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# **CALIFORNIA RIVER PARKWAYS GRANT PROGRAM**

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

## **PROPOSITION 84 GRANT GUIDELINES & APPLICATION**



**STATE OF CALIFORNIA  
THE NATURAL RESOURCES AGENCY**

**June 2011**



June 8, 2011

Dear River Parkways Grant Program Applicant:

I am writing this letter because of your interest in the California River Parkways grant program and to share information about new policy that affects the grant application process for this and future years.

As Secretary for Natural Resources, I also serve as chair of the Ocean Protection Council and as a member of the Strategic Growth Council. These councils share a common goal to protect and conserve natural resources, and to work towards sustainability by investing in projects that improve air and water quality, promote public health, and encourage infill and compact development in our communities. This can be accomplished by coordinating efforts among state agencies, and by selecting projects through our various grant programs that demonstrate strong promise towards achieving these goals.

To that end, the evaluation of River Parkways grant program projects will now include a review to determine if the project produces multiple benefits that reduce greenhouse gas emissions, reduce risks associated with climate change impacts, like sea-level rise, and demonstrates collaboration with local, state, and community entities. For more information about these topics, you can contact the River Parkways program at (916) 653-2812, or via email at [riverparkways@resources.ca.gov](mailto:riverparkways@resources.ca.gov)

Together, one project at a time, we can protect our resources for future generations and improve the overall health of California.

Sincerely,

A handwritten signature in blue ink that reads "John Laird".

John Laird  
Secretary for Natural Resources

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Technical Assistance Workshops will be held as follows

**RSVP**  
(Recommended)

**Phone:** (916) 653-2812

**Email:** [riverparkways@resources.ca.gov](mailto:riverparkways@resources.ca.gov)

**Tuesday, June 28, 2011**

9:30 am – 12:30 pm

**AZUSA**

Rivers & Mountains Conservancy  
100 N. Old San Gabriel Canyon Rd  
Azusa, CA 91702

**Thursday, June 30, 2011**

9:30 am – 12:30 pm

**REDDING**

Redding Library  
1100 Parkview Ave  
Redding, CA 96001

**Thursday, July 7, 2011**

9:30 am – 12:30 pm

**LOS ANGELES**

LA River Center  
California Building Atrium  
570 West Ave 26  
Los Angeles, CA 92114

**Tuesday, July 12, 2011**

8:30 am – 11:30 am

**BAKERSFIELD**

City Council Chambers  
1600 Truxtun Ave  
Bakersfield, CA 93301

**Thursday, July 14, 2011**

8:30 am – 11:30 am

**SACRAMENTO**

Resources Building (Auditorium)  
1416 Ninth St  
Sacramento, CA 95814

**Tuesday, July 19, 2011**

10:00 am – 1:00 pm

**SAN JOSE**

SJSU – MLK Library  
150 East San Fernando St  
San Jose, CA 95112

**Tuesday, July 26, 2011**

9:30 am – 12:30 pm

**SAN DIEGO**

Jacobs Center for Innovation  
404 Euclid Ave  
San Diego, CA 92114

## **Application Deadline**

**Applications solicitation period is from August 12, 2011 to October 14, 2011.  
APPLICATIONS MUST BE POSTMARKED BY OCTOBER 14, 2011**

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

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## **Contact Information**

**For general application process questions, contact Natural Resources Agency at:**

**Phone:** (916) 653-2812

**Email:** [riverparkways@resources.ca.gov](mailto:riverparkways@resources.ca.gov)

**Website:** [http://resources.ca.gov/grant\\_programs.html](http://resources.ca.gov/grant_programs.html)



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## I. INTRODUCTION

California voters passed the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006. It added to the Public Resources Code, Section 75050, authorizing the Legislature to appropriate the sum of sixty-two million dollars (\$62,000,000) to Agency for the acquisition, restoration, protection and development of river parkways in accordance with the California River Parkway Act of 2004.

This is the final round of the Prop 84 River Parkway Grant Program with \$30.0 million available for awards.

## II. ELIGIBILITY

### Eligible Applicants

Grant Funds will be awarded to Public Agencies and California Nonprofit Organizations. All nonprofits must be a 501(c)(3) as verified by the Internal Revenue Service.

### Statutory Requirements

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

### Other Statutory Requirements

3. Must provide public access or be a component of a larger parkway plan that provides public access.
4. Projects must comply with the California Environmental Quality Act (CEQA), Division 13 (commencing with Section 21000).
5. Real property must be acquired from a willing seller.
6. Projects must comply with Labor Code Section 1771.8 regarding the labor compliance program and prevailing wages.

## Sample Eligible and Ineligible Projects

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

### **III. SELECTION PROCESS**

1. Applicants submit application form electronically.
2. Applicants submit a complete grant application package to the State by the deadline.
3. Applications are reviewed for completeness and eligibility.
4. Incomplete or ineligible applications may not be evaluated or considered for funding, at the sole discretion of the State. (A "master" application containing several projects at more than one location is not eligible for funding. However, applicants may submit more than one grant application per grant round.)
5. Applications will be evaluated using the established criteria and any additional funding considerations (see page 10).
6. Site visits may be scheduled prior to funding decisions.
7. Proposals are recommended for funding to the Secretary for the Natural Resources Agency.
8. Final funding decisions are determined and announced.

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

### **IV. GRANT ADMINISTRATION**

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

Site control satisfactory to the State must be received prior to any funds being reimbursed.

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

## **A. 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 performance period are not eligible for reimbursement. **Indirect/overhead costs are not eligible** for reimbursement (see page 46 for definition of overhead costs).

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

## **B. Payment of Grant Funds**

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

### **Development projects**

- Payments will be made on a reimbursement basis (i.e., the grantee pays for services, products or supplies, 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 withheld and issued as a final payment upon project completion.

### **Acquisition projects**

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

## **C. Site Visits**

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

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

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

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

## V. APPLICATION PACKAGE

Online application form and instructions available at:

<http://resources.ca.gov/bonds/apply/GrantsApplication.html>. Once the application form is completed and submitted online, print, sign and mail the application form and the required supporting materials to the Natural Resources Agency (see page iii for mailing address).

### Preparing a Grant Application Package

Submit one application package for each project. Each application form should reflect the total grant dollars being requested for the project.

1. Use 8½" x 11" paper and a 12-point type, easy-to-read font. [Note: This is 12- point type, in Arial font.]
2. Clearly label each item and number all pages in sequential order (hand written page numbers are acceptable).
3. The titles used by applicants to represent project elements should be consistent throughout the application package, including scope and cost estimate.
4. Application package to submit:
  - One (1) hard copy with all original signatures, including electronic submission of application form(s)
  - Refer to Application Package Checklist (page 34) for additional copies to submit.
5. Materials should be presented unbound in the order indicated below and as summarized in the application package checklist on page 34.

The grant application package has four sections:

1. Application form(s) (see pages 7)
2. One-page summary - provide a brief summary of the project that includes all applicable requested information (see page 8)
3. Project evaluation – answer all project evaluation questions that apply to the proposed project (see Project Evaluation, beginning on page 9)
4. Required supporting materials (see page 18 for a detailed list). All supporting documents are also listed in the application package checklist (see page 34).

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



## Section A. River Parkways Grant Program Application Form

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

The application form should be completed online and submitted electronically. Print, sign and mail the application form with the required supporting materials to the Resources Agency (see page iv for mailing address).

Project Name		Estimated Date of Completion: _____	
		Grant Amount Requested: \$ _____	
		Estimated Total Project Cost: \$ _____ (State Grant and other funds and In-Kind donations)	
<b>APPLICANT/SPONSOR (with mailing address)</b>  Check one: Non-Profit <input type="checkbox"/> Local Public Agency <input type="checkbox"/> State Agency <input type="checkbox"/>		County _____	
		Nearest City/Town _____	
		Project Address (or nearest cross street) _____	
		Senate Dist. _____ Assembly Dist. _____ US Congressional Dist. _____	
<b>Applicant's Representative Authorized in Resolution</b> <span style="float: right; color: red;">(Signature required at bottom of this page)</span>			
Name: _____ Title: _____ Phone: _____ Email Address: _____			
<b>Project Manager - Person with day to day responsibility for project (if different from authorized representative)</b>			
Name: _____ Title: _____ Phone: _____ Email Address: _____			
<b>Brief Description of Project</b> (Summarize major activities to be funded by this RP Grant)		Latitude	Longitude
		Coordinates Represent: _____	
		Coordinates Determined Using: _____	
Name of River, Stream or Creek: _____			
<b>Two (2) statutory conditions</b>		Recreation ..... <input type="checkbox"/>	<b>Public Access</b> <input type="checkbox"/> <b>Project Type:</b> _____ <b>Created:</b> _____ <b>Restored:</b> _____ <b>Acquired:</b> _____
		Habitat ..... <input type="checkbox"/>	
		Flood Management ..... <input type="checkbox"/>	
		Conversion ..... <input type="checkbox"/>	
		Conservation & Interpretive Enhancement ..... <input type="checkbox"/>	
I certify that the information contained in this project application, including required attachments, is complete and accurate.			
Signed: _____ Date: _____ <span style="color: red; display: block; text-align: center;">Applicant's Authorized Representative as shown in Resolution</span>			
Print Name: _____		Print Title: _____	
		Designee? Y N If yes, attach letter of designation from authorized representative.	

**SECTION B: ONE-PAGE PROJECT SUMMARY**

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

B. Summarize major components of the project.

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

C. Summarize any public access components of the project. If the project is part of a larger parkway plan, summarize how the project is incorporated into this parkway plan. If the project can be accessed by biking, walking, or public transportation, please explain.

## SECTION C: PROJECT EVALUATION

The information provided in this section will be used to evaluate the project and should demonstrate how effectively the project meets the goals of the River Parkways program.

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

Criteria		RP Points
1.	Project Requirements/Statutory Conditions	30
2.	Community, Non Profit and/or Government Agency Support and Collaboration	30
3.	Public Access, Location, and Transportation	15
4.	Organizational Capacity & Project Sustainability	15
5.	Project Readiness	15
6.	Additional Project Characteristics and Multiple Benefits	10
7.	Other Sources of Funds & In-Kind Contributions	5
Total Points Possible		120

### Additional Funding Considerations

- Projects including hardscape such as restrooms, parking lots and in-stream engineered structures may be subject to additional technical review to determine engineering is compatible with environmental issues and geomorphic constraints and consideration.
- 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 maximize grant awards.

### SECTION C - Key Points

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

## C-1: Project Requirements and Statutory Conditions

Answer each of the questions listed under the two statutory conditions that best apply to the project, as indicated on the Application Form (see pages 7). (If the project meets additional statutory conditions, an opportunity to explain is provided in Section C-6, page 17)

### A. Habitat

1. Describe the current hydrologic conditions. Include information on type of stream (perennial, intermittent, ephemeral), channel configuration (natural, channelized, culverted, etc.), and factors affecting stream function such as watershed development, land use changes, dams or other artificial constrictions. Also, describe the project site conditions in the context of the stream reach, including environmental concerns about vegetation (e.g., natives, exotics), wildlife and aquatic species habitat, water quality and other issues.
2. Describe how the project will protect, restore, enhance, or preserve a riparian environment using either common or scientific names to identify elements.
  - How will the project specifically benefit fish and wildlife?
3. Describe the planned stream restoration or watershed management techniques, including any biotechnical methods or other innovative methods intended.
  - For innovative approaches to stream management, describe how the approach may influence imminent projects in the area.
  - If the project will use conventional construction materials like manufactured block or concrete, describe why these materials were selected vs. other alternatives, and how these materials will be integrated into the landscape in a natural way.
4. Describe specific riverine or riparian elements that will be established with the project, including but not limited to:
  - Structures: channel, riparian corridor, floodplain, terrace, pools and riffles, etc.
  - Functions: transporting sediment, forming and/or reforming bars and pools, flooding onto the floodplain, restoring habitat for threatened or endangered species, or re-establishing wildlife corridors.
  - Dynamics: re-vegetating to provide shade and erosion control on floodplain, providing food for insects or removing exotic species.
5. If the project includes restoration or re-establishment of wetlands habitat, explain plans to employ habitat management strategies designed to reduce mosquito production. (See: Central Valley Joint Ventures Technical Guide to Best Practices at <http://www.centralvalleyjointventure.org/assets/pdf/CVJV-Mosquito-BMP.pdf>)

6. Is there an imminent threat to the habitat (i.e., projects planned and approved in the immediate vicinity that will preclude or conflict with the maintenance of the habitat)?
7. What will happen to the existing habitat if this project does not occur? Will the habitat improve, decline, or be entirely lost? And, over what time period?

## **B. Flood Management**

1. Describe current hydrologic conditions. Include information on type of stream (perennial, intermittent, ephemeral), channel configuration (natural, channelized, culverted, etc.), and factors affecting stream function such as watershed development, land use changes, dams or other artificial constrictions. (If not already answered in the Habitat section above.)
2. Describe flooding/erosion problems at the site, including information on property damage, bank failure, sedimentation, and safety hazards.
3. Describe methods used and project benefits, including:
  - How will the project reduce these flooding/erosion problems and/or stabilize the site? Quantify where possible, and provide a basis for the estimate, including any modeling that has been completed.
  - Does the project remove or improve any culverted, channelized, or other stream impairment that affects flood flow, fish passage, or other environmental factors?
  - Does the project include any innovative techniques to reduce flooding or control erosion?
4. Is there a larger flood plan/program covering the site of the project? If so, provide an overview and describe how the project relates to it.
5. Describe how the project is a supplement to or being planned in lieu of a local or cooperative local/federal flood control project? If so, provide the following information:
  - Describe the proposed plans for the project and stage of the planning process.
  - Identify and discuss involvement of the appropriate federal, state or local flood agency. Have they concurred that the project is compatible with flood protection purposes?
6. Will the project implement more environmentally sensitive flood or erosion management approaches than would otherwise be implemented? Describe.
7. Will the project fully treat problems at the site or will additional stream-related problems exist?
  - If additional problems will remain, briefly describe the scope and funding needs of other similar projects or phases that would fully address these problems.

### **C. Recreation**

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

### **D. Conversion to River Parkways**

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

### **E. Conservation and Interpretive Enhancements**

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

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

## **C-2. Community, Nonprofit, and Government Agency Support and Collaboration**

### **A. Collaboration with Organizations**

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

### **B. Community Support and Involvement**

1. Describe community involvement and support for the project, including watershed groups, appropriate business groups, landowners, local governments, environmental groups, technical experts, neighborhood associations and individual citizens, etc.
2. Has there been any opposition to the project? If so, explain the nature of the concerns and how they were addressed.
  - Describe efforts to address potential conflicts between competing user groups.
3. Discuss any demographic, social, and/or cultural issues that are important to the local community and that will influence design, implementation, and maintenance of the project.
  - Describe the importance of the project to the local community.

4. How does the project promote and/or encourage involvement or use from diverse cultural backgrounds and incomes?
5. Describe how the project will use state or local youth employment programs (e.g., California Conservation Corps, local conservation corps or similar youth employment programs) and how the youth employment element will be integrated into the program.
6. Explain plans to keep the community informed and involved in the project.

### **C. Project Need**

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

### **D. Local and Regional Impacts**

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

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## **C-3: Public Access, Location, and Transportation**

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

- A.** Describe if and how the public will access the project site.



- B. Has the issue of competing interests between public access and ecological protection been addressed? Explain.
  - C. Describe the project location and the populations to be served by the project. Address local, regional and statewide uses, if appropriate. Identify new populations served.
  - D. Describe how the project is in, or close to, population centers and the various transportation methods that are available for the public to access the project, including public transportation, non-motorized trails or routes of travel and other access routes.
  - E. How will the project impact local/regional transportation, air pollution, or auto emissions? Will the project be used as, or contribute to, an alternative transportation mode? Describe.
  - F. If applicable, is the project a part of an SB 375 Sustainable Communities Strategy or Alternative Planning Scenario developed by a regional Council of Governments?
  - G. Describe any limits such as parking, hours of operation, available staffing, user fees, seasonal restrictions or other ecological considerations.
- 

#### **C-4: Organizational Capacity and Project Sustainability**

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

##### **A. Organizational Capacity:**

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

##### **B. Monitoring, Operations and Maintenance:**

1. Describe data to be collected within the project performance period (grant period) to help determine whether the project has been effective and successful.
2. Describe how long-term monitoring, operations and maintenance will be provided over the time period required by the grant including:
  - What is planned for long-term maintenance?
  - Who will perform long-term maintenance? Describe their experience in maintaining this type of project.

- How will ongoing maintenance be funded?
3. If the project is easily affected by external events (e.g., weather, floods, fire or other disturbances), what is planned within the project design to ensure the sustainability of the project?
  4. Is your project in an area designated as at risk to rising sea levels? If so, you may be required to provide an assessment of the risks to be considered in the evaluation of your proposed project. What considerations and modifications have you made to the project concept to address its susceptibility to rising sea levels?
  5. How will the project be protected from vandalism and deterioration?
  6. What local organizations or partnerships will be assisting with ongoing operations and maintenance of the river parkway or urban stream?
- 

## **C-5. Project Readiness**

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

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

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

- E. Describe the actions to be taken after the acquisition is completed to develop the project. Describe the timeline to begin development (habitat or stream restoration, recreation, etc.)?
- F. Indicate how many parties will be involved in the transaction, what their roles are, and whether any party other than the applicant owns an option to buy the real property in question.

G. Address the status and timeline of all the following:

- CEQA compliance
- Commitments from project partners and contractors
- Details on sale including comparable sales data.
- Appraisal
- Preliminary title report
- Property restrictions and/or encumbrances
- Negotiations with a willing seller

H. For conservation easements, describe plans for perpetual stewardship and address the ongoing funding that will be needed to support the terms and conditions of the stewardship plan.

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## **C-6: Additional Project Characteristics and Multiple Benefits**

Improving environmental quality, addressing climate change through a reduction of greenhouse gas emissions and adaptation, conserving natural resources, and improving public health are among the additional benefits that may be achieved by a River Parkways project.

A. Additional benefits and statutory requirements:

If the project meets other statutory conditions in addition to the two conditions answered in Section C-1 (page 10), indicate the additional statutory condition met and associated benefits.

B. Environmental benefits:

1. The State may consider the potential of projects that beneficially reduce or sequester greenhouse gas emissions. If the project will be used to reduce or sequester greenhouse gas emissions, explain how.
2. Will the project specifically increase adaptability to climate change, including sea level rise? If so, what approach was used to determine said benefits? Project elements that increase adaptability to climate change include, but are not limited to: installing green/living roofs; using light-colored or reflective materials on traveled surfaces; installing or maintaining large masses of street tree plantings and trees that shade buildings, parking lots, sidewalks and trails (heat island mitigation); reducing water consumption by using recycled water or native plants; limiting development in a floodplain; using recycled water or native plants to reduce water consumption; protecting habitat for species potentially threatened by climate change; etc.
3. Will the project use recycled or reclaimed water? Will the project replace irrigated landscaping (i.e., plants, vegetation, etc.) with water-conserving, local, native plants? Describe how these practices will be included in the project.
4. Will the project utilize recycled-content materials? List the recycled-content materials to be used.
5. What, if any, energy efficiency measures will be incorporated into the project?

C. Regional landscape use:

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

D. Public health:

1. Describe how the project may increase physical activity levels and fitness among users. What measurements (i.e., surveys) exist, or are planned, to support these projections?
2. How will appropriate security and safety be provided?
3. Describe efforts to attract people to use the parkway? What ongoing efforts will be used to maintain and develop usage? If the project is part of a larger community-wide health initiative or coalition, provide details. Who is being partnered with to encourage use (e.g., creating walking groups, community gardens)?
4. Describe any public health agencies or groups involved in developing or promoting the project and any other public health benefits provided by the project.

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

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

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## SECTION D: REQUIRED SUPPORTING MATERIALS

Please refer to Application Package Checklist (page 34) for the appropriate number of copies of each of the following, to submit with the application package:

## FOR ALL PROJECTS

1. **Location Map** – Directional map, with enough detail to allow a person unfamiliar with the area to locate the project site. Include a Thomas Brothers Guide map if project is in an urban area; include other maps or aerial photographs. Streets and other notable landmarks should be clearly marked to allow for easy identification. Maps or images must fit into an 8½" x 11" folder.
2. **USGS 1:24,000 Scale Quad Map** – Project area should be clearly marked.
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 (bond acknowledgement signage and any other interpretive signage).

For all projects that cite stream and streamside habitat restoration as an objective, submit the following information:

1. Summary of a concept restoration plan that includes a cross-section, and plan-view and longitudinal profile of the proposed restoration project.
2. Submit the same information and views for existing conditions.
3. A list of plants that currently inhabit the site (dominant overstory and understory species) and an appropriate local native plant species list proposed for implementation.
4. Any additional maps, photos, etc. that will help evaluate the benefits of the project.

For development projects, the site plan should include details regarding the location of the improvements (trails, vegetation, restrooms, amenities, etc.). Plan should be specific enough to allow someone unfamiliar with the project to visualize it in detail. Site plans of a future or master parkway may be submitted but should not replace the project site plan.

4. **Photographs** – Provide up to ten (10) labeled color photographs of different views of the project site reflecting current conditions, flooding or erosion problems, and/or the locations of restoration work. Pictures should be no larger than 8 ½ by 11 inches.
5. **Flood management project information** – If your project meets the flood management statutory condition, please provide:
  1. Evidence that the responsible umbrella flood agency (federal, state, local level) concurred that the project is compatible with flood protection purposes and state whether it is part of a flood management plan or project.
  2. Floodplain maps (state and federal). Show location of the project relative to mapped flood zones as applicable.
6. **Signed Authorizing Resolution** – Provide a signed authorizing resolution from governing board (see page 28). Certification Letter acceptable for agencies without a governing board (see page 29). Resolutions may be submitted later than the application filing deadline if the board meeting schedule prohibits the applicant from obtaining a signed resolution at application filing. Submit the draft resolution(s) and indicate the board meeting date(s) when the resolution(s) will be adopted. Provide the adopted Resolution as soon as it comes available.

7. **Other Sources of Funds** – Identify all funding sources necessary to complete the project. Indicate if funds have been committed or requested and provide evidence. Include cash contributions, in-kind services, volunteer efforts, donated labor and materials, technical expertise, etc. Cite specific dollar amounts and the percentages of the total project funding provided from all sources.
8. **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.
9. **Local support** - Applicants that are not a city or county must provide evidence of collaboration and support from the applicable local jurisdiction.
10. **Status of environmental compliance (CEQA)** (see page 37)

**IN ADDITION, FOR ALL DEVELOPMENT PROJECTS:**

11. **Property Data Sheet** – For development projects, complete the property data sheet for all parcels included in the project (see page 32).
12. **Assessor's Parcel Map** – Photocopy from Assessor's Office, with project parcels highlighted and full parcel number clearly labeled.
13. **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 page 33). For the purposes of the application, it will be sufficient to submit a letter from each landowner identifying the parcel(s), and indicating that, if awarded funding, the owner is willing to enter into a long-term agreement with the applicant to allow long-term access for construction, maintenance and public use of project on the affected parcel(s).

14. **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.
15. **Cost estimate and Timeline** – For development projects, provide a cost estimate reflecting all costs associated with the project. Identify costs included in the grant request and costs covered by other funding sources. Show all costs by type, unit, quantity and total dollar amount. Projects using in-house services must also detail the labor, materials and equipment costs as separate line items. Include Proposition 84 acknowledgement signage costs as an individual line item (see page 36).

**16. Project Permit/Approval Status** – For development projects, indicate the types of permits necessary to complete the project, permitting submittal and acquisition status, and potential project delays due to permitting (see Project Permit/Approval Status, page 31).

**IN ADDITION, FOR ALL ACQUISITION PROJECTS:**

**17. Land acquisition form** – Submit a Land Acquisition Form for each escrow (see page 26).

**18. Assessor's Parcel Map** – Photocopy from Assessor's Office, with project parcels highlighted and full parcel number clearly labeled.

**19. Evidence of Willing Seller** – For acquisitions, provide a letter from each landowner indicating they are a willing participant in the proposed real property transaction (see page 30). 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 be 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.

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## **SECTION E: SAMPLES, TEMPLATES, and INSTRUCTIONS**

1. Cost Estimate (page 23)
2. Eligible Costs – (page 24)
3. Land Acquisition Form & Instructions (page 26 & 27)
4. Resolution Template (page 28)
5. Certification Letter Requirements (page 29)
6. Willing Seller Letter (page 30)
7. Project Permit/Approval Status (page 31)
8. Property Data Sheet (page 32)
9. Site Control/Land Tenure Requirements (page 33)
10. Application Package Checklist (page 34)
11. Memorandum of Unrecorded Grant Agreement (page 35)
12. Signage Guidelines (page 36)
13. Environmental Compliance (page 37)



# 1. SAMPLE COST ESTIMATE FORM FOR DEVELOPMENT RIVER PARKWAYS PROJECTS

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

Attach the proposed budget. Where possible, quantify the components of the project (e.g. labor, materials, etc), the lateral and linear extent of restoration work, labor, materials, and equipment requirements. Indicate tasks to be funded by River Parkways 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					
Incidental Charges	LS	LS	LS		Ineligible		
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>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.

## 2. 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 page 46 for definition of overhead costs).

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

### A. Development

**Project Management** –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 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.

## **B. Acquisition**

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

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

## **C. All Projects**

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

**Signs and interpretive aids** – Costs include construction of exhibits, kiosks, display boards or signs located at and communicating information about the project and the costs of required acknowledgement signs (see page 36).

### 3. LAND ACQUISITION FORM

**Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006  
Proposition 84 - California River Parkways Grant Program**

(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>RP</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 Page 36).
  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.)

#### 4. RIVER PARKWAYS – RESOLUTION TEMPLATE

Resolution No: \_\_\_\_\_

##### RESOLUTION (*GOVERNING BODY OF GRANTEE*)

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

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

WHEREAS, the 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

## 5. RIVER PARKWAYS – CERTIFICATION LETTER REQUIREMENTS

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

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

## 6. WILLING SELLER LETTER

(Acquisition Projects Only)

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

### ***(Sample -- Willing Seller Letter)***

Date:

To: 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 land owner (trustee, etc.)*

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



## 7. 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>					

## 8. PROPERTY DATA SHEET

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

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

Comments:

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

## **9. RIVER PARKWAYS - SITE CONTROL/LAND TENURE REQUIREMENTS**

The State recognizes that specific activities may change over time; however all uses on the project property must remain compatible with the 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**

- A document must be recorded against the real property that defines the State's interest in the property (see page 35) whether the grantee owns the property or not. Exceptions may be granted as appropriate and at the sole discretion of the State. A copy of the full grant terms and conditions may be obtained by contacting our office.
- 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.

## 10. APPLICATION PACKAGE CHECKLIST

**Submit one Application Package for each project.** Application Packages should be organized in the following order. Clearly number and label each item and number all pages in sequential order. The appropriate number of copies should be provided. Bind packages with binder clips only. Do not put in folders or notebooks.

**Submit six (6) unbound copies (one original and five copies) of items 1 – 12 and one copy of #13:**

<b>Completed Application Form(s)</b> - page 7 <input type="checkbox"/> One application form <b>filed electronically</b> <input type="checkbox"/> Original application form with <b>original signature</b>	<input type="checkbox"/>
<b>One-page summary</b> - page 8	<input type="checkbox"/>
<b>Project evaluation</b> - page 9	<input type="checkbox"/>
<b>Project location map</b> - page 19	<input type="checkbox"/>
<b>USGS quad map</b> (1:24,000 scale) page 19	<input type="checkbox"/>
<b>Site plan</b> - page 19 <b>For stream/habitat projects, also submit:</b> <input type="checkbox"/> Plan View, Longitudinal Profile, and Cross Sections for proposed project <input type="checkbox"/> Plan View, Longitudinal Profile, and Cross Sections of current stream/habitat conditions <input type="checkbox"/> California Native Plant List Applicable for the Site	<input type="checkbox"/>
<b>Photographs</b>	<input type="checkbox"/>
<b>Flood project information, submit all the following:</b> <input type="checkbox"/> Flood Agency Concurrence	<input type="checkbox"/>
<b>Signed authorizing resolution(s) or certification letters from CEO</b> <input type="checkbox"/> Resolution Template –page 19, 28 <input type="checkbox"/> Certification Letter Template –page 19, 29	
<b>Other sources of funds</b> - page 20	
<b>Eligibility for nonprofit applicants</b>	
<b>Local support letters</b>	<input type="checkbox"/>
<b>Environmental Compliance (CEQA) – <u>ONLY ONE COPY EACH</u></b> <input type="checkbox"/> Environmental Compliance Summary - page 37 <input type="checkbox"/> Copy of CEQA documents listed on Summary –page 37	<input type="checkbox"/>

**For Development Projects: Submit six (6) unbound copies (one original and five copies) of items**

<b>Property Data Sheet</b> –page 32	
<b>Assessor's Parcel Map(s) of all parcels</b>	<input type="checkbox"/>
<b>Adequate site control/land tenure</b> Proof of ownership (tax rolls, grant deed, etc)	<input type="checkbox"/>
<b>Cost estimate (development projects)</b> - page 23	<input type="checkbox"/>
<b>Project permit / approval status</b> –page 31	<input type="checkbox"/>
<b>Operations &amp; maintenance documents</b>	

**For Acquisition Projects, Submit six (6) unbound copies (one original and five copies)**

<b>Land acquisition form</b> - page 26	<input type="checkbox"/>
<b>Assessor's Parcel Map(s) of all parcels</b>	<input type="checkbox"/>
<b>Evidence of willing seller (acquisition projects)</b> –page 30	<input type="checkbox"/>
<b>Stewardship plan (conservation easements)</b>	<input type="checkbox"/>

## 11. SAMPLE MEMORANDUM OF UNRECORDED GRANT AGREEMENT

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

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:\_\_\_\_\_

## 12. PROPOSITION 84 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.

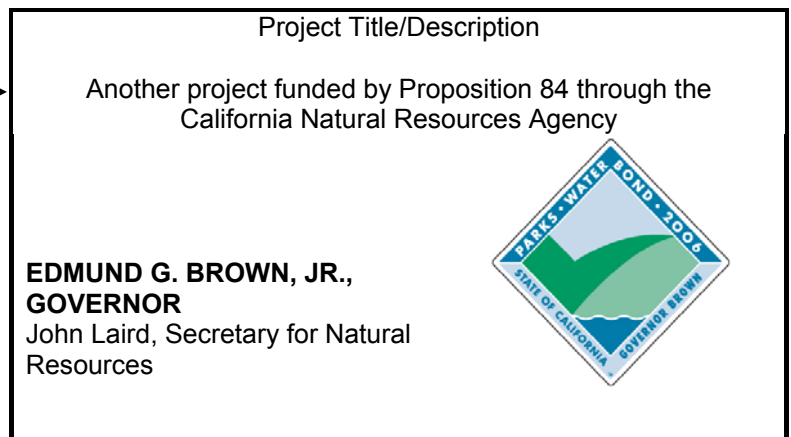
### Language for Signs

All signs will contain the following minimum language:

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 universal logo for the Parks and Water Bond acts (see above). The logo is available at [http://resources.ca.gov/bonds\\_riverparkways.html](http://resources.ca.gov/bonds_riverparkways.html). The logo must be mounted in an area to maximize visibility and durability. Each edge of the logo itself must be a minimum of 1' X 1'. Exceptions may be approved when appropriate at the discretion of the State.



### 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/localoffice.htm>.

### State Approval

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

### 13. ENVIRONMENTAL COMPLIANCE SUMMARY

Lead Agency: \_\_\_\_\_

All counties included in the project: \_\_\_\_\_

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

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

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

Anticipated completion date: \_\_\_\_\_

Expected final CEQA document: \_\_\_\_\_

☐ **Notice of Exemption (NOE):**

List the statutory or categorical exemption applicable to the project: \_\_\_\_\_

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

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

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

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

**Submit all documents listed below:**

☐ IS with checklist

☐ State Clearinghouse Response, as applicable

☐ Evidence Fish & Game fee paid or the project is exempt from fee

☐ Notice of Determination filed and stamped by the County Clerk(s). Date(s) filed: \_\_\_\_\_

*Additional Information/Resources for CEQA:*

CEQA guidelines:      [http://www.ceres.ca.gov/topic/env\\_law/ceqa/guidelines/](http://www.ceres.ca.gov/topic/env_law/ceqa/guidelines/)

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

## VI. IMPORTANT POINTS

### Project requirements

**Applicants applying to receive funding must meet all requirements listed for this Grant Program.**

### All Projects

- Must meet at least two of the five statutory conditions to be considered for funding.
- Must provide public access, or be a component of a larger parkway plan that provides public access.
- Must comply with CEQA
- Applicants must certify compliance with all provisions of Section 1771.5 of the California Labor Code. (Additional information regarding prevailing wage requirements at <http://www.dir.ca.gov/DLSR/PWD/index.htm>).

### Use of project property

Grantee must maintain and operate the property acquired or developed in a manner consistent with the grant agreement and grant guidelines for a period commensurate with the land tenure/site control requirements (see page 33).

### Acquisitions

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

### Development projects

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



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## **Project administration**

- Grantee is responsible for ensuring the project complies with all applicable current laws and regulations affecting development projects, including but not limited to, legal requirements for construction, building codes, health and safety codes, and disabled access laws. Grantee must certify that all applicable permits have been obtained.
- Grantee must post signs as a visible spot on the site acknowledging the source of funds pursuant to guidelines established by the State for each program (see page 36).
- Grantee will be requested to provide project status information periodically throughout the grant process.
- Grantee must record a MOUGA (page 35) for all acquisition projects and may be required to record for development projects, at the sole discretion of the State.

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## **VII. APPENDICES**

- A. River Parkways Program Implementing Statute (page 41)
- B. State Audit and Accounting Requirements (page 43)
- C. Glossary (page 44)

## **APPENDIX A – RIVER PARKWAYS PROGRAM IMPLEMENTING STATUTE**

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

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

5751.

The Legislature finds and declares all of the following:

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

5752.

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

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

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## **APPENDIX B – 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.

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## APPENDIX C – GLOSSARY – Definition of Terms

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

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

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

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

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

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

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

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

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

**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 that is less than 80 percent of the statewide annual median household income.

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

**Enhancement** - means to modify current conditions, and may be used to describe a River Parkway project that would result in a natural resource, recreational area, or existing facility realizing desired improvements (e.g., greater public access, increased riparian habitat, etc.) while

considering the protection of the natural environment. It is distinguishable from “Restoration” in that it does not imply merely a return to natural conditions, but may include the provision of recreation or other aspects that were not originally part of the features.

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

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

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

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

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

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

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

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

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

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

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

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

**Land Tenure/Site Control** - means the applicant owns the project land or has other legal long-term interest with the landowner that is satisfactory to the State (see pages 33).

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

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

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

**Low Impact Recreational Activities** - see Compatible Recreational Opportunities, page 44.

**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.

**Proposition 84** - see **Bond**, page 44.



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

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

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

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

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

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

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

**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**