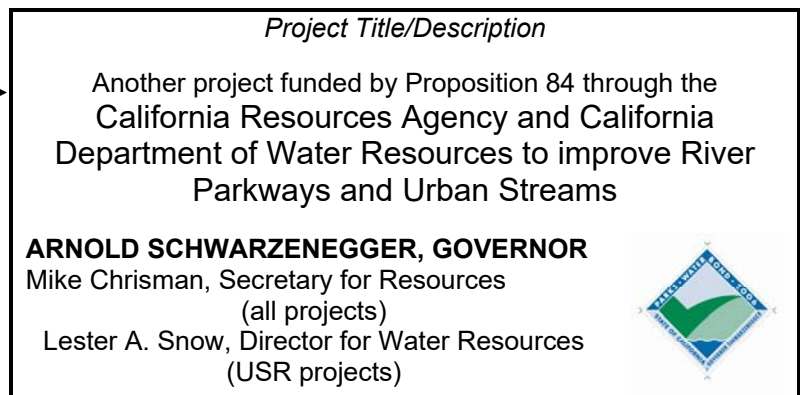
Language for Signs

All signs will contain the following minimum language:

The name of the director of the local public agency or other governing body may also be added. The sign may also include the names (and/or logos) of other partners, organizations, individuals and elected representatives.

Logo

All signs must contain a universal logo for the Parks and Water Bond acts (see above). The logo is available at <http://resources.ca.gov/bonds/riverparkways.html>. The logo must be mounted in an area to maximize visibility and durability. Each edge of the logo itself must be a minimum of 2 feet, but exceptions may be approved when appropriate.



Sign Construction

All materials used shall be durable and resistant to the elements and graffiti. The California Department of Parks and Recreation and California Department of Transportation standards can be used as a guide for gauge of metal, quality of paints used, mounting specifications, etc.

Sign Duration

Project signs must be in place for a minimum of four (4) years from date of project completion.

Sign Cost

The cost of the sign(s) is an eligible project cost. More permanent signage is also encouraged (e.g., bronze memorials mounted in stone at trailheads, on structures, etc.).

Appropriateness of Signs

For projects where the required sign may be out of place or where affected by local sign ordinances, the Grants Administrator in consultation with the grantee may authorize a sign that is appropriate to the project in question.

Signs on State Highways

Signs placed within the state highway right-of-way may require a Caltrans encroachment permit. Contact the local Caltrans District Office early in the planning phases for more information. For locations, visit <http://www.dot.ca.gov/localoffice.htm>.

State Approval

The grantee shall submit proposed locations, size, number of signs and language for review prior to ordering signs. Final funds for development projects will not be reimbursed until signage has been approved and installed.

19. ENVIRONMENTAL COMPLIANCE SUMMARY

Lead Agency: _____

All counties included in the project: _____
The Notice of Exemption or Notice of Determination must be filed and stamped by the County Clerk in each of the counties in which the project is located

INDICATE BELOW THE DOCUMENTATION SUBMITTED WITH APPLICATION, INCLUDING SUPPLEMENTAL MATERIAL LISTED (DRAFTS ACCEPTABLE FOR APPLICATION PURPOSES):

☐ **Initial Study (IS) or Checklist:**

Anticipated completion date: _____
Expected final CEQA document: _____

☐ **Notice of Exemption (NOE):**

List the statutory or categorical exemption applicable to the project: _____

☐ NOE filed and stamped by the County Clerk(s): Date(s) filed: _____

☐ **Negative/Mitigated Negative Declaration (Neg Dec):**

Does the Negative Declaration include Mitigation measures? ☐ Yes ☐ No

☐ **Environmental Impact Report (EIR):**

Submit all documents listed below:

- ☐ IS with checklist
 - ☐ State Clearinghouse Response, as applicable
 - ☐ Evidence Fish & Game fee paid or the project is exempt from fee
 - ☐ Notice of Determination filed and stamped by the County Clerk(s). Date(s) filed: _____
-

Additional Information/Resources for CEQA:

CEQA guidelines: http://www.ceres.ca.gov/topic/env_law/ceqa/guidelines/

State Clearinghouse and Planning Unit: <http://www.opr.ca.gov/>

VI. IMPORTANT POINTS

Project requirements

Applicants applying to receive funding from both programs must meet all requirements listed for both Grant Programs.

All Projects

- Must comply with the CEQA (see page 49).
- Applicants must certify compliance with all provisions of Section 1771.5 of the California Labor Code. (Additional information regarding prevailing wage requirements at <http://workitout.ca.gov/faq.asp?id=143>.)

Use of project property

Grantee must maintain and operate the property acquired or developed in a manner consistent with the grant agreement and grant guidelines for a period commensurate with the land tenure/site control requirements (see page 44 for RP and page 45 for USR projects).

River Parkways

- Must meet at least two of the five statutory conditions to be considered for funding.
- Must provide public access, or be a component of a larger parkway plan that provides public access.

Urban Streams Restoration

- Must have two sponsors: (1) a local public agency and (2) a citizens' group or nonprofit organization.
- Must provide flood management or erosion control benefits.
- Must restore or enhance riparian or riverine ecosystem functions.
- Must promote public awareness, community involvement, and local stewardship of streams.
- Must meet the definition of an Urban Stream (see page 68).
- Grant request cannot exceed \$1 million.

Acquisitions

- Property must be acquired from a willing seller and in compliance with current laws governing relocation and acquisition of real property by public agencies (*Government Code*, Chapter 16, Section 7260 et seq.,).
- Properties must be acquired at an amount that does not exceed the fair market value, as approved by the State.
- Conservation easement proposals must include a plan describing the proposed restrictions and reservations for the easement and the funding mechanism available to support the plan. The final conservation easement terms and conditions are subject to input, review and approval of the State.

Development projects

- **River Parkways** Grantees must own the land or hold a lease or other legal, long-term interest in the land that is satisfactory to the State.
- **Urban Streams Restoration** Landowner letters of support may be sufficient, depending upon project type.

Project administration

- Grantee is responsible for ensuring the project complies with all applicable current laws and regulations affecting development projects, including but not limited to, legal requirements for construction, building codes, health and safety codes, and disabled access laws. Grantee must certify that all applicable permits have been obtained.
- Grantee must post signs as a visible spot on the site acknowledging the source of funds pursuant to guidelines established by the State for each program (see page 48).
- Grantee will be requested to provide project status information periodically throughout the grant process.

Monitoring Requirements

- Any groundwater projects and projects that affect groundwater shall include groundwater monitoring requirements consistent with the Groundwater Quality Monitoring Act of 2001 (Part 2.76, commencing with § 10780, of Division 26 of the CWC). Projects that affect water quality shall include a monitoring component that allows the integration of data into statewide monitoring efforts, including but not limited to the Surface Water Ambient Monitoring Program (SWAMP) carried out by the State Water Board. For State Water Board's monitoring and reporting requirements, go to http://www.waterboards.ca.gov/water_issues/programs/swamp/qamp.shtml.

VII. APPENDICES

- A. River Parkways Program Implementing Statute (page 53)
- B. Urban Streams Restoration Program Implementing Statute (page 55)
- C. Regulations for the Urban Creek Restoration and Flood Control Act of 1985 (page 57)
- D. State Audit and Accounting Requirements (page 63)
- E. Glossary (page 64)

APPENDIX A – RIVER PARKWAYS PROGRAM IMPLEMENTING STATUTE

CALIFORNIA RIVER PARKWAYS ACT OF 2004 CHAPTER 230, STATUTES OF 2004

Chapter 3.8. This chapter shall be known, and may be cited, as the California River Parkways Act of 2004.

5751.

The Legislature finds and declares all of the following:

- (a) River parkways directly improve the quality of life in California by providing important recreational, open space, wildlife, flood management, water quality, and urban waterfront revitalization benefits to communities in the state.
- (b) River parkways provide communities with safe places for recreation including family picnics; bicycling and hiking; areas for river access for swimming, canoeing, and fishing; and many other activities.
- (c) River parkways help revitalize deteriorated urban neighborhoods and provide an anchor for economic development by providing important recreational and scenic amenities.
- (d) River parkways provide accessible open space that helps remedy the severe shortage of park and open-space areas that plague many urban and suburban communities, small towns, and rural areas.
- (e) River parkways provide flood protection benefits for communities by providing wider corridors along our waterways that help store, and provide safe corridors for the passage of, storm waters.
- (f) River parkways protect and restore riparian and riverine habitat.
- (g) River parkways improve or protect the water quality in our rivers and streams.
- (h) River parkways provide the recreational and ecosystem components of integrated regional water management and watershed plans.
- (i) California can improve the quality of life in this state by assisting public agencies and Nonprofit organizations in establishing, developing, and restoring river parkways.

5752.

For purposes of this chapter, the following terms have the following meanings:

- (a) "Acquisition" means obtaining fee title or a lesser interest in real property, including easements, development rights, or water rights.
- (b) "Development" includes, but is not limited to, improvement, rehabilitation, restoration, enhancement, preservation, protection, and interpretation.
- (c) "Interpretation" includes, but is not limited to, visitor-serving amenities that communicate the significance and value of natural, historical, and cultural resources in a way that increases understanding and enjoyment of those resources.
- (d) "Nonprofit organization" means a private, Nonprofit organization that qualifies for exempt status under Section 501(c)(3) of the United States Internal Revenue Code.
- (e) "Parkways program" means the California River Parkways Program established pursuant to subdivision (a) of Section 5753.
- (f) "Secretary" means the Secretary of the Resources Agency.

5753.

- (a) The California River Parkways Program is hereby established in the office of the Secretary of the Resources Agency, to be administered by the secretary.
- (b) The secretary shall make grants available to public agencies and Nonprofit organizations

for river parkway projects from moneys appropriated to the secretary. Those funds may also be used for costs directly related to the delivery of the river parkways program.

- (c) Grants may be awarded for the acquisition of land for river parkways or for the restoration, protection, and development of river parkways in accordance with the provisions of this chapter. Not more than 10 percent of the funds appropriated to the secretary for river parkways may be used for urban stream restoration projects pursuant to Section 7048 of the Water Code.
- (d) All projects shall comply with the California Environmental Quality Act (Division 13 (commencing with Section 21000)).
- (e) All acquisitions shall be from willing sellers.
- (f) To be eligible for a grant, a project shall provide public access or be a component of a larger parkway plan that provides public access and, at a minimum, meets two of any of the following conditions:
 - (1) Provide compatible recreational opportunities including trails for strolling, hiking, bicycling, and equestrian uses along rivers and streams.
 - (2) Protect, improve, or restore riverine or Riparian Habitat, including benefits to wildlife habitat and water quality.
 - (3) Maintain or restore the open-space character of lands along rivers and streams so that they are compatible with periodic flooding as part of a flood management plan or project.
 - (4) Convert existing developed riverfront land uses into uses consistent with river parkways, as identified in this chapter.
 - (5) Provide facilities to support or interpret river or stream restoration or other conservation activities.

5754.

To the extent funds are available, the secretary shall develop guidelines for the preparation and consideration of river parkway plans for the purpose of Section 5753 and may award grants to assist in development of such plans.

5755.

The secretary shall report annually to the Legislature regarding the geographic distribution, types, and benefits of projects funded pursuant to this chapter.

5756.

The secretary shall develop regulations, criteria, or procedural guidelines for the implementation of this chapter that shall be consistent with, but not limited to, Section 5753. All regulations, criteria, and procedural guides adopted by the secretary to implement this chapter are exempt from Chapter 3.5 (commencing with Section 11340) of Division 3 of Title 2 of the Government Code.

APPENDIX B – URBAN STREAMS RESTORATION PROGRAM IMPLEMENTING STATUTE

WATER CODE, SECTION 7048

7048. (a) The Legislature hereby finds and declares that the protection, restoration, and enhancement of urban creek channels provide potential benefits to the state by combining an effective and efficient means of flood damage reduction with the preservation and enhancement of natural environmental values. The Legislature further finds that urban creek protection, restoration, and enhancement are best undertaken by local agencies and organizations with assistance from the state. It is the intent of the Legislature, in enacting this section, to restore the ecological viability of creek environments located in predominantly urban areas, thereby enhancing aesthetic, recreational, and fish and wildlife values.

(b) (1) The director may establish a program of flood damage reduction and urban creek restoration known as the Urban Streams Restoration Program. The program shall consist of both of the following components:

(A) The development of the capability by the department to respond to requests from local agencies and organizations for planning and design assistance for efficient and effective urban creek protection, restoration, and enhancement.

(B) To the extent that funds are provided, a process for awarding competitive grants.

(2) For purposes of this section, urban creek protection, restoration, and enhancement include, but are not limited to, the maintenance of channel capacity, channel stabilization, vegetation management, and adaptive management to meet program objectives. Where appropriate, the protection, restoration, and enhancement shall utilize efficient, nonstructural low-maintenance flood protection techniques. The department shall utilize in this program its expertise in a variety of disciplines, including, but not limited to, soil bioengineering, hydrology, and plant ecology.

(3) (A) The department shall maintain a balance in allocating the money annually available for grants to small urban creek restoration projects and large urban stream restoration projects, allocating not less than 35 percent to both small and large projects. For purposes of this section, "small urban creek restoration projects" are projects for which total costs, including acquisition and restoration costs, are below one million dollars (\$1,000,000) and "large urban stream restoration projects" are projects for which total costs, including acquisition and restoration costs are one million dollars (\$1,000,000) or more.

(B) Notwithstanding subparagraph (A), if an insufficient number of qualified projects are available to fully meet the allocation requirement, the department may grant funds to any project that is otherwise qualified, in order to ensure that all available funds are used efficiently.

(c) In responding to requests for assistance, the department shall give priority to those projects that are being planned in conjunction with, or in lieu of, local flood control projects. The department may award grants and contracts to local agencies and organizations as provided for in the budget of the department. Participating local agencies and organizations shall follow procedures, plans, and practices that are acceptable to the department, and shall conform to guidelines established by the department that define the level of contribution and participation required by local agencies and organizations.

The department shall coordinate the program with the Department of Fish and Game during the

formulation of guidelines and project planning for urban creek protection, restoration, and enhancement. The department shall also consult with the Department of Fish and Game on project criteria which may include economic, environmental, and social benefits to be achieved.

(d) It is the intent of the Legislature that the duties and responsibilities of the department be identified as the Urban Streams Restoration Program and be carried out by an office or staff designated for this purpose. Information on how to obtain planning, design, and financial assistance should be readily accessible to the public.

(e) As used in this section, "urban creek" means a creek stream, or river that crosses built-up residential, commercial, or industrial property, or that crosses land where, in the near future, the land use will be residential, commercial, or industrial.

(f) For the purposes of this section, eligible activities include, but are not limited to, the maintenance of channel capacity and stabilization of the morphological equilibrium of a natural channel for purposes of flood damage reduction, erosion control, and bank stabilization which may include nonstructural as well as structural projects.

(g) The department may adopt regulations that define adaptive management for the purposes of the Urban Streams Restoration Program and establish criteria to fund projects that include adaptive management activities.

(h) The department may amend or utilize existing regulations for approving competitive grants. The regulations may include, but are not limited to, an application process, grant approval criteria, and grantee's reporting requirements. The department shall annually make available to the public, in a form that is readily accessible, information regarding the status of funds appropriated for these purposes and projects that received grants.

APPENDIX C: REGULATIONS FOR GRANT PROGRAM UNDER THE URBAN CREEK RESTORATION AND FLOOD CONTROL ACT OF 1985

(1) In Chapter 2, Title 23, California Code of Regulations, amend Subchapter 2.4, Sections 451.1 through 451.6, inclusive to read as follows:

Subchapter 2.4. Grant Program under the Urban Creeks Restoration and Flood Control Act of 1985.

[Note: Applicable definitions listed in Sections 451.1 incorporated into definitions in Appendix I]

451.2. Program Purposes.

(a) The Urban Creek Restoration Program is intended to protect, restore, and enhance urban creek channels by combining effective, low-cost flood control with preservation and enhancement of the natural environment. Its purpose is to reduce flooding and erosion in ways which restore the ecological viability of creek environments located in predominantly urban areas, thereby enhancing aesthetic, recreational, and fish and wildlife values.

(b) Urban creek protection, restoration and enhancement are best undertaken at the local level by a combination of local agencies and citizens' groups. Local agencies and citizens' groups have the greatest incentive to make the projects successful. Community participation reduces the cost of the projects and fosters long-term community commitment to maintenance of the projects and affected streams. The Urban Creek Restoration Program is designed to provide assistance from the State to the local effort.

(c) The Urban Creek Restoration Program is designed to contribute to the long-term enhancement and restoration of natural stream corridors in the State of California by encouraging projects which contribute to the education of the public in methods of stream restoration or stream corridor management and develop new techniques and innovative technologies in the field of stream restoration.

NOTE: Authority cited: Section 7048, Water Code. Reference: Section 7048, Water Code, Sections 5907(e)(3) and 5919, Public Resources Code.

451.3 Types of projects for which assistance is available.

Planning and financial assistance will be available for projects designed to accomplish one or more of the objectives listed below:

(a) Projects designed to organize and/or supervise volunteer labor to clear debris from stream channels and perform erosion control and bank stabilization work.

(b) Projects designed to develop and implement stream restoration plans.

(c) Projects designed to use bioengineering techniques to install plant materials, rock, netting, mulch, wood fencing, irrigation or drainage systems necessary to control erosion or stabilize banks.

(d) Projects designed to remove culverts or storm drains as needed to stabilize and restore channels or accomplish flood control objectives.

(e) Projects designed to carry out nonstructural flood control actions that contribute to the goal to protect, restore and enhance natural stream environments, including the acquisition of land, and the elevation, relocation and/or floodproofing of structures.

(f) Projects that utilize local community conservation corps and other Nonprofit corporations for local stream clearance, flood mitigation and cleanup activities.

NOTE: Authority cited: Section 7048, Water Code. Reference: Sections 7048 and 79062, Water Code.

451.4. Applications for Financial Assistance.

(a) Grant funding in an amount not to exceed \$1 million per project shall be available for eligible project costs associated with projects described in Section 451.3 above. Assistance may be given under the Urban Creek Restoration Program to projects which involve the assistance or participation of Federal or State agencies, so long as those projects are sponsored by at least one local public agency and at least one citizens' group.

(b) The Department shall conduct periodic grant application cycles based upon availability of funding and the existing pool of projects approved for funding. For each grant application cycle, the Department shall notify the public that financial assistance is available. Applications for funding shall be due 75 days after mailing of the notice. When funding constraints require a streamlined application cycle, the notice shall so state and applications for funding shall be due 30 days after mailing of the notice. Applications may be made for projects to be implemented in phases. The Department may require a new application for funding for each phase of a project, and may re-evaluate the project during each successive application cycle. Unfunded applications from a previous cycle may, at the discretion of the Department, be carried over for consideration in the next application cycle.

(c) Applicants for financial assistance shall file a written application. A complete application shall include, but not be limited to, the following information:

- (1) A cover sheet identifying all sponsors, co-sponsors, the program manager and any endorsers of the project, and providing information regarding the sponsor's legal authority to submit the application. Attached to the cover sheet shall be a map showing the location of and access to the proposed project site.
- (2) A summary statement describing the purpose of the project proposal. The summary statement shall address how the project or plan proposes to meet the program objectives set forth in sections 451.2 and 451.3 above and fits within the goals of California Water Code section 7048, and whether the grant will assist in planning or implementation of a creek restoration project, or both.
- (3) A description of the stream restoration or watershed management techniques the applicant proposes to use.
- (4) A description of the project's relationship to other flood control projects, which states whether the proposed project and/or plan supplements or would be in lieu of a local or cooperative local-federal flood control project, and whether it is consistent with applicable local land use, water management and/or general plans. If there is any relationship between the proposed project and other flood control projects, the description shall identify the agencies and organizations involved and summarize the plans and features of the other projects.
- (5) A description of the proposed project's use of public participation in planning, design or implementation of the project.

- (6) A description of the educational benefits to be derived by the public and any technical advances or demonstrations of new methods of stream restoration or stream corridor management the project may provide. This should include a description of the photographs, charts, videotapes, reports, or other material the applicant plans to develop to illustrate the methods used and the results obtained by the project. At the completion of the project, copies of these materials are to be submitted to the Department of Water Resources, which shall make them available to the public upon request and payment of its reasonable reproduction costs.
- (7) A description of plans for long-term management or maintenance of the stream which the project will affect.
- (8) A disclosure of other options available to the applicant to carry out the proposed project if the Urban Creek Restoration Program is unable to provide full funding, including other potential funding sources. The applicant shall identify the priority set by the applicant on various project components, to be used in the event partial funding is provided.
- (9) A description of all anticipated local contributions to defray the cost of the project, which may include financing, materials, paid or volunteer labor, administrative services, rights-of-way, easements, equipment or landfill fees.
- (10) A project budget reflecting all costs associated with the project, and designating specifically costs to be covered by the grant request, costs to be covered by local contributions and costs to be covered by any other source. The budget should quantify costs for planning and design, ground area of restoration work, labor, material and equipment requirements, and display the total project budget in relation to the total amount of the grant request.
- (11) A project schedule designating anticipated start and finish dates, and highlighting any times or components which are contingent upon the actions of other entities.
- (12) During the administration of this program and the evaluation of applications, additional technical, financial, hydrologic, bioengineering, soil and water quality, environmental, water rights, legal analyses and justifications, and other relevant information may be required by the Department.

NOTE: Authority cited: Section 7048, Water Code. Reference: Sections 7048 and 79062, Water Code.

451.5. Priority for Financial Assistance.

(a) For each application cycle, the Department shall establish a priority list pursuant to the requirements of Water Code section 7048(c), after considering the recommendations of an interdisciplinary team comprised of technical experts from the Department of Water Resources and a representative of the Department of Fish and Game, and based upon the following criteria.

- (1) Is the project designed to relieve the magnitude or severity of flooding and/or to protect property and resources from bank failure?
- (2) Is the project planned in conjunction with or in lieu of local flood control projects, and would it result in implementation of more environmentally sensitive flood management approaches

than would otherwise be implemented? (Note: Any project that directly conflicts with federally authorized and funded flood control projects shall not be funded under this program without the consent of the Director.)

- (3) Does the project use cost effective, low maintenance bioengineering techniques for flood damage reduction while protecting, restoring and enhancing natural environmental values?
 - (4) Does the project restore culverted or channelized segments to a condition which optimizes fish passage conditions in fish bearing streams and the natural, recreational, and aesthetic values of the stream consistent with flood control objectives?
 - (5) Does the project incorporate non-structural methods to reduce urban flooding and erosion and maintain or improve environmental and social benefits.
 - (6) Does the project incorporate riparian restoration techniques that improve habitat for fish and wildlife?
 - (7) Does the project enhance aesthetic, recreational and economic values?
 - (8) Does the project enjoy broad based public and institutional support?
 - (9) Does the project incorporate significant participation of local agencies and citizens' groups in project planning, design or implementation? Do the sponsors share in the project costs by providing funds or in kind contributions (i.e. administrative/technical services, labor, materials, equipment)?
 - (10) Does the project provide for collection and distribution of information of value to the public regarding either the community involvement or technical aspects of natural stream restoration?
 - (11) Is the project consistent with all relevant local land use, water management or general plans?
 - (12) Is the project important as an innovation or unprecedented departure in the field of stream restoration?
 - (13) Is the project of value to the general public?
 - (14) Is there a particular need for timely action on this project?
 - (15) Are other funding sources available to the applicant? Is the Department the only likely funding source for this project? Will providing this grant allow implementation of a larger, collaborative, multi-objective project?
 - (16) Is there a need for continuity and final implementation of plans previously funded by the Program?
- (b) Applications reviewed shall be considered for partial funding to increase the number of projects that may be funded. The Department may allocate funds for a project in an amount less than the amount requested in the application. The Department shall also consider the location and size of proposed projects to provide for a reasonable geographic distribution of projects and a balance

between small and large projects. The Department will coordinate with CALFED to ensure projects funded are not in conflict the CALFED goals and objectives.

(c) The priority list shall consist of all projects for which funds are allocated in a given application cycle. The Department may establish a reserve list of projects to which funds may be allocated if applicants on the priority list decline grants, abandon their projects, or otherwise fail to use the entire amount of funds allocated to them. The Department may establish an additional priority list from the remaining pool of qualified applicants if additional funds become available.

NOTE: Authority cited: Section 7048, Water Code. Reference: Sections 7048 and 79062, Water Code.

451.6. Contract Requirements.

(a) Prior to entering into a contract, representatives of the Department may visit the project site to assess its conditions and needs, and then meet with all the project sponsors, co-sponsors, endorsers, and any other local officials, agencies and/or organizations with an interest in the project to develop a work plan. The work plan shall reflect the specific schedule and components of the project, and incorporate recommendations made by the Department. The work plan shall be attached to and become a part of the contract between the Department and the applicant. The Department may require all individuals or organizations it believes to be integral to the effective completion and long-term maintenance of the project to endorse the work plan.

(b) The project sponsors must provide an opportunity for public comment, unless the Department waives this requirement for good cause. A public meeting held to adopt a resolution to support the project or accept a grant will satisfy this requirement. Grants that involve trash and debris clean up only may be exempted from the public comment requirement. A contract will be signed by the Department only after the sponsor provides copies of resolutions from the sponsor and all co-sponsors accepting the grant and authorizing specific individuals to sign the contract on the behalf of each.

(c) The Department may enter into a contract before the sponsors and/or co-sponsors have obtained all applicable permits, but may not disburse any funds to be used for project construction until the sponsors and/or co-sponsors have complied with all applicable federal, State and local laws, rules and regulations, and obtained all required permits.

(d) All applicable requirements of the California Environmental Quality Act (California Public Resources Code sections 21000-21177) and applicable regulations shall be complied with prior to entering into a contract.

(e) If a contract is not signed within six months of the date the priority list is approved, the grant may be withdrawn or revised.

(f) All contracts shall be signed by all the sponsors and co-sponsors. If the sponsor is a citizens' group that is not a nonprofit corporation, it must designate a fiscal agent to act on its behalf, and provide evidence that the fiscal agent agrees to so act.

(g) The contract shall require the sponsors and/or co-sponsors to submit a written report of the project to the Department upon completion. The report must include photographs of planning and restoration activities and techniques.

(h) The contract shall include, as part of the work plan, a plan for the long-term management or maintenance of the stream which the project will affect.

(i) The Department may withhold up to 10 percent of the grant amount until the project and final report are complete to the Department's satisfaction.

(j) During planning and construction the Department may inspect the project at any reasonable time to ensure it is being carried out in accordance with the work plan, and after completion to ensure that it is being properly maintained.

NOTE: Authority cited: Section 7048, Water Code. Reference: Section 7048, Water Code, Sections 5907(e)(3), 5917, 5918 and 5919, Public Resources Code.

APPENDIX D – STATE AUDIT AND ACCOUNTING REQUIREMENTS

Audit requirements

All projects are subject to audit by the State of California annually and for three (3) years following the final payment of grant funds. If the project is selected for audit, the grantee will be contacted in advance. The audit shall include all books, papers, accounts, documents, or other records of the grantee, as they relate to the project for which the funds were granted.

The grantee must have the project records, including the source documents and canceled checks, readily available, and provide an employee with knowledge of the project to assist the auditor. The Grantee must provide a copy of any document, paper, record, or the like, requested by the auditor.

Accounting requirements

The grantee must maintain an accounting system that:

- accurately reflects fiscal transactions, with the necessary controls and safeguards,
- provides a good audit trail, including original source documents such as purchase orders, receipts, progress payments, invoices, time cards, canceled checks, etc.
- provides accounting data so the total cost of each individual project can be readily determined.

Records Retention

Project records must be retained for a period of three (3) years after final payment is made by the State. All project records must be retained by the grantee at least one (1) year following an audit. Grantees are required to keep source documents for all expenditures related to each grant for at least three (3) years following project completion and one year following an audit. A project is considered complete upon receipt of final grant payment from the State.

APPENDIX E – GLOSSARY – Definition of Terms

Unless otherwise stated, the terms used in these grant guidelines have the following meanings:

Acquisition - means obtaining a fee interest or any other interest in real property, including easements, leases, and development rights.

Applicant - means an eligible organization requesting funding from a program administered by the State.

Biotechnical Methods - means the use of mechanical elements in combination with live vegetation to arrest and prevent slope failures and erosion. The mechanical elements may include large organic structures like wood and natural rock as well as man-made materials like concrete and engineered rock revetment. The biological and mechanical elements must be appropriate to the site-specific landscape and must function together in an integrated and complementary manner.

Bond or Bond Act - means Proposition 84, the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006.

CEQA - means the California Environmental Quality Act, Public Resources Code Section 21000 et seq.; Title 14, California Code of Regulations, Section 15000 et seq.

Citizens' Group - means an organization of the public which has no official governmental status, including but not limited to clubs, societies, neighborhood organizations, advisory councils, and nonprofit local community conservation corps and other nonprofit organizations.

Community - means a population of persons residing in the same locality under the same local governance, such as a city, town, county, or named unincorporated area.

Compatible Recreational Opportunities - means low impact recreational activities designed to protect natural areas and minimize impacts to natural resources. Low impact recreational activities include walking, hiking, bicycling, equestrian use, non-motorized boating, bird watching, fishing, star-gazing, photography and organized events such as interpretive tours or nature walks. The same recreational activity may be compatible in one environment or location, and incompatible in another environment or location.

Conservation Easement - means any limitation in a deed, will or other instrument in the form of an Easement, restriction, covenant or condition which is or has been executed by or on behalf of the owner of the land subject to such easement and is binding upon the successive owners of such land, and the purpose of which is to retain land predominantly in its natural, scenic, historical, agricultural, forested or open-space condition (Civil Code Section 815.1).

Co-sponsor - means a local public agency involved in planning, flood control or waterway management or an individual or citizens' group interested in floodplain management and stream restoration which, jointly with the sponsor, supports and actively participates in a project. There may be more than one co-sponsor for a single project. If the sponsor is a local public agency, at least one co-sponsor must be a citizens' group and vice-versa.

Department - means the California Department of Water Resources.

Development - includes, but is not limited to, improvement, rehabilitation, restoration, enhancement, preservation, protection, and interpretation.

Director - means the Director for the Department of Water Resources or his/her representative.

Disadvantaged Community - means a community with an annual median household income that is less than 80 percent of the statewide annual median household income.

Easement - means an interest in land entitling the holder thereof to a limited use or enjoyment of the land in which the interest exists.

Eligible project costs - for Urban Streams Restoration grants means reasonable costs associated with carrying out a project as described in Section 451.3, including the reasonable costs of organizing community and/or volunteer groups, engineering, land and easement acquisition, legal fees, preparation of the application for funding, preparation of environmental documentation, environmental mitigation, and construction. Costs incurred prior to applying for or entering into a contract for grant funding may be reimbursed at the Department's discretion. Costs that are not eligible include regular operation and maintenance costs, and costs for the purchase of movable equipment not an integral part of the project.

Endorse or Endorser - means a group or individual who expresses written support for a grant application and may or may not have a commitment to actively participate.

Enhancement - means to modify current conditions, and may be used to describe a River Parkway project that would result in a natural resource, recreational area, or existing facility realizing desired improvements (e.g., greater public access, increased riparian habitat, etc.) while considering the protection of the natural environment. It is distinguishable from "Restoration" in that it does not imply merely a return to natural conditions, but may include the provision of recreation or other aspects that were not originally part of the features.

Environmental Justice - is the fair treatment of people of all races, physical and cognitive abilities, cultures and income with respect to the development, adoption, implementation, and enforcement of environmental laws, regulations and policies.

Environmentally-Friendly materials - (EFM) inflict little or no harm on the environment either through their production or subsequent use. Some examples of EFM include: benches using materials comprised of recycled post-consumer waste; trail surface constructed of durable natural materials such as decomposed granite (versus asphalt); or pier posts made of inert material such as recycled plastic (versus creosote-treated wood) that if lost during a flood event would pose little harm to the aquatic community.

Fair Market Value - means the value placed upon the property as supported by an appraisal that has been reviewed and approved by the State.

Flood mitigation measures - refers to selective removal of excess sediment or debris deposited during a flood event which is likely to deflect or restrict flows and increase flooding or erosion in the future, bioengineering projects to restore streambanks damaged during flood events, and revegetation efforts to improve the fluvial geomorphology of streams.

Fund" or "Funds - means Proposition 84, The Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006 created pursuant to Water Code Section 79510.

Grant Agreement - means a contractual arrangement between the State and Grantee specifying the payment of funds by the State for the performance of specific project objectives within a specific project performance period by the Grantee.

Grantee - means an applicant that has an agreement for grant funding with the State.

Grants Administrator - means an employee of the State who manages the grants.

Hardscape - are “engineered elements” within a natural environment. Examples of well engineered elements include: walkways in a dune area designed to work with or allow the uninterrupted and natural movement of sand; pedestrian/bikeway bridges across streams with support piers designed to accommodate the natural movement of sediment; or parking areas designed with permeable surface and/or storm water drainage systems to protect water quality by minimizing hydrocarbon-laden runoff into surface water.

In-Kind - means non-cash donations, from governmental or private sources, and includes volunteers, materials and services.

Interpretation - includes, but is not limited to, visitor-serving amenities that communicate the significance and value of natural, historical and cultural resources in a way that increases understanding and enjoyment of those resources and that may utilize the expertise of a naturalist or other specialist skilled at educational interpretation.

Landscape - means arranging or modifying the features of a natural environment, such as planting trees, flowers and/or shrubs, for merely aesthetic purposes.

Land Tenure/Site Control - means the applicant owns the project land or has other legal long-term interest with the landowner that is satisfactory to the State (see pages 44-45).

Larger Parkway Plan - is a formal document that lays out a plan for a river parkway, approved by the appropriate governing body and coordinated with local landowners and jurisdictions.

Local Public Agency - means any political subdivision of the State of California, including but not limited to any county, city, city and county, district, joint powers agency, local community conservation corps agency, or council of governments.

Local Community Conservation Corps - is a Nonprofit benefit corporation formed or operating pursuant to Part 2 (commencing with Section 5110) of Division 2 of Title 1 of the Corporations Code, or an agency operated by a city, or city and county, which is certified by the California Conservation Corps under Section 14507.5 of the Public Resources Code. These organizations may also be referred to as local urban conservation corps or local conservation corps to avoid confusion with the California Conservation Corps. “Local conservation corps” means a program operated by a public agency or Nonprofit organization that meets the requirements of Section 14406 from prop 84 bond language

Local Watershed Group - means a group consisting of owners and managers of land within the watershed of interest, local, State and federal government representatives and interested persons other than landowners, who reside or work within the watershed of interest, and may include other persons, organizations, Nonprofit corporations and businesses.

Low Impact Recreational Activities - see Compatible Recreational Opportunities, page 64.

Nonprofit Organization - means any nonprofit corporation qualified to do business in California, and qualified under Section 501 (c) (3) of the Internal Revenue Code.

Nonstructural - refers to measures which solve flooding or erosion problems without physically changing the dimensions of a waterway. This may include floodplain zoning, land acquisition, flood insurance, watershed management, debris removal, and floodproofing of existing structures by elevating or building a berm around them, but does not include constructing storage reservoirs or lining channels.

Other Sources of Funds - means cash or in-kind contributions that are required or used to complete the project beyond the grant funds provided by the River Parkways or Urban Streams Restoration Grant programs.

Overhead Costs - means expenses of doing business that are of a general nature and are incurred to benefit at least two or more functions within an organization. These costs are not usually identified specifically with a grant, Grant Agreement, Project or activity, but are necessary for the general operation of the organization. Examples of overhead costs include salaries and benefits of employees not directly assigned to a project; functions such as personnel, business services, information technology, janitorial, and salaries of supervisors and managers; and rent, utilities, supplies, etc.

Planning - means specific preparations necessary to execute eligible river parkway projects. Planning includes conceptual designs, pre-schematic work, such as initial architectural and engineering plans prepared during the preliminary project phase; schematic documents; technical consulting; construction design; preparation of construction bidding documents; permits or appraisals. Planning costs are distinct from “hard” project costs of actual construction or acquisition.

Project - means the acquisition or development activity to be accomplished with river parkways and/or urban streams restoration grant funds, and other funds if necessary, that meets eligibility requirements (see pages 2 through 5).

Project Performance Period - refers to the beginning and ending dates of the grant agreement. Eligible costs incurred during this period may be funded from the grant. USR may fund some activities undertaken prior to the project performance period at the sole discretion of DWR.

Project Scope - means the description or activity of work to be accomplished by the project.

Proposition 84 - see **Bond**, page 64.

Public Access - generally refers to full right-of-way from public thoroughfares or public transportation.

Public Agency - means any State of California department or agency, a county, city, public district or public agency formed under California law. Also see definition for local public agency.

Restore or Restoration - means to reproduce and reestablish the physical and biological characteristics of a natural channel which would occur at a given location under the current climatic, geologic and hydrologic conditions. Either a natural channel that has been damaged or a channel that has been modified by human efforts can be restored.

Riparian Habitat - means lands that contain habitat which grows close to, and which depends upon, soil moisture from a nearby freshwater source.

River Parkways - are outdoor areas adjacent to a river or stream, set apart to conserve scenic, natural, open space or recreational values to afford public access to open space, low impact recreational activities, and/or wildlife habitat and may encompass ecological restoration, flood management, water quality and/or urban waterfront revitalization benefits.

Riverine - means living in, growing in, or located in a stream or river.

Secretary - means the Secretary for Resources or his/her representative.

Sponsor - means a local public agency involved in planning, flood control or waterway management or an individual or citizens' group interested in floodplain management and stream restoration which is acting as the principal party making the grant application and which will have primary responsibility for executing the contract, submitting the invoices and receiving reimbursements.

Stable or stabilize - refer to the state or process of bringing a channel to a condition of equilibrium in which the dimensions and gradient are appropriately matched to the watershed and the runoff of water and sediment, with the objective to have a self-maintaining system.

State - means a political subdivision of the State of California.

Stream clearance - refers to removal of garbage, junk and excessive vegetation to allow for more effective geomorphic functioning of the stream, so that there is neither excessive deposition or excessive erosion, while maintaining suitable vegetation and woody debris to provide aquatic and riparian habitat.

Stewardship Plan - means a plan to provide ongoing implementation and management associated with the acquisition of a conservation easement.

Urban Stream - means a creek which crosses built-up residential, commercial, or industrial property, or which crosses land where, in the near future, the land use will be residential, commercial, or industrial (Water Code, Section 7048(e)).

Urban Water Supplier - means a supplier, either publicly or privately owned, providing water for municipal purposes either directly or indirectly to more than 3,000 customers or supplying more than 3,000 acre-feet of water annually. (Water Code, Section 10617).

Watershed Plan - means a document prepared by a local watershed group that sets forth a strategy to achieve an ecologically stable watershed, and that does all of the following: (1) Defines the geographical boundaries of the watershed; (2) Describes the natural resource conditions within the watershed; (3) Describes measurable characteristics for water quality improvements; (4) Describes methods for achieving and sustaining water quality improvements; (5) Identifies any person, organization, or public agency that is responsible for implementing the methods described in (4); (6) Provides milestones for implementing the methods described in (4); and (7) Describes a monitoring program designed to measure the effectiveness of the methods described in (4).

Willing Seller - means the project property owner(s) is/are a willing participant(s) in the proposed real property transaction and at a purchase price not to exceed fair market value as verified by the State.

****END OF GUIDELINES****