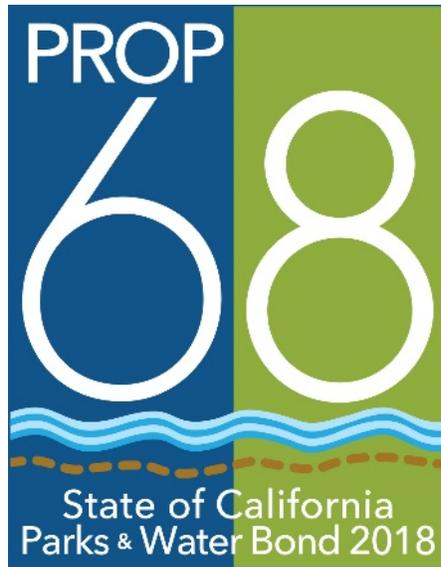


# CULTURAL, COMMUNITY AND NATURAL RESOURCES GRANT PROGRAM

## PROPOSTION 68 GRANT GUIDELINES & APPLICATION



### STATE OF CALIFORNIA NATURAL RESOURCES AGENCY

December 2018



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## **TECHNICAL ASSISTANCE WORKSHOPS**

### **SACRAMENTO**

**January 8, 2019**

**1:00 pm – 4:00 pm**

City of West Sacramento City Hall  
Civic Center Galleria  
1110 West Capitol Avenue  
West Sacramento, CA 95691

### **CULVER CITY**

**January 10, 2019**

**11:00 am – 2:00 pm**

Baldwin Hills Scenic  
Overlook Auditorium  
6300 Hetzler Road  
Culver City, CA 90232

### **REDDING**

**January 15, 2019**

**11:00 am – 2:00 pm**

Redding City Hall  
Civic Center Community Room  
777 Cypress Avenue  
Redding, CA 96001

### **MILPITAS**

**January 17, 2019**

**11:00 am - 2:00 pm**

Milpitas Community Center  
457 E. Calaveras Blvd.  
Milpitas, CA 95035

### **SAN DIEGO**

**January 22, 2019**

**11:00 am – 2:00 pm**

San Diego Unified Port District  
Don L. Nay Administration Building  
First Floor Training Room  
3165 Pacific Highway  
San Diego, CA 92101

**FOR MATERIAL PLANNING PURPOSES, RSVPs ARE APPRECIATED.**

**RSVP AT THE FOLLOWING LINK:**

<https://goo.gl/forms/v6PwT8Gz4ZYDTRk33>

**OR BY CALLING OR EMAILING**

(916) 653-2812

[bondsandgrants@resources.ca.gov](mailto:bondsandgrants@resources.ca.gov)

These guidelines include information to assist applicants in applying for funding. Please read them in their entirety for important information on project eligibility, evaluation criteria, and submission requirements.

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

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

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

**Website:** [www.resources.ca.gov/grants](http://www.resources.ca.gov/grants)

## HOW TO SUBMIT

This grant program includes a progressive, three-step evaluation process

- 1) Concept Proposal
- 2) On-Site Field Visit
- 3) Supporting Documents

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

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

SOAR is **not** compatible with Mac computers or the Mozilla Firefox web browser. SOAR works best on a PC using Internet Explorer.

## SOAR SYSTEM QUESTIONS

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

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

**Phone:** (916) 653-6138

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

When contacting the SOAR help desk, provide the following:

- Proposal Identification Number (PIN) assigned to the Concept Proposal
- Name of the Grant Program
- Short description of the problem, including where it is occurring within the Concept Proposal
- A screen shot of the error received, if applicable.

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## INTRODUCTION

California voters passed the California Drought, Water, Parks, Climate, Coastal Protection, and Outdoor Access for All Act of 2018 (Proposition 68) on June 5, 2018. Proposition 68 authorized the Legislature to appropriate \$37 million to the California Natural Resources Agency (the “State”) for competitive grants that protect, restore, and enhance California’s cultural, community and natural resources. This resulted in the Cultural, Community and Natural Resources (“CCNR”) Grant Program. It is the intent of the people of California that projects funded by Proposition 68, including the CCNR Grant Program, result in public benefits addressing the most critical statewide needs and priorities for public funding.

### Maximum Awards

There are no maximum or minimum grant amounts.

## STATUTORY REQUIREMENTS

### Eligible Applicants

Eligible applicants include local agencies, nonprofit organizations, non-governmental land conservation organizations, federally recognized Native American tribes, or non-federally recognized California Native American tribes listed on the California Tribal Consultation List maintained by the Native American Heritage Commission.

### Eligible Projects

Projects must qualify under **one** of the following five categories:

1. **Resources** - Restore, protect and acquire Native American, natural, cultural, and historic resources within the State
2. **Fossil Fuel Powerplant Conversions** - Convert and repurpose properties or parts of properties that served as the site of a fossil fuel powerplant to create permanently protected open space, tourism and park opportunities through fee title or conservation easement acquisition (powerplants must have been retired on or before June 5, 2018 or must be scheduled to be retired prior to January 1, 2021)
3. **Science Centers** - Enhance visitor experiences through development, expansion, and improvement of science centers operated by foundations or other nonprofit organizations in heavily urbanized areas
4. **Park, Water and Natural Resources** - Enhance park, water, and natural resource values through improved recreation, tourism, and natural resource investments in areas of the state not within the jurisdiction of a state conservancy (a map of state conservancies and their boundaries can be found at: <https://map.dfg.ca.gov/bios/?al=ds1754>)
5. **Community, Culture and Education** - Promote, develop and improve any of the following:
  - Community, civic, or athletic venues
  - Cultural or visitor centers that recognize the contributions of California’s ethnic communities or celebrate the unique traditions of these communities, including those of Asian and Hispanic descent
  - Visitor centers or nonprofit aquariums that educate the public about natural landscapes, aquatic species, or wildlife migratory patterns

Eligible projects in these categories may include development or acquisition (via fee or conservation easement).

### **General Requirements**

1. Projects shall accomplish at least one of the following:
  - a. Improve a community's ability to adapt to the unavoidable impacts of climate change
  - b. Improve and protect coastal and rural economies, wildlife corridors, or habitat
  - c. Develop future recreational opportunities
  - d. Enhance drought tolerance, landscape resilience, and water retention
2. Projects must provide workforce education and training, contractor, and job opportunities for disadvantaged communities, where practicable
3. At least fifteen percent (15%) of program funds shall be allocated for projects serving severely disadvantaged communities (see definition in Appendix P)
4. Grant funds cannot be used to fulfill any mitigation requirements imposed by law
5. Projects should include, where possible:
  - a. Efficient use and conservation of water supplies
  - b. Use of recycled water
  - c. Stormwater capture to reduce stormwater runoff, reduce water pollution, or recharge groundwater supplies, or a combination thereof
  - d. Provision of safe and reliable drinking water supplies to park and open-space visitors
6. Projects must be accessible to the public, where feasible

### **Funding Priorities**

Projects containing the following elements will be given **priority** consideration in funding decisions:

1. Projects that leverage private, federal, or local funding or produce the greatest public benefit
2. Projects that protect and restore natural resources and provide urban recreation
3. Local parks projects that have obtained all required permits and entitlements and a commitment of matching funds
4. Park creation projects that, where practicable, advance solutions to prevent displacement, if the project has the potential unintended consequence of increasing housing costs
5. Projects that propose to use, where feasible, the services of the California Conservation Corps or certified community conservation corps (see Appendix F for consultation process)
6. Projects that include carbon sequestration and greenhouse gas emissions reduction features in the project design
7. Special consideration may be given to projects that acquire lands in deferred certification areas of local coastal plans (see definitions in Appendix P)

### **Other Funding Considerations**

In evaluating projects, the State may consider factors including, but not limited to, geographic distribution of funds, disadvantaged community status, and potential project benefits, as well as partial funding.

## **Community Access**

Up to five percent (5%) of a grant award may be used to expand community access to the project. Community access is defined as “engagement programs, technical assistance, or facilities that maximize safe and equitable physical admittance, especially for low-income communities, to natural and cultural resources, community education, or recreational amenities.”

Examples of eligible community access components for projects requesting funding include, but are not limited to:

- Programs that provide free or reduced transportation to a project site
- Outdoor recreation activities or youth summer camps which teach environmental stewardship
- Programs that provide opportunities for exploration and job training in natural resource and Science, Technology, Engineering, Arts and Math (STEAM) careers
- Multilingual interpretive signage, brochures, tours, and community outreach efforts
- Seminars, classes or demonstrations about the culture, art or history of ethnic communities

## **Examples of Eligible Projects**

The list below provides examples of project elements that meet statutory conditions. It is not a comprehensive list.

- Acquisition of sites with natural, cultural or historic significance
- Restoration of cultural or historic structures
- Restoration of riparian, aquatic, and terrestrial habitat
- Fee title or conservation easement acquisition of properties that served as the site of a fossil fuel powerplant to create permanently protected open space, tourism and park opportunities
- Demolition and removal of fossil fuel powerplant systems, structures and equipment to create open space
- Creation of new exhibits in cultural or visitor centers, science centers, or aquariums
- Renovation or enhancement of exterior landscapes, gardens and outdoor plazas
- Installation of interpretive features that enhance understanding of natural, cultural, or historic elements in public parks, trails, and eligible public venues
- Construction of ADA upgrades, parking areas, restrooms, drinking fountains, and other visitor amenities
- Establishment or enhancement of neighborhood parks and community spaces
- Creation or expansion of trails for recreational activities
- Development or improvement of trailside and trailhead facilities, including visitor access to safe water supplies
- Acquisition or development of unused open space to provide new urban recreational opportunities
- Creation or restoration of existing wetlands, recharge ponds, floodplain, or riparian corridors.
- Renovation of existing venues to expand space for athletic, recreational and/or educational activities or cultural program services

## **Examples of Ineligible Projects**

The list below provides examples of projects and elements that are not eligible under the CCNR Grant Program. It is not a comprehensive list.

- Acquisition of property that cannot be purchased at fair market value
- Acquisition or restoration of objects for display (e.g. collections, specimens, artifacts)

- Planning only, or operation and maintenance projects
- Projects that exclusively fulfill mitigation requirements
- Projects that will not be completed prior to the funding liquidation date
- Development projects contingent on future acquisition for project implementation
- Projects that include both acquisition and development (must be one or the other, not both)
- Projects that are intended to correct problems caused by inadequate maintenance
- Concept Proposals that include more than one project (however, more than one Concept Proposal can be submitted by an applicant)
- Projects where applicant cannot demonstrate satisfactory permission to develop/maintain site
- Acquisitions involving eminent domain
- Projects that include planting trees larger than 15 gallons

## **SELECTION PROCESS**

1. Applicants submit Concept Proposals through the System for Online Application Review (SOAR). No hardcopy Concept Proposals are required.
2. Concept Proposals are reviewed and evaluated. Incomplete or ineligible Concept Proposals may be removed from the competitive process.
3. Site visits are conducted for the most competitive projects.
4. Supporting documentation is submitted for the most competitive projects post field visit.
5. Recommendations are submitted to the California Secretary for Natural Resources.
6. Final funding decisions are determined and announced.

All information contained in the Concept Proposal and Supporting Documentation is confidential until grant awards are announced.

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

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

### **Tribal Consultation**

Applicants should consult and involve Native American Tribes and stakeholder groups regarding projects that affect California tribal communities.

### **Conflict of Interest**

All applicants and individuals who participate in the review of submitted applications are subject to state and federal conflict of interest laws. Any individual who has participated in planning or setting priorities for a specific solicitation over and above the public comment process, or who will participate in any part of the grant development and negotiation process on behalf of the public, is ineligible to receive funds or personally benefit from funds through that solicitation. Failure to comply with conflict of interest laws, including business and financial disclosure provisions, will result in the application being rejected and any subsequent grant agreement being declared void. Other legal actions may also be taken. Applicable statutes include, but are not limited to, California Government Code section 1090 and Public Contract Code sections 10365.5, 10410, and 10411.

## EVALUATION/SCORING CRITERIA

Information provided during the evaluation process should demonstrate how effectively the proposed project meets statutory requirements, funding priorities and program objectives. Projects will be evaluated in the following categories. A total of 100 points are possible. **Points will be attributed to each category and not to individual questions.**

<b>Scoring Criteria</b>	<b>Points</b>
Statutory Requirements and Project Need	35
Statutory and Program Priorities	25
Project Readiness	15
Organizational Capacity	10
Collaboration	10
Additional Project Characteristics	5
<b>Total Points Possible</b>	<b>100</b>

The State may consider other factors in evaluating Concept Proposals including, but not limited to: economic benefits, statewide significance, and the geographic distribution of bond funds.

## STEP 1: CONCEPT PROPOSAL

Applicants are required to submit an online Concept Proposal in SOAR (System for Online Application Review) no later than **February 13, 2019 by 5:00 p.m.** No hard copies are required. Applicants proposing the most competitive eligible projects will be invited to compete in the next phases of the evaluation process, which include an on-site field visit and submission of additional supporting documentation. All Concept Proposal submittals will include the following:

### Project Summary

Describe the discrete project including expected project deliverables. Include a brief description of current site conditions and extent of public access, if applicable. Summaries are limited to 4,000 characters.

### Project Questions

Applicants must answer the following questions, **as applicable**. If a question does not apply to the project, indicate "Not Applicable" **with a brief explanation**. Do not leave blank fields. Answers are limited to 4,000 characters.

#### ***Statutory Requirements and Project Need***

1. Select the **one** statutory category most applicable to the project. Explain how the project qualifies under that category.
  - a. Resources
  - b. Fossil Fuel Powerplant Conversions
  - c. Science Centers
  - d. Park, Water and Natural Resources
  - e. Community, Culture and Education
2. Describe public benefits provided by the project and explain how the project addresses a critical statewide need.
3. Address how the project will accomplish one or more of the following:
  - a. Improve a community's ability to adapt to the unavoidable impacts of climate change
  - b. Improve and protect coastal and rural economies and/or wildlife corridors or habitat
  - c. Develop future recreational opportunities
  - d. Enhance drought tolerance, landscape resilience, and water retention
4. How will the project provide workforce education and training, contractor, and job opportunities for disadvantaged communities?
5. If the project is located within or will serve a disadvantaged community or a severely disadvantaged community, identify which type of community and explain how it will be served by the project (see definitions in Appendix P).
6. Describe how the following is included in the project design:
  - a. Efficient use and conservation of water supplies
  - b. Use of recycled water
  - c. Stormwater capture to reduce stormwater runoff, reduce water pollution and/or recharge groundwater supplies
  - d. Provision of safe and reliable drinking water supplies to park and open-space visitors
7. What will happen to the project if grant funding is not awarded (e.g., loss of matching funds, impacts on overall project vision, project momentum, timing difficulties, etc.)?

### ***Statutory and Program Priorities***

8. What is the status of Applicant's consultation with the California Conservation Corps or a certified community conservation corps about the project?
9. How does the project leverage private, federal or local funding?
10. How does the project protect and restore natural resources and provide urban recreation?
11. Describe any carbon sequestration and greenhouse gas emissions reduction features included in the project design.
12. What solutions to prevent displacement are included in the project?
13. What features included in the design are intended to maximize safe and equitable physical admittance to the facility, especially for low-income communities?

### ***Project Readiness***

14. If the requested funds are insufficient to cover all project costs, what is the funding gap and how will it be bridged?
15. Describe the status of the following items, including anticipated timing for completion of each:
  - a. Preliminary design
  - b. Environmental documentation
  - c. Necessary permits and long-term operation and maintenance commitments/agreements
  - d. Willing seller (e.g., purchase agreement, option, discussions, etc.)

### ***Organizational Capacity***

16. Describe applicant's experience in completing similar projects.
17. Describe applicant's fiscal capacity to carry out the proposed project on a reimbursement-only basis.
18. Describe all active state or other grants and the status of each.

### ***Collaboration***

19. List all entities with jurisdiction over the project and the status of notifications, agreements, meetings, etc.
20. Describe past, current and future community involvement (neighbor/user groups, etc.), outreach, partnerships, and support for the project.

### ***Additional Project Characteristics***

21. Explain how the project addresses environmental, social, economic, community need, public health issues or provides benefits not previously discussed.

**End of Questions**

## REQUIRED DOCUMENTATION FOR CONCEPT PROPOSAL

The following documents must be uploaded into SOAR as part of the Concept Proposal:

1. **Concept Proposal Form Signature Page** - The signature page of the completed Concept Proposal Form should be printed and signed by the same Authorized Representative identified in the submitted resolution (see Appendix E) and then scanned and uploaded to SOAR as an attachment.

To print the Concept Proposal Form from SOAR:

- a. Log into SOAR and go into the active CCNR Grant Program Concept Proposal Form
  - b. Ensure all Concept Proposal page information is complete and accurate
  - c. On the General Information tab, scroll to the bottom of the page and select the Preview/Submit button (NOTE: Clicking this button will not submit your Concept Proposal)
  - d. On the Concept Proposal Preview page, select the "Print Concept Proposal" button on the top
  - e. Select Ctrl+P, to print the Concept Proposal. Choose the correct page range for just the signature page. Click Print.
2. **Site Plan** – Plans should be for the project for which funding is requested. If the project is part of a larger project, clearly indicate the portions to be grant-funded. Plans should contain specific property details, exterior boundaries, public access points, and location of the proposed improvements described in the Concept Proposal. The plan should be specific enough to allow someone unfamiliar with the project to visualize it in detail.
  3. **Photographs** – Provide up to five (5) labeled color photographs of different views of the project site reflecting **current** conditions.
  4. **Cost Estimate** – Provide a cost estimate reflecting all costs associated with the project. Identify costs included in the grant request and costs covered by other funding sources. The cost of project elements funded by the CCNR Grant should not be split between the grant and other funding sources. (See Appendix B for a sample format for development projects and Appendix C for a sample format for acquisition projects.) Cost estimates should include an individual line item for funding acknowledgment signage costs. (See Appendix L for signage requirements.)

**End of Required Documentation for Concept Proposal**

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

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

Announcements for field visits is expected in early Spring 2019. An invitation does not guarantee a project will compete successfully for funding.

**End of Step Two Information**

## STEP 3 – SUPPORTING DOCUMENTATION (QUALIFYING PROJECTS ONLY)

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

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

The following supporting materials must be uploaded as attachments in SOAR. Templates for some materials can be found at <http://resources.ca.gov/grants/CCNR>.

### For All Projects -

1. **Location Map** – Directional map, with enough detail to allow a person unfamiliar with the area to locate the project site.
2. **Signed Authorizing Resolution** – Provide a signed authorizing resolution from the applicant's governing board. (See Appendix E for the required resolution format and content.) Resolutions must include all assurances contained in the template.
3. **Eligibility for Nonprofit Applicants** – Provide evidence: 1) the corporation is qualified under Section 501(c)(3) of the Internal Revenue Service Code (e.g., IRS Determination Letter) and 2) the corporation is in good standing with the Secretary of State (e.g., Active Status printout).
4. **Environmental Compliance** – At a minimum, provide a copy of the Categorical Exemption or an Environmental Checklist Form for the entire proposed project. Drafts are acceptable for this step. If the project is awarded funding, CEQA (and NEPA, if applicable) must be completed to the State's satisfaction before any construction funds will be disbursed. (See Appendix G.)
5. **Project Timeline** – Provide an estimated timeline for major project milestones.
6. **Assessor's Parcel Map** – Provide a photocopy of relevant assessor's parcel maps, with project parcels highlighted and full parcel numbers clearly labeled.

### For Development Projects

7. **Plant Palette** – For projects with any plantings, provide genus, species, common name, and stock size (if known). Trees must not be larger than 15-gallon. (See Appendix O for resources to aid in plant selection and planting standards.)
8. **Property Data Sheet** – Provide the completed Property Data Sheet for all parcels included in the project (see Appendix H). Be sure to include properties that do not have parcel numbers, e.g. rights-of-way, etc.
9. **Adequate Site Control/Land Tenure** – Provide copies of documents verifying current ownership of each parcel listed on the Property Data Sheet. Examples of such documents include tax records, owner data sheets from county records, recorded deeds, title reports, etc. All documents verifying ownership must have the parcel numbers clearly indicated on the document (handwritten acceptable).

For parcels not owned by the applicant, provide a copy of an agreement giving the applicant legal access to and permission to construct and maintain the project on the property. If applicable, the agreement should also permit public access to the project for the required number of years (see Appendix I).

If an agreement has not yet been executed at the time of submitting supporting documentation, the applicant may submit a signed letter from each landowner identifying the affected parcel(s) and indicating that, if awarded funding, the owner is willing to enter into an agreement with the applicant to allow long-term access for construction, maintenance and public use of the project.

10. **Operation and Maintenance** – If operation and maintenance will be performed by an entity other than the applicant, explain and provide evidence of concurrence from that entity (e.g., operational agreements, letters of intent, memoranda of understanding signed by all parties, etc.). If an agreement has not yet been executed at the time of application, the applicant may submit a signed letter by the entity indicating its intent to enter into such an agreement.
11. **Project Permit/Approval Status** – Indicate the types of permits necessary to complete the project, permitting submittal, and potential project delays due to permitting (see Appendix J).

### **For Acquisition Projects**

12. **Conservation Easement** – If acquiring a conservation easement, describe the proposed restrictions and reservations for the easement and the funding mechanism available to support long-term stewardship.
13. **Evidence of Willing Seller** - Provide a letter from each landowner indicating they are a willing participant in the proposed real property transaction. The letter should clearly identify the parcels owned by each seller and state if grant funds are awarded, the seller is willing to enter into an agreement or negotiation for an agreement for the sale of the real property at a purchase price not to exceed fair market value. (See Appendix K for a sample letter.) If available, include a copy of the fully executed purchase option agreement as well.
14. **Appraisal** – If available.
15. **Preliminary Title Report** – If available.

**End of Step Three Information**

## **PROJECT ADMINISTRATION (POST GRANT AWARD)**

All projects awarded funding will follow the general administrative procedure outlined below:

1. Grantee attends grant management workshop which addresses project administration, including proper submission of payment requests.
2. State grants administrator works with grantee to develop and execute grant agreement.
3. For Acquisition projects, grantee submits an appraisal for Department of General Services' (DGS) review.
4. Grantee submits final site control documents.
5. Grantee commences preliminary project work (planning, design, permitting, CEQA, etc.) and submits reimbursement requests for eligible expenses.
6. Prior to commencing construction, grantee submits final design plans for the State's review and approval, as well as evidence of environmental compliance and funding acknowledgment sign installation.
7. Grantee notifies the State of public events related to the initiation of project construction.
8. Grantee commences project construction work.
9. Grantee submits quarterly progress reports and periodic reimbursement requests for eligible expenses (payment requests are subject to retention).
10. For acquisition projects, grantee may request an advance of funds into escrow (subject to retention).
11. As applicable, grantee records Deed Restriction/Memorandum of Unrecorded Grant Agreement (MOUGA).
12. Grantee completes project and submits project completion packet.
13. The State conducts final project inspection and approves final payment request(s).

### **Changes to Approved Project**

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

### **Eligible costs**

Direct project-related costs incurred during the project performance period specified in the grant agreement will be eligible for reimbursement. All eligible costs must be supported by appropriate documentation. Costs incurred outside of the project performance period are not eligible for reimbursement. **Indirect and overhead costs are not eligible** for reimbursement.

### **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.

### **Payment of Grant Funds**

Funds will not be disbursed until there is a fully executed grant agreement between the State and the grantee. Funds for **construction/implementation** cannot be disbursed until environmental review is completed and the bond acknowledgment sign is installed at the project site.

### ***Development Projects***

- Payments will be made on a reimbursement basis. This means the grantee **pays** for services, products or supplies; submits invoices and proof of payment; and is **then** reimbursed by the State. It generally takes six to eight weeks to receive payment after grantee submits a completed payment request.
- Ten percent (10%) of the amount requested for reimbursement may be retained and issued as a final payment upon project completion.
- For communities that meet disadvantaged requirements, advances of up to twenty-five percent (25%) of the grant award may be available upon compelling need. No advances will be made for in-house labor costs.

### ***Acquisition Projects***

- Properties must be acquired at a price that does not exceed fair market value.
- The property appraisal must be reviewed and approved by the Department of General Services (DGS).
- The 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 are subject to a ten percent (10%) retention.
- Any remaining grant funds shall be available on a reimbursable basis for other eligible costs.
- Acquisitions are subject to the State's interest expressly stated in the deed.

### **Loss of Funding**

The following are examples of actions that may result in a grantee's loss of funding. It is not a comprehensive list.

1. Grantee fails to execute a grant agreement.
2. Grantee changes the project scope without prior notice to and approval by the State.
3. Grantee fails to submit evidence of environmental compliance as specified in the grant agreement.
4. Grantee fails to timely submit all required documentation as specified in the grant agreement.
5. Grantee loses willing seller(s).
6. Property cannot be acquired at or below approved fair market value.
7. Grantee fails to complete the project.
8. Grantee fails to provide project updates as requested.

### **Use of Project Property**

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

Conservation easement proposals must include the proposed restrictions and reservations for the easement and the funding mechanism available to support long-term stewardship. The final conservation easement terms and conditions are subject to input, review and approval by the State. The State's interest will be included in the conservation easement.

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

Grantee is responsible for ensuring the project complies with all applicable state and federal laws and regulations, including, but not limited to: CEQA/NEPA, legal requirements for construction, building codes, health and safety codes, state contractor's and other licenses, and disabled access laws. Grantee must certify that all applicable permits have been obtained.

### **Project Reporting**

Grantee is required to keep the State informed of the project's progress throughout the project performance period. Grantee must submit periodic status reports as requested by the grants administrator.

## **STATE AUDIT AND ACCOUNTING REQUIREMENTS**

### **Audit Requirements**

Projects are subject to audit by the State annually and for three (3) years following the final payment of grant funds. If the project is selected for audit, grantee will be contacted in advance. The audit shall include all books, papers, accounts, documents, or other records of grantee, as they relate to the project. All project expenditure documentation should be available for an audit, whether paid with grant funds or other funds.

Grantee must have project records, including source documents and evidence of payment, readily available and must provide an employee with knowledge of the project to assist the auditor. Grantee must provide a copy of any document, paper, record, etc., requested by the auditor.

### **Accounting Requirements**

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, employee paystubs and time cards, evidence of payment, etc.
- Provides accounting data so the total cost of each individual project can be readily determined.

### **Records Retention**

Records must be retained for a period of three (3) years after final payment is made by the State. Grantee must retain all project records at least one (1) year following an audit.

**APPENDICES FOR  
STEP 1 – CONCEPT PROPOSAL  
(PAGES 16 TO 21)**

## APPENDIX A – SUBMITTAL CHECKLIST: STEP 1 - CONCEPT PROPOSAL

<b>The following is entered directly into SOAR:</b>	
• Concept Proposal Form	
• Project Summary	
• Evaluation Questions	
<b>The following will be uploaded into SOAR as attachment:</b>	
• Concept Proposal Form Signature Page (print signature page and upload)	
• Site Plan	
• Photographs	
• Cost Estimate (Appendix B or C)	

## APPENDIX B – SAMPLE COST ESTIMATE FOR DEVELOPMENT PROJECTS

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

1. All project elements should be detailed and customized to fit the project. Each element should be clearly described in the project narrative.
2. Each funding source must have its own column. Other Funding Source column headings should specify cash or in-kind.
3. The CCNR Grant and Other Funding Source columns should sum to the Total Cost column.
4. **The cost of project elements funded by the CCNR Grant should not be split between the grant and other funding sources.**
5. Overhead/indirect costs are not eligible for reimbursement. In-service payroll may not include a “billable rate” or administrative cost allocation.

PROJECT ELEMENTS (Examples)		Unit Price	Unit of Measure	Qty	Total Cost	CCNR Grant	Other Funding Source (Indicate Cash or In-Kind)	Other Funding Source (Indicate Cash or In-Kind)
<b>NON-CONSTRUCTION (not to exceed 25% of grant)</b>								
<b>A</b>	<b>Direct Project Management &amp; Administration</b>							
1	Staff Time							
2	Technical Consultants							
<b>B</b>	<b>Planning, Design &amp; Permitting</b>							
1	Design							
2	Engineering							
3	Environmental Documents							
<b>TOTAL NON-CONSTRUCTION (not to exceed 25% of grant)</b>								
<b>CONSTRUCTION</b>								
<b>C</b>	<b>Site Preparation</b>							
1	Demolition							
2	Grading							
<b>D</b>	<b>Greening Elements</b>							
1	Trees (15-gallon)							
2	Plants							
3	Mulch							
<b>E</b>	<b>Other</b>							
1	Hazard Insurance/Bond							
2	Inspections							
3	Funding Acknowledgment Sign							
<b>TOTAL CONSTRUCTION</b>								
<b>Community Access (not to exceed 5% of grant)</b>								
<b>Contingency (not to exceed 10% of grant)</b>								
<b>PROJECT GRANT TOTAL</b>								

The unit price multiplied by the quantity equals the Total Cost column.

# APPENDIX C – SAMPLE COST ESTIMATE FOR ACQUISITION PROJECTS

(Complete one form for each separate escrow)

Project Title:					
<b>Assessor's Parcel Number(s)</b>	<b>Acreage</b>	<b>Indicate Fee or Easement</b>	<b>Willing Seller Name and Address</b>		
<b>ACQUISITION COST ESTIMATE</b>					
	<b>Total Costs</b>	<b>CCNR Grant</b>	<b>Other Funding Source (Name)</b>	<b>Other Funding Source (Name)</b>	<b>Other Funding Source (Name)</b>
Estimated Fair Market Value					
Relocation Costs					
Preliminary Title Reports, Appraisal					
Escrow Fees, Title Insurance, Closing Costs					
Surveying <i>(limited to boundary line adjustments)</i>					
Direct costs <i>(staff and consultants – limited to \$10,000 per grant)</i>					
State approval of appraisal, transaction review, etc. <i>(Recommend budgeting \$10,000)</i>	<b>\$10,000</b>				
Contingency <i>(not to exceed 10% of grant)</i>					
Funding Acknowledgement Sign <b>(Required)</b>					
7. Other <i>(specify)</i>					
<b>Grand Total</b>					

**Acquisition Schedule\***

**Date Completed By**

Complete Appraisal	
Submit appraisal, purchase docs and title report to State	
Open escrow & request advance into escrow	
Submit instruments of conveyance	
Close escrow (submit final closing documents to State)	
Install Bond Acknowledgement Sign	
Close-out	

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

## APPENDIX D – ELIGIBLE COSTS

Direct project-related costs incurred during the project performance period specified in the grant agreement may be eligible for reimbursement and must be supported by appropriate documentation. **Indirect costs and costs incurred outside of the project performance period are not eligible for reimbursement.**

Projects must comply with Labor Code Section 1771.5. Therefore, cost estimates should include prevailing wages, as applicable. See the Department of Industrial Relations' Division of Labor Statistics and Research website at <http://www.dir.ca.gov/DLSR/PWD/index.htm> for general prevailing wage determinations. For questions about prevailing wage, contact the Department of Industrial Relations.

### All Projects

1. **Direct Costs** - Only direct costs are eligible. General administrative costs and overhead (e.g., costs calculated as a percentage of other direct costs, such as telephone, utilities, and space rental, etc.) and endowments for ongoing project maintenance are not eligible and will not be reimbursed.
2. **Contingency** - Up to ten percent (10%) of the grant may be budgeted for contingency costs. All contingency costs must be eligible per these guidelines. Contingency funds may not be used to increase the amount of funds that can be used for project management/non-construction (pre-implementation) work.
3. **Signs and Interpretive Aids** - Costs can include construction of exhibits, kiosks, display boards or signs located at and communicating information about the project as well as the required funding acknowledgement sign (see Appendix L).

### Development Projects

1. **Project Management/Non-Construction Costs** - Up to twenty-five percent (25%) of grant funds for a development project may be spent on project management/non-construction (pre-implementation) costs, including, but not limited to, planning and design, environmental documents, architecture and engineering, construction plans, permitting, and direct project administration and management.
2. **Personnel or Employee Services** – Costs for the services of grantee's employees directly engaged in project execution must be computed according to grantee's prevailing wage or salary scales and may include benefits such as vacation, sick leave, Social Security contributions, etc., that are customarily charged to grantee's various projects, **excluding** overhead allocations.
  - a. 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 as well as payroll records. Overtime costs may be allowed under grantee's established policy, provided the regular work time was devoted to the same project.
  - b. Salaries and wages claimed for employees working on State grant-funded projects must not exceed grantee's established rates for similar positions.

2. **Contracted Services** - The costs of contracted services may be reimbursed if invoices are presented with payment requests that identify the specific project activities and include evidence of payment.
3. **Construction**
  - a. All necessary labor and construction activities to complete the project are eligible, including site preparation (demolition, clearing and grubbing, excavation, grading), monitoring (including soil and water testing during construction), onsite/field implementation, and construction supervision, etc. The grant can pay for up to two years of plant establishment, as deemed appropriate.
  - b. Trees, supplies and materials may be purchased for a specific project or may be drawn from a central stock, provided they are claimed at a cost no higher than that paid by grantee.
    - Grantees in the business of growing plants may not charge retail rates for plants reared for a project; however, charges for materials and staff time are allowable.
    - Trees larger than 15 gallons in size are not eligible for reimbursement.
  - c. Equipment owned by grantee may be charged to the project for each use. Equipment use charges must be made in accordance with grantee's normal accounting practices. The equipment rental rates published by the California Department of Transportation may be used as a guide. (refer to <http://www.dot.ca.gov/hq/construc/equipmnt.html>)
    - If grantee's equipment is used, a use log or source document must describe the work performed, indicate the hours used, relate the use to the project, and be signed by the operator and supervisor.
    - Equipment may be leased, rented, or purchased, whichever is most economical. If equipment is purchased, its residual market value must be credited to the project costs upon completion of the project.
4. **Other Expenditures** - In addition to the major categories of expenditures, grant funding may be used for miscellaneous costs necessary for execution of the project at the discretion of the State. Some of these costs may include:
  - a. Premiums on hazard and liability insurance to cover personnel and/or property
  - b. Work performed by another section or department of grantee's agency that can be documented as direct costs to the project (see requirements above under Personnel or Employee Services)
  - c. Transportation costs for moving equipment and/or personnel
  - d. Community access (up to 5% of grant) (see definition in Appendix P)

### **Acquisition Projects**

1. **Acquisition** - Costs of acquiring real property are eligible and include the purchase price of the property at or below approved fair market value, appraisals, surveys for boundary adjustments, preliminary title reports, escrow fees and title insurance fees.
2. **DGS Appraisal Review** - Costs of obtaining State approvals of purchase price and transaction reviews from the State Department of General Services are also allowable.

3. **Relocation Costs** - Relocation costs are eligible for Acquisition projects that result in displacement of any person and/or business (See State Relocation Act requirements, Chapter 16, Section 7260 et seq., Government Code).
4. **Direct Staff and Consultant Services** - The costs of direct staff and consultant services necessary for the project are eligible and may be reimbursed up to \$10,000. Invoices must be presented with payment requests that identify the specific project activities and include evidence of payment. Consultants must be paid by the customary or established method and rate of applicant. No consultant fee may be paid to applicant's own employees without prior approval or unless specifically agreed to by the State.

**APPENDICES FOR  
STEP 3 – SUPPORTING DOCUMENTATION  
(QUALIFYING PROJECTS ONLY)  
(PAGES 23 TO 40)**

## APPENDIX E – RESOLUTION TEMPLATE

Resolution No: \_\_\_\_\_  
RESOLUTION (GOVERNING BODY OF GRANTEE)  
APPROVING THE APPLICATION FOR GRANT FUNDS FOR THE  
CULTURAL, COMMUNITY & NATURAL RESOURCE GRANT PROGRAM

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

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

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

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

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

1. Approves the filing of an application for the (*name of the project*); and
2. Certifies that Applicant understands the assurances and certification in the application; and
3. Certifies that Applicant or title holder will have sufficient funds to operate and maintain the project(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, and disabled access laws, and that prior to commencement of construction all applicable permits will have been obtained; and
6. Certifies that Applicant will work towards the State Planning Priorities intended to promote equity, strengthen the economy, protect the environment, and promote public health and safety as included in Government Code Section 65041.1; and
- 7, Appoints the (*designate position, not person occupying position*) \_\_\_\_\_, or designee, as agent to conduct all negotiations, execute and submit all documents including, but not limited to, applications, agreements, payment requests and so on, which may be necessary for the completion of the aforementioned project(s).

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

Following Roll Call Vote: Ayes: \_\_\_\_\_  
Nos: \_\_\_\_\_  
Absent: \_\_\_\_\_

\_\_\_\_\_  
Clerk/Secretary for the Governing Board

## APPENDIX F – CORPS CONSULTATION PROCESS

### California Conservation Corps and Certified Community Conservation Corps

#### Proposition 68 – Parks, Environment and Water Bond Guidelines

##### Corps Consultation Process

This process has been developed to ensure compliance with Division 45 of the Public Resources Code, Chapter 1, Section 80016 that specifies the involvement of the California Conservation Corps (CCC) and the Certified Community Conservation Corps (as represented by the California Association of Local Conservation Corps (CALCC)).

Public Resources Code Section 80016 states “To the extent feasible, a project whose application includes the use of services of the California Conservation Corps or Certified Community Conservation Corps, as defined in Section 14507.5, shall be given preference for receipt of a grant under this division.”

Applicants seeking funds for Proposition 68 projects should consult with representatives of CCC AND CALCC (hereafter collectively referred to as Corps) to determine the feasibility of the Corps’ participation. **Both CCC and CALCC must be consulted prior to application submission.**

The Corps have developed the following consultation process:

Step 1: Applicants are encouraged to reach out to both Corps early in the process while developing project proposal(s) to determine how the Corps can be included. Applicant prepares the following information for submission to both CCC and CALCC:

- Project Title
- Project Description (identifying key project activities and deliverables)
- Project Map (showing project location)
- Project Implementation – estimated start and end dates

Step 2: Applicant submits the forgoing information via email concurrently to CCC AND CALCC representatives:

California Conservation Corps representative:

Name: Andrea Gabriel  
Email: [Prop68@ccc.ca.gov](mailto:Prop68@ccc.ca.gov)  
Phone: (916) 341-3272

California Association of Local Conservation Corps representative:

Name: Cailin Jessup  
Email: [Inquiry@Prop68CommunityCorps.org](mailto:Inquiry@Prop68CommunityCorps.org)  
Phone: (916) 426-9170 x4

Step 3: Within five (5) business days of receiving the project information, CCC and CALCC representatives will review the submitted information, contact the applicant if necessary and respond to the applicant with a Corps Consultation Review Document (template attached) informing them:

1. It is NOT feasible for CCC and/or Certified Community Conservation Corps services to be used on the project; or
2. It is feasible for CCC and/or Certified Community Conservation Corps services to be used on the project and identifying the aspects of the project that can be accomplished with Corps services.

Note: While the Corps will take up to five (5) business days to review projects, applicants are encouraged to contact CCC/CALCC representatives to discuss the Corps' project costs and feasibility **early in the project development process.**

The Corps cannot guarantee a compliant review process for applicants who submit project information fewer than five (5) business days before an application deadline.

Step 4: Applicant submits application and Corps Consultation Review Document to Funder. If the Corps determine their participation is feasible, the applicant must describe the project components involving Corps in the application and provide an estimated budget for that component.

Step 5: Funder reviews applications. Applications with documentation demonstrating the use of services of the California Conservation Corps or Certified Community Conservation Corps will be given preference for receipt of a grant.

**NOTE:**

Applicants that have been awarded funds for projects where the Corps has determined Corps services can be used must thereafter work with either CCC or CALCC to develop a scope of work and enter into a contract with the appropriate Corps. Unless otherwise excused, failure to utilize a Corps on such a project will result in Funding Entities assessing a scoring penalty on the applicant's future applications for Proposition 68 Funds.

The Corps have determined that it is not feasible to use their services on projects that do not include field work. Only projects without field work are exempt from the consultation process and do not need to submit the Corps Consultation Form to Funding Entities.

**Compliance with Public Resources Code Section 80001(b)(5)**

Public Resources Code Section 80001(b)(5) requires to the extent practicable, that projects provide workforce education and training, contractor, and job opportunities for disadvantaged communities. Partnering with Corps will provide workforce education, training and job opportunities for the young adult members of Conservation Corps.



# California Conservation Corps and Certified Community Conservation Corps



## Proposition 68 – Parks, Environment and Water Bond

### *Corps Consultation Review Document*

Except for an exempted project, this Corps Consultation Review Document shall be completed by California Conservation Corps and Certified Community Conservation Corps (hereafter collectively referred to as Corps) staff and must accompany applications for funding through Proposition 68, Chapter 1, Division 45: California Drought, Water, Parks, Climate, Coastal Protection, and Outdoor Access for All Act of 2018. Please see the Corps Consultation Process, starting with Step 1 on Page 1 of this attachment. Applications that do not include this document demonstrating that both Corps have been consulted will not be given preference for receipt of a grant.

All Implementation projects require Corps consultation. Applicants for all Proposition 68 Planning or Scientific Studies projects must consult with both Corps if the project includes any field work (including but not limited to baseline studies, invasive plant removal, native plant propagation, mapping, and site maintenance). Only projects without field work are exempt from the consultation process and do not need to submit the Corps Consultation Form to Funding Entities.

#### **To be completed by Applicant:**

1. Is this application solely for planning or acquisition with no field work?  
 Yes (application is exempt from the requirement to consult with the Corps)  
 No (proceed to Question 2)
2. Name of applicant:
3. Project Title:
4. Department/Conservancy to which you are applying for funding:
5. Name of Grant Program:
6. Due date of Grant Application:
7. Project Start Date: Project End Date:
8. Field Work Start Date: Field Work End Date:
9. Project Map(s): (must be attached)

10. Project Description (identifying key project activities, deliverables and a clear description of field work):

**To be completed by Corps:**

1. This Consultation Review Document is being prepared by:
  - California Conservation Corps (CCC)
  - California Association of Local Conservation Corps (CALCC)
  
2. Applicant has submitted the required information by email to the California Conservation Corps (CCC) and California Association of Local Conservation Corps (CALCC):
  - Yes (applicant has submitted all necessary information to CCC and CALCC)
  - No (applicant has not submitted all information or did not submit information to both Corps)
  
3. After consulting with the project applicant, CCC and CALCC has determined the following:
  - It is NOT feasible for CCC and/or certified community conservation corps services to be used on the project
  - It is feasible for CCC and/or certified community conservation corps services to be used on the project and the following aspects of the project can be accomplished with Corps services

CCC and CALCC Representatives will return this form as documentation of consultation to applicant via email within five (5) business days of receipt as verification of consultation. Applicant will include copy of this document as part of the project application.

If the Corps determine it is feasible to use their services on the project, applicant will coordinate with the Corps to develop estimated costs for those services for inclusion in the budget.

The Corps must be consulted each grant cycle prior to application. If past consultations are submitted, the requirement is not met.

## APPENDIX G - ENVIRONMENTAL COMPLIANCE

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

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

- a. The Notice of Exemption filed with the County Clerk and State Clearinghouse (as applicable) if the proposed project is categorically or statutorily exempt, with the appropriate Public Resources Code section citation to the exemption(s) being relied upon by the lead agency
- b. The Negative Declaration or Mitigated Negative Declaration adopted by the lead agency and Initial Study, including a copy of the Environmental Checklist Form located in Appendix G of the CEQA Guidelines and the Notice of Determination filed with the County and with the State Clearinghouse. If the lead agency has adopted a Mitigated Negative Declaration, the applicant must also provide the adopted mitigation monitoring and reporting program\*
- c. The Final Environmental Impact Report certified and adopted by the lead agency with Initial Study, including a copy of the Environmental Checklist Form located in Appendix G of the CEQA Guidelines, the adopted mitigation monitoring and reporting program, and the Notice of Determination filed with the County and the State Clearinghouse. Please include any State Clearinghouse Responses received by the applicant\*

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

- d. Projects that tier from a Programmatic, Master, or other Environmental Impact Report shall include a copy of any subsequent Initial Study for the proposed project together with a copy of any supplementary environmental documentation adopted by the lead agency, including, if applicable, any required findings pursuant to Public Resources Code section 21157.1, subdivision (c), and the Notice of Determination, filed with the County Clerk and with the State Clearinghouse, as applicable

Pursuant to section 75102 of the Public Resources Code, before the adoption of a Negative Declaration or Environmental Impact Report, the lead agency shall notify the proposed action to a California Native American tribe, which is on the contact list maintained by the Native American Heritage Commission, if that tribe has traditional lands located within the area of the proposed project.

## APPENDIX H – PROPERTY DATA SHEET

Complete the Property Data Sheet listing each parcel included in the proposed project, as well as the owner(s) of each parcel. Include any clarifying comments below. Attach additional sheets if necessary.

No	Owner Name	Assessor Parcel Number(s)	Acreage	If parcel(s) owned by applicant(s), indicate type of ownership			For all parcels, indicate document used to demonstrate ownership	If parcel(s) not owned by applicant(s), indicate document verifying long-term permission to develop and maintain					Entity to perform O&M	# of years O&M to be performed
				Fee Simple	Easement	Other (describe)	Proof of Ownership (tax bill, grant deed, etc.)	O&M Agreement	Lease	JPA	Letter from Owner	Other (describe)		
1														
2														
3														
4														
5														
6														
7														
8														
9														
10														
<b>Comments:</b>														

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

## **APPENDIX I – SITE CONTROL/LAND TENURE REQUIREMENTS**

The State recognizes that specific activities on the project property may change over time; however, all uses on the property must remain compatible with the CCNR Grant Program, in accordance with the following requirements:

### **Acquisition Projects**

Grantee or 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**

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

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

### **All Projects**

1. All projects may be required to record a document against the real property defining the State's interest in the property (see Appendices M and N), whether grantee owns the property or not. Exceptions may be granted as appropriate and at the sole discretion of the State.
2. 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).
3. Grantee shall not use or allow the use of any portion of the real property as security for any debt.
4. With the approval of the State, grantee or 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 grant program. At a minimum, the agreement must do the following:
  - Clearly spell out the roles of each party in detail
  - Be signed by both parties signifying their acceptance
  - 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)
  - Include language that grantee will resume responsibility for ongoing operation and maintenance in the event of cancellation
5. Grantee may be excused from its obligations for operation and maintenance of the project site only upon the written approval of the State for good cause. Good cause includes, but is not limited to, natural disasters that destroy the project improvements and render the project obsolete or impracticable to rebuild.

## APPENDIX J – PROJECT PERMIT APPROVAL STATUS

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

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

PERMITTING AGENCY	TYPE OF REQUIREMENT	REQUIRED	APPLIED	ACQUIRED	DATE EXPECTED
<b>State Agencies</b>					
Department of Fish & Wildlife	Lake or Streambed Alteration Agreement (Section 1600)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Department of Fish & Wildlife	Incidental Take Permit or Consistency Determination (CESA) (California Endangered Species Act)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Department of Transportation	Encroachment Permit	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Coastal Commission	Coastal Development Permit	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Coastal Commission	Letter of Consistency	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Regional Water Quality Control Board	401 Water Quality Certification or Waste Discharge Requirement	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
State Water Resources Control Board	Water Rights Permit	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
State Water Resources Control Board	General Industrial Stormwater Permit	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
State Lands Commission	Permit (if using State-owned property)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
State Office of Historic Preservation	Section 106 Consultation with State Historic Preservation Officer (National Historic Preservation Act of 1986)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>Federal Agencies</b>					
U.S. Fish and Wildlife Service	Section 7 Consultation, Biological Opinion or Section 10 Permit (Endangered Species Act)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
U.S. Army Corps of Engineers	Section 404 Permit (Clean Water Act)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
U.S. Army Corps of Engineers	Section 10 Permit (Rivers & Harbors Act of 1899)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
U.S. Coast Guard / U.S. Army Corps of Engineers	Section 9 Permit (Rivers & Harbors Act of 1899)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
U.S. National Resources Conservation Service	Section 106 Consultation (National Historic Preservation Act of 1986)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
National Marine Fisheries Service	Section 7 Consultation, Biological Opinion, or Section 10 Permit (Endangered Species Act)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<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"/>	
City/County	Model Water Efficient Landscape Ordinance (MWELO) Landscape Documentation Package	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Central Valley Flood Protection Board	Permission to Encroach on Waterways within Designated Floodways	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
S.F. Bay Conservation and Development Commission	Any relevant permit	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Tahoe Regional Planning Agency	Any relevant permit	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Local Resource Conservation District	Consultation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Flood Control Districts	Floodway & Hydrological Analysis	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>Others</b> (e.g., CalRecycle, State Contractors Board, etc.):		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

## APPENDIX K - WILLING SELLER LETTER (ACQUISITIONS ONLY)

If a purchase option agreement has not been executed, acquisition application packages must include Willing Seller letters from **each person on the title**. The letter must include the following information and be signed and dated by the legal owner(s) of each parcel to be acquired.

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

Date:

To: California Natural Resources Agency  
Cultural, Community & Natural Resources (CCNR) Grant Program

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

Re: Parcel number(s):  
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 at or below fair market value.

Acknowledged:

\_\_\_\_\_  
*Signature of land owner*

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

\_\_\_\_\_  
*Signature of land owner*

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

\_\_\_\_\_  
*Signature of land owner*

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

## APPENDIX L - SIGN GUIDELINES

### Types of Signs

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

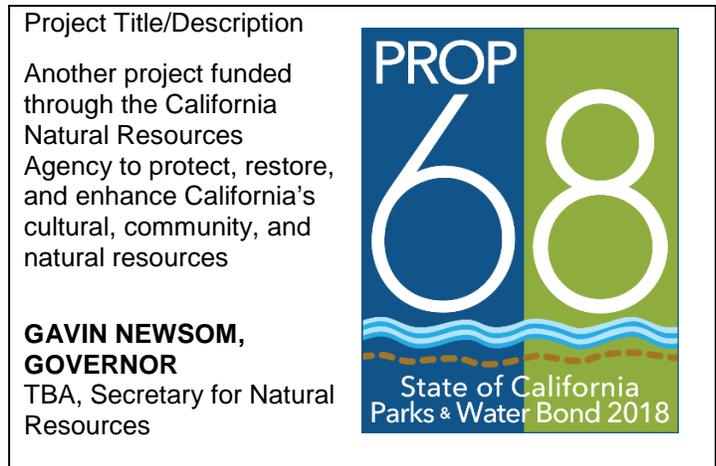
If appropriate, the same sign can be used during construction and completion.

### Sign Language

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

### Logo

All signs must display the Parks and Water Bond Act logo. The logo is available at <http://resources.ca.gov/grants/logo-art/>. The logo must be mounted in an area maximizing visibility and durability. The logo must measure a minimum of 24" tall. When appropriate, exceptions may be approved at the State's discretion.



### Sign Construction

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

### Sign Cost

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

### Appropriateness of Signs

For projects where the required sign may be out of place or affected by local sign ordinances, the grants administrator may authorize a sign that is more appropriate to the project.

### Signs on State Highways

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

### State Approval

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

**APPENDIX M – SAMPLE MEMORANDUM OF UNRECORDED GRANT AGREEMENT (DEVELOPMENT PROJECTS ONLY)**

**(DO NOT FILL OUT AS PART OF APPLICATION)**

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

Space above this line for Recorder’s use

**MEMORANDUM OF UNRECORDED GRANT AGREEMENT**

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 the attached Exhibit A and incorporated by reference (the “Real Property”).
- Under the terms of the Grant, Agency reserved certain rights with respect to the Real Property.
- Grantee desires to execute this Memorandum to provide constructive notice to all third parties of certain Agency reserved rights under the Grant.

NOTICE

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

GRANTEE:

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

## **APPENDIX N – SAMPLE DEED RESTRICTION (ACQUISITIONS ONLY)**

This property was purchased in part or in whole with grant funds provided by the State of California under the California Drought, Water, Parks, Climate, Coastal Protection, and Outdoor Access for All Act of 2018 (Proposition 68). The burdened property currently consists of: *(description of property)*. Landowner desires and intends that in order to provide public benefit and meet the terms of the funding, the burdened property shall be used for purposes consistent with funding.

The restrictions imposed on the burdened property shall run with the land and pass with each and every portion of the Property and shall apply to and bind the respective successors in interest.

Use of the burdened property shall exclusively be for *(description of property use)*.

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 by and through the Natural Resources Agency, or its successor, provided that such approval shall not be unreasonably withheld, as the purposes for which the funding was awarded are expressly assumed by the purchaser as part of the purchase agreement and prior to the close of escrow.

Responsibilities to maintain and operate the property in accordance with these restrictions may be assigned only upon the written approval of the State, acting by and through the Natural Resources Agency or its successor in interest.

Obligations for operation and maintenance of the burdened property may be excused only upon the written approval of the State, acting by and through the Natural Resources Agency or its successor in interest, and only for good cause. Good cause includes, but is not limited to, natural disasters that destroy the property improvements and render the project obsolete or impracticable to rebuild. Good cause shall not include more expedient or economically beneficial development.

The landowner shall not use or allow the use of any portion of the real property for mitigation without the written permission of the State, acting by and through the Natural Resources Agency or its successor in interest.

The landowner shall not use or allow the use of any portion of the real property as security for any debt.

## APPENDIX O – AVAILABLE RESOURCES

CAL FIRE’s Tree Planting Standards and Specifications

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

California Conservation Corps

<https://ccc.ca.gov/contact/>

California Department of Industrial Relations Prevailing Wage Determination

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

California Native American Heritage Commission

<http://nahc.ca.gov/>

California Native Plant Society

<https://www.cnps.org/helpful-tools>

California Secretary of State Business Search

<https://businesssearch.sos.ca.gov/>

California Stormwater Quality Association

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

Community FactFinder (SCORP)

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

Department of Water Resources Disadvantaged Communities Mapping Tool

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

Governor’s Office of Planning and Research CEQA Documents

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

i-Tree Planting

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

i-Tree Streets

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

Local Conservation Corps

<http://calocalcorps.org/local-conservation-corps/>

Proposition 68 Text (Pub. Res. Code §8000, et seq.)

[https://leginfo.legislature.ca.gov/faces/codes\\_displayexpandedbranch.xhtml?tocCode=PRC&division=45.&title=&part=&chapter=&article=](https://leginfo.legislature.ca.gov/faces/codes_displayexpandedbranch.xhtml?tocCode=PRC&division=45.&title=&part=&chapter=&article=)

Save Our Water

<http://saveourwater.com/>

Water Use Classification by Landscape Species (WUCOLS)

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

## APPENDIX P - DEFINITIONS

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

**Acquisition** - means obtaining a fee interest or any other interest in real property.

**Agency** - means the California Natural Resources Agency.

**Americans with Disabilities Act (ADA)** - means the U.S. Americans with Disabilities Act of 1990 that gives civil rights protections to individuals with disabilities, guaranteeing equal opportunity in employment, public accommodations, transportation, State and local government services, and telecommunications.

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

**Aquarium** - means an establishment where aquatic organisms are kept and exhibited.

**Athletic Venue** - means a building, structure, or place where athletic events take place.

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

**Civic Venue** - means a public building, structure or place for holding events or gatherings.

**Climate Adaptation** - means the adjustment or preparation of natural or human systems to a new or changing environment which moderates harm or exploits beneficial opportunities.

**Climate Change** - means any long-term change in average climate conditions in a place or region, whether due to natural causes or the result of human activity.

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

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

**Community Venue** - means a public building, structure or place for community, educational and recreational activities.

**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).

**Cultural Center** - means an organization, building or complex that promotes culture and arts.

**Deferred Certification Areas** - refers to a geographic area that has not been officially segmented for purposes of Local Coastal Plan preparation and, during certification review of the Local Coastal Plan, was not certified.

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

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

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

**Enhancement** - means modifications to current conditions that result in a natural resource, recreational area, or existing facility realizing desired improvements (e.g., greater public access, increased adaptation to climate change, etc.) while considering the protection of the natural environment. It is distinguished 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.

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

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

**Grant Agreement** - means an 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.

**Greenhouse Gases** - Include, but are not limited to, carbon dioxide, methane, nitrous oxide, hydrofluorocarbons, perfluorocarbons and sulfur hexafluoride.

**Habitat** - means the place where an animal or plant normally lives, often characterized by a dominant plant form or physical characteristic (i.e., forest habitat, stream habitat, etc.).

**Heavily Urbanized City** - means a city with a population of 300,000 or more.

**Heavily Urbanized County** - means a county with a population of 3,000,000 or more.

**Indirect 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 indirect 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 not directly related to the project and supported with timesheets; and overhead such as rent, utilities, supplies, etc.

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

**Interpretation** - includes, but is not limited to, a visitor-serving amenity that enhances the ability to understand and appreciate the significance and value of natural, historical and cultural resources and that may utilize educational materials in multiple languages, digital information, and the expertise of a naturalist or other skilled specialist.

**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.

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

**Local Coastal Plan** - means a basic planning tool used by local governments to guide development in the coastal zone and protect coastal resources, in partnership with the California Coastal Commission.

**NEPA** - means The National Environmental Policy Act that establishes national environmental policy and goals for the protection, maintenance, and enhancement of the environment and provides a process for implementing these goals within federal agencies.

**Nonprofit Organization** - means a 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 CCNR Grant Program.

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

**Project** - means the acquisition or development activity to be accomplished with grant funds, and other funds if necessary, that meets eligibility requirements.

**Project Performance Period** - refers to the beginning and ending dates of the grant agreement. Eligible costs incurred during this period may be funded from the grant.

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

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

**Public 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.

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

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

**Science Center** - means a museum devoted primarily to science which typically has interactive exhibits that encourage visitors to experiment and explore.

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

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

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

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

**Urban Area** - means a city within the State of California or a geographic area designated or defined as urban by an applicable plan covering the project area, including, but not limited to general plans, specific plans, or community plans.

**Urban Recreation** - means recreational opportunities located within an urban area or in an area which is demonstrably accessible by the public living in a nearby urban area.

**Visitor Center** - means a physical location that provides tourist information to visitors about a specific attraction or place of interest.

**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**