

**PROPOSTION 68 SPECIFIED RIVER PARKWAYS  
GRANT GUIDELINES / PROCEDURAL GUIDE**



**STATE OF CALIFORNIA**

**THE NATURAL RESOURCES AGENCY**

**July 2018**





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This guide governs the administration of appropriations made to the California Natural Resources Agency (Agency) for Proposition 68 specified local government and non-profit resources projects. Enclosed are items that make up a Project Information Package, a grant agreement template, and a resolution template, payment instructions and resources. The completed Project Information Package provides a means to define projects for grant funding as well as to specify its authorized representative delegated to sign all documents to be submitted to the California Natural Resources Agency.

No funds will be disbursed until an agreement between the California Natural Resources Agency and the Grantee is signed by both parties,

Please submit completed Project Information Package to:

**Bonds and Grants Unit  
California Natural Resources Agency  
1416 Ninth Street, Suite 1311  
Sacramento, CA 95814**

## Statutory Requirements

### Chapter 7. California River Recreation, Creek, and Waterway Improvements Program

1. Grants under this chapter will be awarded pursuant to the California River Parkways Act, meeting at least two of the following five statutory conditions:
  - a) **Recreation** - Provide compatible recreational opportunities, including trails for strolling, hiking, bicycling and equestrian uses along rivers and streams.
  - b) **Habitat** - Protect, improve, or restore riverine or riparian habitat, including benefits to wildlife habitat and water quality.
  - c) **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.
  - d) **Conversion to River Parkways** - Convert existing developed riverfront land into uses consistent with river parkways.
  - e) **Conservation and Interpretive Enhancement** - Provide facilities to support or interpret river or stream restoration or other conservation activities.
2. Projects must provide public access or be a component of a larger parkway plan that provides public access.
3. Projects must comply with the California Environmental Quality Act (CEQA), Division 13 (commencing with Section 21000).
4. 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.).
5. Projects must comply with current labor and prevailing wage Codes.
6. Funds cannot be used to fulfill any mitigation requirements imposed by law.
7. Up to 5 percent of the grant may be used for community access. Community access is defined as “engagement programs, technical assistance, or facilities that maximize safe and equitable physical admittance, especially for low-income communities, to natural and cultural resources, community education, or recreational amenities.” This includes, but is not limited to transportation, physical activity programming, resource interpretation, multilingual translation, natural science, workforce development and career pathways, education, and communication related to water, parks, climate, coastal protection, and other outdoor pursuits.

### Tribal Consultation

Agency recognizes the need for consultation regarding projects that affect California tribal communities. As such, applicants should make every effort to involve Native American Tribes or stakeholder groups as appropriate.

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## Eligible Costs

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 project performance period are not eligible for reimbursement. **Indirect/overhead costs are not eligible** for reimbursement.

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. However, grant funds need not fund all activities used to meet eligibility requirements.

## Process after Designation of Grant Award by Legislature

1. Grantee completes and submits Project Information Package (Package) to Agency.
2. Agency reviews Package and, if the proposed project scope meets the requirements of the bond and the 2004 River Parkways Act, develops a Grant Agreement with the Grantee.
3. Agency sends a Grant Agreement to Grantee for signature.
4. Grantee returns signed Grant Agreement to Agency.
5. Agency returns a fully executed Grant Agreement to Grantee.
6. Grantee may then submit payment requests for reimbursement of project expenditures.
7. Grantee completes project and submits Project Completion Package.
8. Agency Grants Administrator makes final project inspection and approves final payment.
9. The state may perform audits, as frequently as annually during the course of the project, and for 4 years after the project is completed.

## 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 and bond acknowledgement sign erected. Site control satisfactory to the State must be received prior to **any** funds being reimbursed.

### Development projects

- Payments will be made on a reimbursement basis (i.e., the grantee **pays** for services, products or supplies, submits invoices and proof of payment and is **then** reimbursed by the State). It generally takes 4-6 weeks to receive payment once a complete Payment Request is submitted.
- Ten percent (10%) of the amounts submitted for reimbursement may be retained and issued as a final payment upon project completion.
  - For communities that meet disadvantaged requirements, advances in increments of up to 25% may be available upon compelling need. No advances will be made for in-house labor costs.

### Acquisition projects

- Properties must be acquired at an amount that does not exceed the fair market value, as approved by the State.
- 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.

## 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.

## Loss of Funding *(not a complete list)*

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

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

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## **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 Appendix F).

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.

Grantees must own the land or hold a lease, long-term agreement, or other legal, long-term interest in the land that is satisfactory to the State.

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, state contractor's and other licenses, and disabled access laws. Grantee must certify that all applicable permits have been obtained.

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## **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.

### **Ongoing Project Reporting**

Grantees are required to report on the status of the bond funded site periodically through the life of the project but no less than biennially. Entities will be provided a list of required elements at the close of the bond-funded project.



## ANSWER THE FOLLOWING QUESTIONS

1. Select the two statutory priorities that are most applicable to your project and explain how the project fits those priorities:
  - a. **Recreation** - Provide compatible recreational opportunities, including trails for strolling, hiking, bicycling and equestrian uses along rivers and streams.
  - b. **Habitat** - Protect, improve, or restore riverine or riparian habitat, including benefits to wildlife habitat and water quality.
  - c. **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.
  - d. **Conversion to River Parkways** - Convert existing developed riverfront land into uses consistent with river parkways.
  - e. **Conservation and Interpretive Enhancement** - Provide facilities to support or interpret river or stream restoration or other conservation activities.
2. Describe the discrete project that would be funded with the requested funds including all deliverables.
3. As applicable, describe benefits for:
  - a. Fish and wildlife benefits
  - b. Stream structure/function
  - c. Flooding
  - d. Recreational goals
4. Is CEQA complete? If not, timing for completion?
5. Has community outreach been conducted? If not, timing for outreach?
6. How will the public access the project?
7. Have all entities with jurisdiction been identified?
8. Have all entities with jurisdiction been notified about the project?
9. Is there any funding gap and if so, how would it be bridged?
10. Is the project located in, or will it be serving a disadvantaged community or severely disadvantaged community? (See definitions in Appendix N)
11. How does the project promote and/or encourage involvement or use from diverse cultural backgrounds and incomes?
12. Enter the quantities as applicable of -
  - a. Net GHG benefit
  - b. Trees to be planted
  - c. Acre feet of stormwater captured/treated
  - d. Acres of green/open space created/restored/enhanced
  - e. Acres of green/open space to be acquired
  - f. Miles of nature trail to be created

- g. Plants to be planted (non-trees)
- h. Acres of riparian habitat restored/enhanced
- i. Number of development rights extinguished

13. Will the project be ADA accessible?

- a. Yes
- b. No

14. Type of Project

- a. Development
- b. Acquisition

15. Other Sources of Funds (enter the dollar amount in each applicable category)

- a. Federal Contribution
- b. Local Contribution
- c. Other State Funds
- d. Private Contribution

16. Name of River Creek or Stream

17. What is planned for long-term maintenance?

18. What type of data will be collected on an ongoing basis to measure the effectiveness and success of the project.

## **Other Funding Sources and In-Kind Services**

1. 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.
2. Indicate any other grants where funding has been requested, the requested amount, and the expected notification date.

## **MATERIALS TO BE SUBMITTED TO DEVELOP GRANT AGREEMENT**

1. **Answers to questions 1- 18.**
2. **Location Map** – Directional map, with enough detail to allow a person unfamiliar with the area to locate the project site. Include any other maps or aerial photographs as appropriate. Streets and other notable landmarks should be clearly marked to allow for easy identification.
3. **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 (funding acknowledgement signage and any other interpretive signage).

4. **Photographs** – Provide up to five (5) labeled color photographs of different views of the project site reflecting **current** conditions, flooding or erosion problems, and/or the locations of restoration work.
5. **Signed Authorizing Resolution** – Provide a signed authorizing resolution from governing board (see Appendix A).
6. **Eligibility for Nonprofit Applicants** – (if applicable) Evidence that the corporation is qualified under Section 501(c)(3) of the *Internal Revenue Service Code*. Entities must have active status with the Secretary of State.
10. **Property Data Sheet** – For development projects, complete the property data sheet for all parcels included in the project (see Appendix E).
11. **Assessor’s Parcel Map** – Photocopy from Assessor’s Office, with project parcels highlighted and full parcel number clearly labeled.
12. **Adequate Site Control/Land Tenure** – Provide copies of documents identifying 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).

If applicant does not own all of the parcels, provide a copy of an agreement that gives the applicant legal access, permission to construct and maintain the project, and public access to the resultant project for the required number of years, based on the size of grant requested. (See Appendix F).

13. **Operations and Maintenance** - If operations and maintenance will be performed by an entity other than the applicant, 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 other party indicating their intent to enter into such an agreement is acceptable.
14. **Cost Estimate** – 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. Projects using in-house services must also detail the labor, materials and equipment costs as separate line items. Include funding acknowledgement signage costs as an individual line item (see Appendix B).
15. **Timeline** – Provide timeline for major project milestones.
16. **Project Permit/Approval Status** – 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, Appendix I).

- 17. Environmental Compliance** – (One copy only) - At a minimum, provide a copy of the Categorical Exemption (draft okay) if project is exempt OR draft Initial Study (Checklist only acceptable) for entire proposed project (Appendix H).
- Acceptance of state grant funds requires the Lead Agency to file a Notice of Exemption with the County.
  - CEQA (and NEPA if applicable) must be completed to the State's satisfaction before any construction funds will be disbursed.

IN ADDITION, FOR ALL ACQUISITION PROJECTS

**18. Land Acquisition Form** - Submit Land Acquisition Form for each escrow (see Appendix D).

**19. Evidence of Willing Seller** – For acquisitions, provide a copy of the fully executed purchase option agreement if available. Also provide a letter from **each** landowner indicating they are a willing participant in the proposed real property transaction (see Appendix G- Willing Seller Letter). 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.

- a) 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 also be included with the application. **All transfers must be approved by the State.**

**20. 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.

**21. If available, also submit the appraisal and preliminary title report.**

**APPENDIX A - RESOLUTION TEMPLATE**

Resolution No: \_\_\_\_\_  
RESOLUTION (*GOVERNING BODY OF GRANTEE*)  
APPROVING THE APPLICATION FOR GRANT FUNDS FOR THE  
\_\_\_\_\_

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

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

WHEREAS, said procedures established by the California Natural 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. Certifies that applicant will work towards the State Planning Priorities intended to promote equity, strengthen the economy, protect the environment, and promote public health and safety as included in Government Code Section 65041.1, and
7. 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

## APPENDIX B - SAMPLE COST ESTIMATE FORM FOR DEVELOPMENT RIVER PARKWAYS PROJECTS

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 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	Local Contributions (Specify)	Other Funding Source(s) (Specify)
<b>NON-CONSTRUCTION COSTS</b>							
<b>Direct Project Management &amp; Administration</b>							
Staff Time		Hrs					
CEQA	LS	LS	LS				
Consultants							
<b>Subtotal – Direct Management</b>							
<b>Planning, Design &amp; Permitting</b>							
Staff Time		Hrs					
Consultants							
Permit Costs	LS	LS	LS				
<b>Subtotal - Planning, Design &amp; Permitting</b>							
<b>CEQA Compliance (if applicable)</b>							
Staff Time		Hrs					
Consultants							
<b>Subtotal – CEQA</b>							
<b>SUB-TOTAL Non-Construction Costs</b> (not to exceed 25% of grant)							
<b>CONSTRUCTION COSTS</b>							
<b>Implementation/Construction - Contracted</b>							
Installed cost (labor & materials) – component W							
Installed cost (labor & materials) – component X							
<b>Implementation/Construction - Applicant</b>							
<b>Component Y</b>							
Labor (applicant's personnel)		Hrs					
Materials							
Equipment							
<b>Component Z</b>							
Labor (applicant's personnel)		Hrs					
Materials							
Equipment							
<b>Community Access (not to exceed 5% of grant)</b>							
<b>SUB- TOTAL Construction Costs</b>							
<b>Contingency</b> (not to exceed 10% of grant)							
<b>PROJECT GRAND TOTAL:</b>							

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 Grants and Other Funding Sources should also sum to the Total Project Costs column. LS = Lump Sum. Overhead/indirect costs are not eligible for reimbursement.

## APPENDIX C - ELIGIBLE COSTS

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 Appendix N for definition of overhead costs).

All projects must comply with all provisions of Section 1771.5 of the California Labor Code. 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** – 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, assessments, 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 date and 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 project completion.

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.
- Community access (up to 5% of grant)

## **B. Acquisition**

Costs of acquiring real property are eligible and include the purchase price of the property at the approved fair market value, appraisals, and 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 % 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 Appendix J).



## APPENDIX D - LAND ACQUISITION FORM

(Complete one form for **each escrow**)

<b>Project Title:</b>				
<b>Assessor's Parcel Number(s):</b>	<b>Acreage</b>	<b>Fee Title or Easement</b>	<b>Willing Seller Name and Address</b>	
<b>ACQUISITION COST ESTIMATE</b>				
	<b>Total Costs</b>	<b>River Parkways</b>	<b>Other Sources of Funds (specify by name)</b>	
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)				
<b>Grand Total</b>				

### 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		

## LAND ACQUISITION FORM, Continued - 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.
  6. **Required Signage** – Provide an estimated cost of required signage (see Appendix J).
  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.)

**APPENDIX E - 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		
1														
2														
3														
4														
5														
6														
7														
8														
9														
10														

**Comments:**

**Total Number of Parcels:** \_\_\_\_\_ **Total Number of Acres:** \_\_\_\_\_

## **APPENDIX F - 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 River Parkway Grant Program 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**

- All projects are subject to the recordation of a document against the real property that defines the State's interest in the property (see Appendix K) whether the grantee owns the property or not. 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.

**APPENDIX G – WILLING SELLER LETTER (ACQUISITIONS ONLY)**

All acquisition application packages must include willing seller letters **from each legal owner**. If a signed purchase option agreement is available, please submit. The willing seller 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: California Natural Resources Agency  
California River Parkways Grant Program

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 ALL parties required to sign for a sale*

\_\_\_\_\_  
*Date signed*

## APPENDIX H – ENVIRONMENTAL COMPLIANCE

Prior to approval and distribution of grant funds for construction/implementation, every proposed project shall comply with the California Environmental Quality Act, Division 13 (commencing with Section 21000; 14 California Code of Regulations section 15000 *et seq.* [“CEQA”]).

The State of California, acting through its administering agencies and departments, will typically act as a responsible agency for the purposes of CEQA. Therefore, prior to the State approving funding for a proposed project, one of the following **must** be submitted by the grant applicant:

- a) The Notice of Exemption filed with the county clerk and State Clearinghouse (as applicable) if the proposed project is categorically or statutorily exempt with the appropriate Public Resources Code section citation to the exemption(s) being relied upon by the lead agency, **OR**
- b) The Negative Declaration or Mitigated Negative Declaration adopted by the lead agency and Initial Study, including a copy of the Environmental Checklist Form located in Appendix G of the CEQA Guidelines\* and the Notice of Determination filed with the County and with the State Clearinghouse. If the lead agency has adopted a Mitigated Negative Declaration, the Applicant must also provide the adopted mitigation monitoring and reporting program. <sup>1</sup> **OR**
- c) The Final Environmental Impact Report certified and adopted by the lead agency with Initial Study including a copy of the Environmental Checklist Form located in Appendix G of the CEQA Guidelines, the adopted mitigation monitoring and reporting program, and the Notice of Determination filed with the County and the State Clearinghouse. Please include any State Clearinghouse Responses received by the applicant.<sup>2</sup>
- d) Projects that tier from a Programmatic, Master, or other Environmental Impact Report shall include a copy of any subsequent Initial Study for the proposed project together with a copy of any supplementary environmental documentation adopted by the lead agency, including if applicable, any required findings pursuant to Public Resources Code 21157.1, subdivision (c), and the Notice of Determination, filed with the county clerk and with the State Clearinghouse, as applicable.

Pursuant to Section 75102 of the Public Resources Code, before the adoption of a negative declaration or environmental impact report, the lead agency shall notify the proposed action to a California Native American tribe, which is on the contact list maintained by the Native American Heritage Commission, if that tribe has traditional lands located within the area of the proposed project.

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<sup>1</sup> For b and c: include documentation that the State of California Department of Fish and Game CEQA fee was paid or is not applicable.

<sup>2</sup> *ibid*

## APPENDIX I - 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
<b>State Agencies:</b>					
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"/>	
<b>Federal Agencies</b>					
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"/>	
<b>Local and Regional Planning Agencies</b>					
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"/>	
<b>Others (List):</b>					
<b>Describe any potential delays due to permitting (indicate specific permits):</b>					

## APPENDIX J - SIGN GUIDELINES

### Types of Signs

- 1) **Construction** - A sign acknowledging the funding source is required during construction.
- 2) **Post Completion** - All grantees are required to post a sign at the project site upon completion of the project. The sign must be available for the final inspection of the project and be in place for a minimum of four (4) years from date of project completion. There is no minimum or maximum size other than the minimum size for the logo as long as the sign contains the required wording.

If appropriate, the same sign can be used during construction and completion.

### Language for Signs

All signs will contain the following minimum language as seen on the side panel to the right. 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 the logo for the Parks and Water Bond Act. The logo is available at <http://resources.ca.gov/grants/logo-art/>. The logo must be mounted in an area to maximize visibility and durability. Each edge of the logo itself must be a minimum of 24" tall. Exceptions may be approved when appropriate at the discretion of the State.

#### Project Title/Description

Another project funded  
Through the California  
Natural Resources  
Agency to improve  
River Parkways

**EDMUND G. BROWN, JR.,  
GOVERNOR**  
John Laird, Secretary for  
Natural Resources



### 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 Cost

The cost of the sign(s) is an eligible project cost. Permanent signage is encouraged.

### 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/contactus.html>.

### 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.



**APPENDIX K - SAMPLE MEMORANDUM OF UNRECORDED GRANT AGREEMENT/DEED RESTRICTIONS** (Do NOT fill out as part of application)

Recording requested by, and )  
 when recorded, return to: )  
 State of California )  
 Natural 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/DEED RESTRICTIONS**

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 Natural 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 Natural 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 Natural Resources Agency, 1416 Ninth Street, Suite 1311, Sacramento, California 95814.

GRANTEE:

By:\_\_\_\_\_

## APPENDIX L – AVAILABLE RESOURCES

California Department of Industrial Relations Prevailing Wage Determination

<https://www.dir.ca.gov/OPRL/DPreWageDetermination.htm>

CAL FIRE's Tree Planting Standards and Specifications

[http://www.fire.ca.gov/resource\\_mgt/downloads/CALFIRE\\_Nursery\\_Standards\\_and\\_Specs11\\_12.pdf](http://www.fire.ca.gov/resource_mgt/downloads/CALFIRE_Nursery_Standards_and_Specs11_12.pdf)

California Native Plant Society

<http://www.cnps.org/cnps/grownative/lists.php/>

California Stormwater Quality Association

<https://www.casqa.org/resources/california-lid-portal>

Community FactFinder (SCORP)

<http://www.parksforcalifornia.org/communities>

Department of Water Resources Disadvantaged Communities Mapping Tool

<https://gis.water.ca.gov/app/dacs/>

Governor's Office of Planning and Research CEQA Documents

<http://opr.ca.gov/clearinghouse/ceqa/document-submission.html>

i-Tree Planting

<https://planting.itreetools.org/>

i-Tree Streets

<http://www.itreetools.org/>

Water Use Classification by Landscape Species (WUCOLS)

<http://ucanr.edu/sites/WUCOLS/>

## **APPENDIX M – 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 State 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 N – Definitions

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.

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

**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.

**Community Access** - means engagement programs, technical assistance, or facilities that maximize safe and equitable physical admittance, especially for low-income communities, to natural or cultural resources, community education, or recreational amenities.

**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).

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

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

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

**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 the California Drought, Water, Parks, Climate, Coastal Protection, and Outdoor Access for All Fund, created by Section 80032.

**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 Appendix F).

**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 authority, local community conservation corps agency, or council of governments.

**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.

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

**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.

**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. These costs are NOT eligible for reimbursement with grant funds, but may be used to show applicant's portion of costs.

**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 grant funds, and other funds if necessary, that meets eligibility requirements

**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.

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

**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 the improvement of physical structures or facilities and, in the case of natural systems and landscape features, includes, but is not limited to, projects for the control of erosion, stormwater capture and storage or to otherwise reduce stormwater pollution, the control and elimination of invasive species, the planting of native species, the removal of waste and debris, prescribed burning, fuel hazard reduction, fencing out threats to existing or restored natural resources, road elimination, improving instream, riparian, or managed wetland habitat conditions, and other plant and wildlife habitat improvement to increase the natural system value of the property or coastal or ocean resource. Restoration also includes activities described in subdivision (b) of Section 79737 of the Water Code. Restoration projects shall include the planning, monitoring, and reporting necessary to ensure successful implementation of the project objectives.

**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 Natural Resources or his/her representative.

**Severely Disadvantaged Community** - means a community with a median household income less than 60 percent of the statewide average.

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

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

**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