

PROTECTING CALIFORNIA'S RIVERS, STREAMS, AND WATERSHEDS PROGRAM

PROPOSITION 68 DRAFT GRANT GUIDELINES / PROCEDURAL GUIDE



STATE OF CALIFORNIA NATURAL RESOURCES AGENCY

October 2022



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This guide governs the administration of appropriations made to the California Natural Resources Agency for implementation of the Protecting California Rivers, Streams, and Watersheds Program.

For general project administration questions, contact the California Natural Resources Agency at:

Phone: (916) 653-2812

Email: bondsandgrants@resources.ca.gov

Website: <http://resources.ca.gov/grants/>

HOW TO SUBMIT A PROJECT INFORMATION PACKAGE

All documents are submitted using the California Natural Resources Agency's System for Online Application Review (SOAR), which can be found at: <https://soar.resources.ca.gov/>.

To access SOAR, applicants must create a user account. A detailed SOAR user manual is located on the California Natural Resources Agency's website at <http://resources.ca.gov/grants/>.

SOAR SYSTEM QUESTIONS

For technical assistance with SOAR, please call or e-mail the SOAR help desk.

Hours: 8:00 am to 4:00 pm M-F

Phone: (916) 653-6138

Email: soar.admin@resources.ca.gov

When contacting the SOAR help desk, please provide the following:

Proposal Identification Number (PIN) assigned to the project information package

Name of the Grant Program

A short description of the problem, including where it is occurring

A screen shot of the error received, if applicable.

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INTRODUCTION

This guide governs the administration of appropriations from the California Drought, Water, Parks, Climate, Coastal Protection, and Outdoor Access for All Act of 2018 (Proposition 68) to the California Natural Resources Agency (Agency) to implement projects pursuant to Public Resources Code Section 80114 and Water Code Sections 79732 and 79736. Proposition 68 authorized the Legislature to appropriate \$200 million to the California Natural Resources Agency to support protection and restoration of aquatic ecosystems within watersheds of the Sacramento and San Joaquin rivers and in the Sacramento-San Joaquin Delta through acquisition of water rights for instream flow. This resulted in the Protecting California's Rivers, Streams, and Watersheds Grant Program, which aims to improve instream flows at ecologically important times, primarily between January through June, to help restore natural aquatic or riparian functions for aquatic species and protect or promote the recovery of endangered or threatened species. It is the intent of the people of California that projects funded by Proposition 68, including the Protecting California's Rivers, Streams, and Watersheds Grant Program, result in public benefits addressing the most critical statewide needs and priorities for public funding.

Funding Allocation

Approximately \$125 million is available for the Protecting California's Rivers, Streams, and Watersheds Grant Program. Two funding cycles are anticipated.

Grant Amounts

There are no minimum or maximum grant awards. Award amounts will depend on the volume and timing of water to be made available by the proposed project. Awards will not be made for projects involving less than 100 acre-feet of water.

PROJECT REQUIREMENTS

Statutory Authority

Per Section 80114 of the Public Resources Code, funds may be used for purposes of Sections 79732 and 79736 of the Water Code.

Tribal Consultation

Agency recognizes the need for consultation regarding projects that affect California Native American tribes and tribal communities that are affected by proposed projects. Project applicants are expected to consult, engage, and collaborate with California Native American tribes and stakeholder groups in advance of the application being submitted.

Eligible Applicants

Eligible applicants include public agencies, nonprofit organizations, public utilities (including water and irrigation districts), federally recognized Native American tribes, non-federally recognized California Native American tribes listed on the California Tribal Consultation List maintained by the Native American Heritage Commission, and mutual water companies (Water Code section 79712).

Eligible Projects

Funds may be used for projects that measurably enhance existing stream flows at times and locations necessary to provide fishery or ecosystem benefits within watersheds of the Sacramento and San Joaquin rivers, including the Sacramento-San Joaquin Delta. Grants shall fund purchases of land (fee interest or Conservation Easement) that includes water rights, water rights, or contractual rights to water that will lead to a direct and measurable stream flow enhancement. Applicants must illustrate how the acquisition or contract will enhance stream flow. Land acquisitions, including associated water rights, must be obtained from willing sellers and at a price that does not exceed fair market value, as set forth in an appraisal prepared by a licensed real estate appraiser and approved by the Department of General Services (DGS). Acquisition of water rights and contractual rights to water must be obtained from willing sellers and at a price that does not exceed fair market value, as set forth in an appraisal prepared by a licensed real estate appraiser and approved by the Department of Water Resources (DWR). A completed appraisal, approved by DGS Real Property Services Section or DWR, is not required at the time of application submission; however, if a grant is awarded, the appraisal must be submitted to CNRA and approved by DGS or DWR prior to execution of a grant agreement (anticipate this to occur within six months following the Board's funding determination). All appraisals must meet DGS or DWR minimum standards and include the necessary pieces to justify valuation. Project types that may be eligible include, but are not limited to:

1. Water transactions such as lease, purchase, or exchange;
2. Change of use petitions to benefit fish and wildlife;
3. Surface or groundwater storage to be used to enhance streamflow;
4. Forbearance of water rights;
5. Habitat restoration projects that reshape the stream hydrograph;
6. Water infrastructure improvements that allow for provision of water to be dedicated to measurably enhancing stream flows;
7. Reservoir reoperations both at existing and new storage sites that allow for provision of water to be dedicated to measurably enhancing stream flows.

No funds may be expended for existing obligations imposed on any party under law.

Block Grants

Block grants may provide a lump sum of funding to an entity which will then disburse those funds as smaller grants to other eligible entities. The purpose of block grants is to fund numerous smaller projects that collectively result in stream flow benefits, especially since CNRA does not have the staff capacity to manage numerous small grants. A block grant agreement would specify any requirements for the ultimate recipients of the funds.

PROJECT PRIORITIES

The following are funding priorities for Protecting California's Rivers, Streams, and Watersheds Grant Program projects:

- Implementation projects resulting in measurable increases in stream flow from January through June or some period within that seasonal window
- Acquisition projects resulting in permanent or long-term in-stream flow dedications
- Projects that are focused on a watershed or regional approach
- Projects in critical watersheds for salmonids
- Projects that help to complete partially funded projects

Project applications will be given additional points if they enhance outflows in the Sacramento-San Joaquin Delta watershed primarily within the January through June timeframe.

If activities such as an instream dedication, stream restoration, or modifications to the water conveyance system are included in the application, the acquisition and implementation activities must be clearly differentiated as separate tasks in the work plan, budget, and budget justification. In such instances, a single CEQA analysis that addresses the acquisition and implementation activities should be completed, as applicable. While projects solely for acquisitions may be exempt under CEQA, in instances where an acquisition would be followed by implementation activities, such activities may result in project impacts that would complicate reliance on an exemption.

WATER LAW

Funded grants that may impact a water right, including any project that would require a change to water rights, involve water diversion, or address stream flows or water use shall comply with the CWC, as well as any applicable State or federal laws or regulations. Any application that would require a change to water rights, including, but not limited to, bypass flows, point of diversion, location of use, purpose of use, or off-stream storage shall demonstrate an understanding of the relevant SWRCB processes, timelines, and costs necessary for project approvals by SWRCB and the ability to meet those timelines within the term of a grant. In addition, any application that involves modification of water rights for an adjudicated stream shall identify the required legal process for the change as well as associated legal costs. Any

project involving a water right acquisition, prior to its completion, must be supported by a water rights appraisal approved by the DGS Real Property Services Section.

For projects involving water diversions or diversion-related infrastructure, an applicant must demonstrate to CNRA a legal right to divert water, consistent with the project application, and sufficient documentation regarding actual water availability and use. For post-1914 water rights, the applicant must submit with their application a copy of the applicable water right permit or license on file with the SWRCB. Applicants who divert water, based on a riparian or pre-1914 water right, must submit with their application written evidence of the right to divert water and the priority in the watershed of that diversion right. An applicant must submit with their application to CNRA any operational conditions, agreements, court or SWRCB orders or decrees affecting the asserted water right. All applicants must include past water diversion and use information reported to the SWRCB, pursuant to CWC section 5101. Such reports include Progress Reports of Permittee and Reports of Licensee for post-1914 rights, and Supplemental Statements of Water Diversion and Use for riparian and pre-1914 water rights. Projects involving activities described in Fish and Game Code section 1602 may require a Lake or Streambed Alteration Agreement.

SELECTION PROCESS

Step 1

- Project consultations are available. Applicants are encouraged to contact program staff for project consultation prior to Project Information Packet submission. See Appendix K for additional available resources.
- Applicants submit Project Information Packets through the System for Online Application Review (SOAR). No hardcopy Project Information Packets are required. For applicants with limited internet access, please contact program staff to coordinate an alternative method for Project Information Packet submission.
- Project Information Packets are reviewed and evaluated and must include all information listed below under **Step 1 – Project Information Packet**. Incomplete or ineligible Project Information Packets may be removed from the competitive process.

Step 2

- Field visits may be required for the most competitive projects. Applicants may be required to provide site control documents or other documentation prior to a site visit.

Step 3

- Applicants selected to further compete submit additional documentation listed below under **Step 3 – Supporting Documentation**.
- Documentation is evaluated, with the most competitive projects being recommended for funding.

Once Step 3 evaluations have been completed, recommendations for funding are submitted to the California Secretary for Natural Resources. Upon approval by the Secretary, grant awards are announced.

All information contained in the Project Proposal and supporting documentation is confidential until grant awards are announced.

The State reserves the right to reject an applicant during the grant review period that is in violation of law or policy at any other public agency. Potential violations include, but are not limited to, being in default of their performance requirements in other contracts or grant agreements issued by the State, being engaged in or suspected of criminal conduct that could poorly reflect on or brings discredit to the State, or failing to have all required licenses to perform the State functions.

The State further reserves the right to reject any applicant who has a history of performance issues with past grants or other agreements with any public entity, including the grantor.

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. General operating costs (overhead) are eligible for reimbursement at a rate no greater than 15 percent (see Appendix D).

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

Conflict of Interest

All applicants and individuals who participate in the review of submitted applications are subject to state and federal conflict of interest laws. Any individual who has participated in planning or setting priorities for a specific solicitation over and above the public comment process or who will participate in any part of the grant development and negotiation process on behalf of the public is ineligible to receive funds or personally benefit from funds through that solicitation. Failure to comply with conflict-of-interest laws, including business and financial disclosure provisions, will result in the application being rejected and any subsequent grant agreement being declared void.

Other legal actions may also be taken. Applicable statutes include, but are not limited to, California Government Code section 1090 and Public Contract Code sections 10365.5, 10410, and 10411.

PROJECT EVALUATION

The information provided in this section is used to evaluate projects, which should demonstrate how effectively they meet the goals of the Protecting California's Rivers, Streams, and Watersheds Grant Program.

Applicants must answer the questions in the Project Requirements and Statutory Conditions sections based on their selections. In addition, all applicants must answer each question in the sections listed below. If a question does not apply to your project, answer "Not Applicable."

Projects will be evaluated using the following criteria to determine an initial ranking, with a score of 90 points possible. **Points will be attributed to each section and not to individual questions.**

| Criteria | Points |
|------------------------------------|-----------|
| Project Purpose and Strategic Fit | 60 |
| Organizational Capacity | 10 |
| Collaboration | 10 |
| Additional Project Characteristics | 10 |
| Total Points Possible | 90 |

Additional Funding Considerations

The State may consider other factors in the final grant awards such as, but not limited to, economic benefits, statewide significance, and the geographic distribution of bond funds. Partial funding may be considered to fully leverage grant awards.

PROJECT INFORMATION PACKAGE

Applicants are required to submit an online Project Information Package in SOAR (System for Online Application Review). No hard copies of the Project Information Package are required.

All Project Information Package submittals must include the following:

Project Summary

Describe the discrete project, including expected project deliverables and current site conditions. Summaries are limited to 4,000 characters.

Project Questions

Applicants must answer the following questions, **as applicable**. If a question does not apply to the project, indicate “Not Applicable” **with a brief explanation**. Do not leave blank fields. Answers are limited to 3,000 characters.

Project Purpose and Strategic Fit

1. Describe how the project will enhance instream flow for the purposes of protecting fish and wildlife, including the known or estimated volumes of water, seasonality, and hydrological conditions (e.g., water year type).
2. Describe the project type and how the project provides water (e.g., water source(s), acquisition of water or water rights, acquisition of real property that includes water rights or contractual rights to water, short - or long-term water transfers and leases, etc.).
3. Describe the geographic location of the project, and/or the river or stream system intended to benefit from enhanced instream flows.
4. Explain how the project advances at least one recognized species recovery plan or effort.
5. Describe the multiple benefits offered by the project (e.g. environmental, social, economic, etc.), including durability of benefits and any incorporated climate adaptation strategies to help protect against climate change impacts.
6. What is planned for long-term maintenance and monitoring, including measurable criteria that indicate project effectiveness in delivering expected benefits? (see Appendix F for requirements)

Organizational Capacity

7. Describe applicant’s experience in completing similar projects, managing other grant-funded projects, and fiscal capacity to carry out the proposed project.
8. What is the source of funds for ongoing operations and maintenance?

Collaboration

9. Describe partnerships with other entities and their corresponding roles in the project.
10. Describe efforts being taken to consult, engage, and collaborate with California Native American tribes whose ancestral lands and waters include the proposed project site or may be affected by project implementation.
11. Describe how partnerships with California Native American tribes have or will contribute to the design, planning, implementation, and/or monitoring of the proposed project.

12. Describe past, current, and future community involvement (neighbor/user groups, etc.), outreach, partnerships, and support for the project, including steps taken to ensure the project will not cause unanticipated negative effects on neighboring communities.

Additional Project Characteristics

13. Describe any other project characteristics not previously discussed that would assist in evaluating the Project Proposal.

End of Project Questions

REQUIRED DOCUMENTATION FOR STEP 1 PROJECT INFORMATION PACKAGE

The following documents must be uploaded into SOAR as part of the Step 1 Project Information Package:

- 1. Project Information Packet Signature Page** – The signature page of the completed Project Information Packet should be printed and signed by the Authorized Representative to be identified in the resolution to be submitted (see Appendix A for Resolution Template), and then scanned and uploaded to SOAR as an attachment.

To print the Project Information Packet Signature Page from SOAR:

- a. Log into SOAR and go into the active Protecting California's Rivers, Streams, and Watersheds Program Project Information Form.
 - b. Ensure all Project Information Packet page information is complete and accurate.
 - c. On the General Information tab, scroll to the bottom of the page and select the Preview/Submit button (NOTE: Clicking this button will not submit your Project Information Packet).
 - d. A preview of the full Project Information Packet will appear. Scroll to the bottom of the page and select "Print Application." A pop up will appear with the Project Information Packet in print form. Click Ctrl+P (for Microsoft/PC) or Command+P (for Mac/Apple) to print the Project Information Packet. Choose to print only the first page. Click Print. This is the Project Information Packet Signature Page which should be signed by the Authorized Representative.
 - e. Once signed by the Authorized Representative, upload the signed Project Information Packet Signature Page to SOAR
- 2. Site Plan (if applicable)** – Provide a project 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 and other natural/geologic features, as well as any existing buildings and/or

impediments (wells, storm drains, power lines, etc.), including exterior boundaries, and public access points.

- 3. Photographs (if applicable)** – 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 acquisition site or restoration work.
- 4. 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.

End of Required Documentation for Step One Project Information Package

STEP TWO – ON SITE FIELD VISIT (QUALIFYING PROJECTS ONLY)

Applicants submitting the most competitive Project Information Packets may be further evaluated during an on-site field visit. At the field visit, applicants should be prepared to respond to project-specific questions including, but not limited to, the cost estimate, funding, site plan, site control, operations and maintenance, partnerships, community involvement, and any possible barriers to successful completion.

End of Step Two Information

STEP 3 – SUPPORTING DOCUMENTATION (QUALIFYING PROJECTS ONLY)

Applicants with the most competitive projects after field visits will be required to submit supporting documentation further demonstrating their ability to carry out the project.

The following required supporting materials must be uploaded as attachments in SOAR. If an item is not applicable to the project but is required in SOAR, upload an attachment with a brief explanation of why it is not applicable.

For All Projects -

- 1. Location Map** – Provide 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. Alternatively, provide a map detailing the river or stream system intended to benefit from enhanced instream flows.
- 2. Signed Authorizing Resolution** – Provide a signed authorizing resolution from grantee’s governing board (see Appendix A).
- 3. Eligibility for Nonprofit Grantees** – (if applicable) Provide evidence:
 - a. The corporation is qualified under Section 501 (c)(3) of the Internal Revenue Service Code. An IRS 501(c)(3) Determination Letter or printout from the IRS tax-exempt organization search tool on the official IRS website is sufficient. See <https://apps.irs.gov/app/eos/>; and
 - b. The corporation has an active status with the Secretary of State. A printout from the Secretary of State business search web page showing the corporation is Active is sufficient. See <https://bizfileonline.sos.ca.gov/search/business>; and
 - c. The corporation is current with the Attorney General’s Registry of Charitable Trusts. A printout from the Department of Justice Registry verification search page showing the corporation’s registration is Current is sufficient. See <https://rct.doj.ca.gov/Verification/Web/Search.aspx?facility=Y>
- 4. Property Data Sheet** – Provide a completed property data sheet for all parcels included in the project (see Appendix E).
- 5. Assessor’s Parcel Map** – Provide a photocopy of parcel map(s) from Assessor’s Office, with project parcels highlighted and full parcel number clearly labeled.
- 6. Funding Plan** – Provide a detailed plan with specific information about the status of other funding needed to complete the project, including where you are in the process with each funder and a timeline for funding decisions.
- 7. Proof of Ownership** – Provide copies of documents verifying current ownership of each parcel listed on the Property Data Sheet. Examples of such documents include tax

records, owner data sheets from county records, recorded deeds, title reports, etc. All documents verifying ownership must have the parcel numbers clearly indicated on the document (handwritten acceptable).

8. 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 entity does not own all of the parcels, provide a copy of an agreement that gives them legal access and permission to construct and maintain the project for a minimum period of 10 years (see Appendix F).

10. Evidence of Willing Seller – Provide a letter from each landowner or water rights owner indicating they are a willing participant in the proposed transaction. The letter should clearly identify the parcels or rights owned by each seller and state 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 or water rights at a purchase price not to exceed fair market value. If available, include a copy of the fully executed purchase option agreement as well.

11. Operations and Maintenance – If operations and maintenance will be performed by an entity other than the grantee, 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.

12. Timeline – Provide timeline for major project milestones.

13. 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 Appendix H).

14. 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 (see Appendix G).

- 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.

End of Step Three Information

PROJECT ADMINISTRATION

1. Applicant completes and submits Project Information Package to Agency.
2. Applicant provides additional or clarifying information, as needed.
3. Agency works with grantee to develop the grant agreement.
4. Once the grant agreement is executed, and minimum site control requirements and other applicable requirements are met, grantee may submit payment requests.
5. Once project is completed, Agency conducts final project inspection and approves final payment.

Changes to Approved Project

Grantees seeking changes or amendments to an approved project must obtain the State's approval. Changes in project scope must continue to meet the need cited in the original proposal. Grantees jeopardize funding should changes be made without prior notice to and approval by the State.

Payment of Grant Funds

Funds cannot be disbursed until there is a fully executed Grant Agreement between Agency and the grantee. Funds for **construction/implementation** cannot be disbursed until CEQA/NEPA is completed. Implementation funds may also be withheld until a bond acknowledgement sign has been installed. Evidence of site control satisfactory to the State must be received prior to **any** funds being reimbursed.

Payments are generally 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 has been submitted. Ten percent (10%) of the amounts submitted for reimbursement may be retained and issued as a final payment upon project completion.

Field Inspections

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. Grantee fails to submit required documentation within the time period specified in the grant agreement.
4. Grantee fails to submit evidence of CEQA/NEPA compliance as specified by the grant agreement.
5. Grantee changes project scope without prior approval from the State.
6. Grantee fails to complete the project.
7. Grantee fails to demonstrate sufficient progress on the project.

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 by 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 giving approval of the project and long-term operations and maintenance.

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.

STATE AUDIT AND ACCOUNTING REQUIREMENTS

Audit requirements

All projects are subject to audit by the State 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.

Grantee must have project records, including the source documents and canceled checks, readily available, and provide an employee with knowledge of the project to assist the auditor. 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, timecards, 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 grantees 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 project periodically through the life of the project as requested. Grantees will be provided a list of required elements at the close of the bond-funded project. Where applicable, the project should include adaptive management strategies and performance metrics (i.e., include measurable criteria that indicate whether the project has the expected benefits).

APPENDIX A – RESOLUTION TEMPLATE

Resolution No: _____

RESOLUTION OF (*GOVERNING BODY OF GRANTEE*)
APPROVING THE APPLICATION FOR GRANT FUNDS FOR THE
PROTECTING CALIFORNIA’S RIVERS, STREAMS, AND WATERSHEDS PROGRAM

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 and 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 Applicant’s 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*); and
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 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, and 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.

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

In preparing a cost estimate for the project, entities should comply with the following:

1. All project elements should be detailed and customized to fit the project. Each element should be clearly described in the project narrative.
2. Each funding source must have its own column. Other Funding Source column headings should specify cash or in-kind.
3. The Protecting California's Rivers, Streams and Watersheds Grant and Other Funding Source columns should sum to the Total Cost column.
4. **The cost of project elements funded by the grant should not be split between the grant and other funding sources.**
5. Entities that wish to charge overhead must include it as a separate line item in the budget and limit to 15 percent of the total direct costs of the grant. In-service payroll may not include a "billable rate" or administrative cost allocation. See Appendix C – Eligible Costs for further information on requirements if requesting overhead.

| PROJECT ELEMENTS (Examples) | | Total Cost* | Protecting California's Rivers, Streams and Watersheds Grant | Other Funding Source (Indicate Cash or In-Kind) | Other Funding Source (Indicate Cash or In-Kind) |
|--|---|-------------|--|--|--|
| NON-CONSTRUCTION (not to exceed 25% of grant) | | | | | |
| 1.0 | Direct Project Management & Administration | | | | |
| 1.1 | Staff Time | | | | |
| 1.2 | Technical Consultants | | | | |
| 2.0 | Planning, Design & Permitting | | | | |
| 2.1 | Design & Engineering | | | | |
| 2.2 | Environmental Documents | | | | |
| TOTAL NON-CONSTRUCTION (not to exceed 25% of grant) | | | | | |
| CONSTRUCTION | | | | | |
| 3.0 | Site Preparation | | | | |
| 3.1 | Mobilization | | | | |
| 3.2 | Temporary Dewatering | | | | |
| 3.3 | Demolition | | | | |
| 4.0 | Construction and Materials | | | | |
| 4.1 | Weir Improvements | | | | |
| 4.3 | Fish Screens | | | | |
| 4.4 | Habitat Restoration | | | | |
| 5.0 | Other | | | | |
| 5.1 | Hazard Insurance/Bond | | | | |
| 5.2 | Funding Acknowledgment Sign (Required) | | | | |
| TOTAL CONSTRUCTION | | | | | |
| OVERHEAD | | | | | |

| | | | | | |
|----------------------------|---|--|--|--|--|
| 6.0 | Overhead (not to exceed 15% of grant) | | | | |
| | Contingency (not to exceed 10% of grant) | | | | |
| PROJECT GRAND TOTAL | | | | | |

*All invoices and receipts for project expenditures from all funding sources will be retained and made available for state audit.

APPENDIX C – SAMPLE COST ESTIMATE FOR ACQUISITION PROJECTS

(Complete one form for each separate escrow)

| | | | | | |
|---|--------------------|---------------------------------|--|---------------------|---------------------|
| Project Title: | | | | | |
| Assessor's Parcel Number(s) | Acreage | Indicate Fee or Easement | Willing Seller Name and Address | | |
| | | | | | |
| ACQUISITION COST ESTIMATE | | | | | |
| | Total Cost* | PCRSW Grant | Other Funder | Other Funder | Other Funder |
| Estimated Fair Market Value | | | | | |
| Relocation Costs | | | | | |
| Preliminary Title Reports, Appraisal | | | | | |
| Escrow Fees, Title Insurance, Closing Costs | | | | | |
| Surveying (limited to boundary line adjustments) | | | | | |
| Direct Costs -Staff and Consultants (limited to \$10,000 per grant)** | | | | | |
| State appraisal/transaction review, etc. (budget ≈ \$10,000) | \$10,000 | | | | |
| Contingency (not to exceed 10% of grant) | | | | | |
| Funding Acknowledgement Sign (Required) | | | | | |
| Other (specify) | | | | | |
| Grand Total | | | | | |

*All invoices and receipts for project expenditures from all funding sources will be retained and made available for state audit.

**Only direct project management costs are eligible; no overhead/indirect costs are reimbursable. In-service payroll may not include a "billable rate" or administrative cost allocation.

| ACQUISITION SCHEDULE* | COMPLETION DATE |
|---|------------------------|
| Complete Appraisal | |
| Submit appraisal, purchase docs and title report to State | |
| Open escrow and request advance into escrow | |
| Submit draft grant deed w/deed restriction language to State for approval | |
| Close escrow and submit final closing documents to State | |
| Install funding acknowledgement sign | |
| Close-out | |

*Grantee should submit evidence of progress on the acquisition within 6 months of grant execution.

APPENDIX D - 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 are not eligible for reimbursement.**

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.

Project Management – Up to 25 percent (25%) of the grant funds may be spent on non-construction costs (CEQA/NEPA 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.

Acquisition – Costs directly attributed to project implementation, such as purchases of land (fee interest or Conservation Easement) that includes water rights, water rights, or contractual rights to water and will lead to a direct and measurable stream flow enhancement.

Construction (if applicable) – 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.

Overhead – Overhead costs are the non-project specific costs of doing business that are not directly related to the implementation of the project to be funded (for example, rent, computers, telephones, office supplies, internet access, copy machines, electricity). Certain types of overhead are not allowed including food and beverage, fundraising, lobbying and entertainment. Any cost that is billed as a direct cost may NOT be included in overhead.

Grantees that wish to charge overhead must be able to document the appropriateness of the charges. One typical method for documentation is to have a Cost Allocation Plan. Other methods may also be adequate, but it is the grantee's responsibility to determine this based on the Generally Accepted Accounting Principles (GAAP). It is recommended that grantees develop an appropriate method for calculating their overhead rate and determine what overhead costs may be allocated to the grant, subject to Agency's approval and the 15 percent limit. It is the responsibility of the grantee to maintain appropriate records for all overhead costs and to be able to provide those records in the event of an audit.

Overhead should be included as a line item in the approved project budget and limited to a **maximum of 15%** of total direct costs of a grant.

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 I).

APPENDIX E – PROPERTY DATA SHEET

Complete the Property Data Sheet listing each parcel included in the proposed project, as well as the owner(s) of each parcel. Include 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 | If parcel(s) not owned by applicant(s), indicate document verifying long-term permission to develop and maintain | | | | | 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: _____

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 Protecting California's Rivers, Streams and Watersheds Program in accordance with the following requirements:

The grantee shall provide flows developed pursuant to this grant for a minimum period of ten years, including applicable maintenance and operations of project site (if applicable).

- 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 J) 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 – 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.

- 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.
- 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*.
- 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*.

*For b and c, include documentation the State of California Department of Fish and Wildlife CEQA fee was paid or is not applicable.

- 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 section 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.

APPENDIX H - PROJECT PERMIT/APPROVAL STATUS

Indicate the status of all federal, state and local permits required for the project. Describe any potential delays due to permitting (indicate specific permits). **If acquiring a long-term encroachment permit, submit evidence the entity with jurisdiction is aware of the project and is willing to work with applicant to issue the permit.**

This list is not all-inclusive. It is grantee's responsibility to identify and obtain all applicable permits.

| PERMITTING AGENCY | TYPE OF REQUIREMENT | REQUIRED | APPLIED | ACQUIRED | DATE EXPECTED |
|--|--|--------------------------|--------------------------|--------------------------|---------------|
| State Agencies | | | | | |
| Department of Fish & Wildlife | Lake or Streambed Alteration Agreement (Section 1600) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | |
| Department of Fish & Wildlife | Incidental Take Permit or Consistency Determination (CESA) (California Endangered Species Act) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | |
| Department of Transportation | 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"/> | |
| State Lands Commission | Permit (if using State-owned property) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | |
| State Office of Historic Preservation | Section 106 Consultation with State Historic Preservation Officer (National Historic Preservation Act of 1986) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | |
| Federal Agencies | | | | | |
| U.S. Fish and Wildlife Service | Section 7 Consultation, Biological Opinion or Section 10 Permit (Endangered Species Act) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | |
| U.S. Army Corps of Engineers | Section 404 Permit (Clean Water Act) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | |
| U.S. Army Corps of Engineers | Section 10 Permit (Rivers & Harbors Act of 1899) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | |
| U.S. Coast Guard / U.S. Army Corps of Engineers | Section 9 Permit (Rivers & Harbors Act of 1899) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | |
| U.S. National Resources Conservation Service | Section 106 Consultation (National Historic Preservation Act of 1986) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | |
| National Marine Fisheries Service | Section 7 Consultation, Biological Opinion, or Section 10 Permit (Endangered Species Act) | <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"/> | |
| City/County | Model Water Efficient Landscape Ordinance (MWELO) Landscape Documentation Package | <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"/> | |
| S.F. 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 (e.g., Tribal, CalRecycle, State Contractors Board, CPUC, etc.): | | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | |

APPENDIX I – SIGN GUIDELINES

Types of Signs

1. **Construction** - A sign acknowledging the funding source is required during construction.
2. **Post Completion** – A funding acknowledgment sign must be installed before the final project inspection and remain in place for at least four (4) years from date of project completion. The size of the sign is not prescribed; however, the funding source logo must comply with minimum size requirements and all required language must be included.

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

Sign Language

All signs must contain the language shown to the right. The name of the director of the local agency or other governing body may be added, as well as the names (and/or logos) of other partners, organizations, individuals and elected representatives.

| | |
|---|---|
| Project Title/Description |  |
| Another project funded through the California Natural Resources Agency to protect California's Rivers, Streams and Watersheds | |
| GAVIN NEWSOM, GOVERNOR Wade Crowfoot, Secretary for Natural Resources | |

Logo

All signs must display the Parks and Water Bond Act logo. The logo is available at <https://resources.ca.gov/grants/Grant-Program-Resources> under Logo Artwork. The logo must be mounted in an area maximizing visibility and durability. The logo must measure a minimum of 24” tall. When appropriate, exceptions may be approved at the State’s discretion.

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 may 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 affected by local sign ordinances, the grants administrator may authorize a sign that is more appropriate to the project or waive the requirement for sign installation if there is not an appropriate physical location for installation.

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 District Office locations, see <https://dot.ca.gov/caltrans-near-me>.

State Approval

Grantee shall submit the proposed number, location(s), size, and language of signs for review prior to ordering signs. Final funds for projects will not be reimbursed until signage has been approved and installed.

APPENDIX J - SAMPLE MEMORANDUM OF UNRECORDED GRANT AGREEMENT

(Do NOT fill out as part of Project Information Package)

Recording requested by, and)
when recorded, return to:)
State of California)
Natural Resources Agency)
Bonds & Grants Unit)
715 P Street, 20th Floor)
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 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 or development 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, 715 P street, 20th Floor, Sacramento, California 95814.

GRANTEE:

By: _____
Authorized Rep

APPENDIX K – AVAILABLE RESOURCES

California Department of Industrial Relations Prevailing Wage Determination

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

California Stormwater Quality Association

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

Governor's Office of Planning and Research CEQA Documents

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

Proposition 68 Statute

https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=201720180SB5

Water Code Section 79736

https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=WAT§ionNum=79736

Water Use Classification by Landscape Species (WUCOLS)

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

Statutory Exemption for Restoration Projects (SERP)

<https://wildlife.ca.gov/Cutting-Green-Tape/SERP>

A Practitioners Guide to Instream Flow Transactions in California

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

APPENDIX L – DEFINITIONS

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

Adaptive management – means a structured approach to help inform decision making in the face of uncertainty, with an aim to help reduce uncertainty over time by employing appropriate levels of project monitoring and reporting.

California Native American Tribe – means a federally recognized Native American tribe or a non-federally recognized tribe listed on the California Tribal Consultation List maintained by the Native American Heritage Commission.

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

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

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 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.

Fund or Funds – means the California Drought, Water, Parks, Climate, Coastal Protection, and Outdoor Access for All Act of 2018.

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 entity that has an agreement for grant funding with the State.

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

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

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.

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 Protecting California’s Rivers, Streams, and Watersheds Program.

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.

Performance Metrics – means measurable criteria that indicate whether the project has the expected benefits.

Planning – means specific preparations necessary to execute eligible Protecting California’s Rivers, Streams, and Watersheds Program 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.

Preservation – means rehabilitation, stabilization, restoration, conservation, development, and reconstruction, or any combination of those activities.

Project – means the acquisition or development activity to be accomplished with Protecting California’s Rivers, Streams and Watersheds Program 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.

Protection – means those actions necessary to prevent harm or damage to persons, property, or natural, cultural, and historic resources, actions to improve access to public open-space areas, or actions to allow the continued use and enjoyment of property or natural, cultural, and historic resources, and includes site monitoring, acquisition, development, restoration, preservation, and interpretation.

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 Water Code Section 79737(b). Restoration projects shall include the planning, monitoring, and reporting necessary to ensure successful implementation of the project objectives.

Secretary – means the Secretary for Natural Resources or his/her representative.

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

END OF GUIDELINES