

# **SAN DIEGO RIVER CONSERVANCY PROPOSITION 68**

**The California Drought, Water, Parks,  
Climate, Coastal Protection, and Outdoor  
Access for All Act of 2018**



**FINAL COMPETITIVE GRANT  
PROGRAM GUIDELINES**

**March 14, 2019**

## I. Introduction

### A. The San Diego River Conservancy

The San Diego River Conservancy (“Conservancy”) is a state agency, established in 2002, to work within the San Diego River watershed to implement multi-benefit projects that protect and enhance the San Diego River and its connected resources. (Public Resources Code, Division 22.9.) The San Diego River Conservancy Act authorizes the Conservancy to undertake projects and award grants to achieve the goals set forth in Division 22.9. The Conservancy works along the entire length of the San Diego River, from its mouth in the City of San Diego at Ocean Beach to its headwaters in the mountains near Julian. The Conservancy’s jurisdiction also includes all of the contributing area to the San Diego River watershed including streams and tributaries, an estuary, wetlands, reservoirs, uplands, meadows and forests. A map of the Conservancy’s jurisdiction can be viewed at [www.sdrc.ca.gov](http://www.sdrc.ca.gov).

The Conservancy provides technical assistance through its staff and it provides grant funds to help develop and implement projects that achieve its goals. The Conservancy supports multi-benefit projects that advance a number of objectives, including:

- Conserving land
- Resource protection
- Reducing flood and fire risk
- Improving water quality
- Enhancing wildlife habitats
- Completing the San Diego River Trail
- Providing public access for the enjoyment of the San Diego River Park and nearby open space, trail facilities, campgrounds and parks.
- Removing invasive plant species from the river corridor and its tributaries.
- Restoring habitat and promoting the re-establishment of the area’s native species.
- Promoting cultural and historical interpretation of the San Diego River and its people.
- Protecting the natural and scenic beauty of the San Diego River

The Conservancy’s adopted Strategic Plan Update 2018-2023 identifies the Conservancy’s goals and objectives by program area. The Conservancy’s Proposition 68 funded grants must advance state priorities, align with the goals of the Conservancy, be consistent with the San Diego River Conservancy Act, and comply with the California Drought, Water, Parks, Climate, Coastal Protection, and Outdoor Access for All Act of 2018.

### B. Proposition 68 Language

The California Drought, Water, Parks, Climate, Coastal Protection, and Outdoor Access for All Act of 2018 (“Prop 68”) was approved by voters in June 2018. Prop 68 is codified as Division 45 of the Public Resources Code, Chapters 1-13, Sections 80000-80173. The purposes of Prop 68 include creating and enhancing park and trail facilities, providing public access, enhancing river parkways, and protecting coastal forests and wetlands.

Further, Public Resources Code, chapter 1, section 80001 (b) states, “It is the intent of the people of California that all of the following shall occur in the implementation of this division:

- (1) The investment of public funds pursuant to this division will result in public benefits that address the most critical statewide needs and priorities for public funding.
- (2) In the appropriation and expenditure of funding authorized by this division, priority will be given to projects that leverage private, federal, or local funding or produce the greatest public benefit.
- (3) To the extent practicable, a project that receives moneys pursuant to this division will include signage informing the public that the project received funds from the California Drought, Water, Parks, Climate, Coastal Protection, and Outdoor Access for All Act of 2018.
- (4) To the extent practicable, when developing program guidelines for urban recreation projects and habitat protection or restoration projects, administering entities are encouraged to give favorable consideration to projects that provide urban recreation and protect or restore natural resources. Additionally, the entities may pool funding for these projects.
- (5) To the extent practicable, a project that receives moneys pursuant to this division will provide workforce education and training, contractor, and job opportunities for disadvantaged communities.
- (6) To the extent practicable, priority for funding pursuant to this division will be given to local parks projects that have obtained all required permits and entitlements and a commitment of matching funds, if required.
- (7) To the extent practicable, administering entities should measure or require measurement of greenhouse gas emissions reductions and carbon sequestrations associated with projects that receive moneys pursuant to this division. . . .”

Chapter 8 of Proposition 68, entitled “State Conservancy, Wildlife Conservation Board, and Authority Funding,” allocates one hundred eighty million dollars (\$180,000,000) to state conservancies for projects according to their governing statutes for their specified purposes. Twelve million dollars (\$12,000,000) of the funds available in Chapter 8 are allocated to the San Diego River Conservancy.

## **II. Program Purposes, Required Criteria and Eligibility**

### **A. Purpose of Proposition 68 Grant Program Guidelines**

These Proposition 68 Grant Program Guidelines establish the process and criteria that the Conservancy will use to solicit competitive proposals, evaluate applicants’ projects, and award grants. These Prop 68 Guidelines identify eligible entities, project types, project requirements, priorities, the evaluation process and grant administration. These Guidelines are adopted pursuant to Division 45 of the Public Resources Code, Chapters 1-13, Sections 80000-80173.

These draft guidelines were posted on the Conservancy’s website for public comment from January 22, 2019 through February 22, 2019 . Comments were submitted by February 27, 2019 and emailed to [dharrison@sdrca.gov](mailto:dharrison@sdrca.gov) or delivered to the San Diego River Conservancy, 1350 Front Street, Suite 3024, San Diego, CA 92101. The guidelines may be

revised based on comments received and presented to the Conservancy Board at a public meeting for approval.

Listed below are the steps required to develop solicitation and evaluation guidelines, and a proposed schedule for the process:

<u>Step</u>	<u>Schedule</u>
Draft grant program guidelines for Prop 68	Nov.-Dec. 2018
California Natural Resources Agency review	December 2018
Post draft guidelines on the Conservancy website for 30 days	January 2019
Public meetings	February 2019
Adopt final grant program guidelines	March 2019

## **B. Conservancy Project Selection Criteria**

The Conservancy Program Guidelines provide required criteria that must be satisfied by all projects and additional criteria that are not mandatory but which will be considered for purposes of determining priority. The selection criteria are:

### **Required**

- **Eligible entity**
- **Location** must be within the San Diego River watershed.
- **Agreement to operate and maintain the property for 10 - 20 years in accordance with purposes set forth in grant application**
- **Project Type consistent with Project categories (page 8)**
- **Consistent with purposes of Prop 68**
- **Achieves the Conservancy's statutory programs and goals**
- **Promotes or implements state plans and priorities**
- **Climate change considerations and sea level rise**
- **Collaboration, cooperation and community support**
- **The extent to which the project provides multiple benefits**
- **Project Readiness**
- **Leveraged funding**
- **Consultation is required with the California Conservation Corps or certified community conservation corps.**
- **Tribal Consultation**

### **Other factors for consideration**

- **Need** (desired project or result will not occur without Conservancy participation)
- Projects that seek to achieve the **wildlife and habitat conservation** objectives through projects on public lands or voluntary projects on private lands. Projects on private lands shall be evaluated based on the durability of the benefits created by the investment.
- Priority may be given to projects with components that **emphasize efficient use and conservation of water** supplies, use of recycled water, capture of storm water, facilitation of safe and reliable drinking water to park and open-space visitors.

## **C. Prop 68 Priorities**

Prop 68 sets forth requirements and priorities for selecting projects. Some of the Prop 68 requirements vary by chapter of the legislation, but the general requirements and priorities are

discussed below. Prop 68 funds must be spent in a way that addresses the most critical statewide needs and priorities for public funding. These priorities include: promotes diversity, serves a severely disadvantaged community, leverages funds, provides workforce training, and demonstrates readiness. Some are as discussed in greater detail below:

**(1) Project promotes Diversity, Equity and Inclusion**

Prop 68 directs agencies receiving funding, to the extent practicable, to consider a range of actions that derive from the *Presidential Memorandum - Promoting Diversity and Inclusion in Our National Parks, National Forests, and Other Public Lands and Waters*, January 12, 2017. These actions direct agencies to expand outreach efforts, create new partnerships and improve programs to increase access by diverse populations. These actions are consistent with page 4 of the Conservancy's Strategic Plan and addressed under "Expand Focus and Capacity."

To the extent practicable, the Conservancy will seek to fund Prop 68 grants that:

- Create new partnerships with state, local, tribal, private, and nonprofit organizations to expand access for diverse populations. (PRC § 80001(b)(8)(C).)
- Identify and implement improvements to existing programs to increase visitation and access by diverse populations, particularly minority, low-income, and disabled populations and tribal communities. (PRC § 80001(b)(8)(D).)

**(2) Project serves Severely Disadvantaged Community (SDAC)** (located within a SDAC, or within 1 mile of SDAC or benefits SDAC). The Conservancy's \$12 million allocation under Prop 68 includes approximately 20% (or \$2,400,000) to be spent on projects that serve severely disadvantaged communities. An SDAC is defined as a community with a median household income that is less than 60% of the statewide average. Expenditures on projects serving SDACs will be tracked in the state bond expenditure database.

For the purpose of Prop 68, the Conservancy will define serving a severely disadvantaged community to include projects located in SDACs or projects within 1 mile of a SDAC. The Conservancy will also define serving SDACs to include projects that are not located in a SDAC, but that provide other direct benefits to SDAC residents, including training and workforce education, providing job opportunities, providing recreational amenities, increasing resilience to climate change, habitat restoration, wildlife conservation, and projects that reduce flooding, reduce pollution burden, and address environmental justice. The Conservancy will prioritize its technical assistance for projects that serve SDACs. Applicant should use Community Fact Finder to determine if proposed project is within SDACS, the website is <http://www.parksforcalifornia.org/communities> .

**(3) Community Access, Education and Interpretation Projects.** Up to 5% (\$600,000) of the Conservancy's Prop 68 \$12 million allocation may be used for community access, which 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." Applicant may apply for a stand-alone project but must demonstrate a long-term benefit, so that the project aligns with bond funding.

Specifically, Prop 68, Section 800008 (c) (1) provides in pertinent part that:

“Up to 5 percent of funds available pursuant to each chapter of this division shall, to the extent permissible under the State General Obligation Bond Law (Chapter 4 (commencing with Section 16720) of Part 3 of Division 4 of Title 2 of the Government Code) and with the concurrence of the Director of Finance, be allocated for community access projects that include, but are not limited to, the following:

- (A) Transportation.
- (B) Physical activity programming.
- (C) Resource interpretation.
- (D) Multilingual translation.
- (E) Natural science.
- (F) Workforce development and career pathways.
- (G) Education.
- (H) Communication related to water, parks, climate, coastal protection, and other outdoor pursuits.”

### III. Grant Application Process and Timeline

#### A. Concept Proposal

The first step in the process is to submit a concept proposal, which is posted on the Conservancy’s website and may be updated periodically. The Conservancy may elect to solicit targeted proposals for a specific type of project for some of the solicitation periods. For any questions concerning the grant program, please contact Dustin Harrison, Environmental Scientist at [dharrison@sdrc.ca.gov](mailto:dharrison@sdrc.ca.gov) or 619-525-4094.

#### B. Grant Solicitation Periods

Starting in 2019, the Conservancy’s grant solicitation period will be every other year until appropriations are expended. An announcement with key action dates will be posted on the Conservancy’s website (<http://sdrc.ca.gov/>) and sent out to past Conservancy applicants from other grant programs and potential grantees.

**Round 1, action dates are in the table below:**

Conservancy’s Proposition 68 schedule	Concept Proposal Due	Full Application Due	Board review/approval
Round 1	May 15, 2019	July 30, 2019	September and November 2019

Concept Proposals are due to the Conservancy by 4 p.m. on **May 15, 2019**. After the Conservancy completes review of the proposals, eligible applicants will be invited to submit full applications that are due **by 4 pm on July 30, 2019**. **For this grant program, please** submit documents by email to [dharrison@sdrc.ca.gov](mailto:dharrison@sdrc.ca.gov) or by hard copy to the San Diego River Conservancy, 1350 Front Street, Suite 3024, San Diego, California, 92101.

After Concept Proposals are submitted, the Conservancy will meet with potential applicants, conduct site reviews as necessary and select which concept proposals meet the minimum

criteria to be invited to submit full applications. Conservancy staff and technical experts will review, evaluate and rank the full applications. Conservancy staff will formulate and concur with one score for each proposal based on the criteria below and from subject matter experts, as appropriate. Each application will receive one final score from which to compare and rank against other proposals.

Project applicants are encouraged to seek technical assistance from the Conservancy on how to address any deficiencies for future submissions. For example, for projects that align with the Conservancy’s Strategic Plan goals and the purposes of Prop 68, but are not sufficiently developed to be awarded a Conservancy grant, the Conservancy may provide technical assistance to assist applicants in further developing their project concepts. Technical assistance will be prioritized for projects that benefit disadvantaged communities.

The Conservancy reserves the right to reject any applicant who has a history of performance issues with past grants or other agreements with any public entity, including but not limited to the Conservancy.

**C. Application Review and Evaluation**

Full Applications will be reviewed and evaluated based on how well the proposed project advances the objectives in the Conservancy’s Strategic Plan, meets its project evaluation criteria, and meets the priorities identified in Prop 68. To be funded by Prop 68, projects must be consistent with both the Conservancy’s enabling legislation and the applicable Chapter of Prop 68.

**Projects will be evaluated using the following criteria to determine an initial ranking, out of a score of 150 possible points**

<b>Criteria</b>	<b>Points</b>
Consistency with purposes of the funding source	25
Alignment with State plans and priorities	20
Conservancy goals	20
Climate change considerations	25
Multiple Benefits	10
Project Readiness	15
Community, Non-Profit and/or Government Support and Collaboration	15
Leveraged Funding	20
<b>Total Points Possible</b>	<b>150</b>

**Eligibility**

- 1) The project is located within San Diego River watershed.
- 2) Project applicant is a public agency, special district, joint powers authority, public college, public university, nonprofit organization that qualifies under Section 501(c)(3) of the United States Internal Revenue Code, or Indian Tribes that are either federally

recognized or listed on the current Native American Heritage Commission's California Tribal Consultation List.

3) Project type, Eligible Project Categories:

Below are general project categories that may be eligible for funding. Applicants are encouraged to work with Conservancy staff if a project does not fall within one of these categories, to determine if it may be otherwise eligible.

- (1) Land Conservation Projects. (fee title/easements/deed restrictions)
- (2) Resource Protection and Restoration Projects. Projects which facilitate the protection and restoration of wildlife, habitat, and historical/archaeological resources. Projects that enhance above and below ground carbon storage through planting trees and other vegetation.
- (3) Vegetation Management and Fire Safety Projects. Projects which facilitate fire prevention and safety, understory clearing, establishing fuel breaks and recommended fuel modification zones.
- (4) Trail and Facility Improvement Projects. Projects which provide public access, trail improvements, enable safe accessibility to parks, open space, and green space (including signage, restrooms, entrances, parking, kiosks or other). This includes new projects to implement statutory requirements to provide better accessibility under the Americans with Disabilities Act (ADA).
- (5) Planning and Design Projects. Includes CEQA/NEPA environmental review, permitting, Storm Water Pollution Prevention Plans, and other certified engineering/surveying documents. Up to 5% of the Conservancy's Prop 68 allocation may be used for Planning and Design.
- (6) Water and Flood Management Projects. Projects that improve water quality, restore floodplains or wetlands, install bioswales, permeable/pervious pavement, storm water reduction, retention, detention and/or infiltration basin.
- (7) Community Access

**Required Evaluation Criteria:**

- 1) **Consistency with purposes of the funding source.** (25 points) see [https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill\\_id=201720180SB5](https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=201720180SB5)
- 2) **The extent to which the project promotes and implements state priorities.** (20 points) Promotion and implementation of State plans and priorities require that projects be consistent with adopted statewide plans and priorities. Related state plans include, but are not limited to: California Water Action Plan, Forest Carbon Plan, Safeguarding California – California's Climate Adaptation Strategy, the 2017 Climate Change Scoping Plan (Scoping Plan) and the Integrated Climate Adaptation and Resiliency Program, Natural Working Lands Plan, and Wildlife Action Plan, Water Quality Control Plan for the San Diego Basin as well as other adopted State plans.
- 3) **Achieves Conservancy goals.** (20 points) Division 22.9 of the Public Resources Code "The San Diego River Conservancy Act," and Strategic Plan 2018-2023 ([http://sdrc.ca.gov/webmaster/arc/docs/StratPlan\\_update\\_2018-2023\\_Final.pdf](http://sdrc.ca.gov/webmaster/arc/docs/StratPlan_update_2018-2023_Final.pdf))
  - Land acquisition and conservation
  - Recreation
  - Education/interpretation

- Habitat protection and restoration
  - Water quality and supply
  - Outreach
- 4) **Climate change considerations.** (25 points)
- Minimization of Greenhouse Gas Emissions (project design and construction methods include measures to avoid or minimize greenhouse gas emissions)
  - Carbon sequestration
  - Increase resiliency to rising temperatures – global warming
  - Reduce heat island effects
  - Soils/amendments/crop rotation
  - Wetlands creation/enhancement
  - Green infrastructure and greenbelts
  - Riparian restoration
- 5) **The extent to which the project provides multiple benefits.** (10 points)
- 6) **Project readiness.** (15 points)  
 Discuss ability of the grantee and other partners to start and finish the project within 2-year timeframe. Is project shovel ready and site control obtained? The Conservancy is required to comply with the California Environmental Quality Act (CEQA). Grant applicants should consider whether their proposed project will trigger the need for an environmental impact report, negative declaration or whether a CEQA exemption applies. How CEQA applies and the status of CEQA compliance must be addressed in the concept proposal/full application. Applicant should list and discuss any other potential permits needed for their project.
- 7) **Collaboration and community support.** (15 points)  
 Support letters from local, state, tribal and federal organizations and community members. Extent to which the public, nonprofit groups, landowners, and others will contribute to the project.
- 8) **Leveraged funding** - contribution of matching funds or in-kind services. (20 points)

**Required Consultations:**

- 1) For projects under this grant program, the services of the California Conservation Corps (CCC) or a local conservation corps certified by the California Conservation Corps shall be used whenever feasible. 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 both the California Conservation Corps and the Community Conservation Corps (hereafter collectively referred to as Corps) prior to application submission to determine the feasibility of the Corps’ participation. The Corps’ consultation form is attached hereto as Appendix N.
- 2) The Conservancy recognizes the need for consultation regarding projects that affect California tribal communities. As such, applicants should make every effort to involve Native American Tribes and stakeholder groups. The Conservancy requires applicants to contact both the Native American Heritage Commission and the Kumeyaay Diegueño

Land Conservancy. Proof of contacting both organizations will be required in Full Application.

#### **D. Project Eligibility**

Prop 68 funds must be spent consistent with the General Obligation Bond Law, Government Code Section 16727. Prop 68 contains additional provisions that may make some projects ineligible, these include:

- Projects cannot be used to fund acquisitions of land by eminent domain.
- Projects that include acquisition of property that cannot be purchased at fair market value
- Projects that include both acquisition and development.
- Projects that will not be completed in the allotted timelines.
- Projects that are intended to correct problems caused by inadequate maintenance.
- Projects that would be used to fulfill mitigation requirements imposed by law are not eligible for funding (PRC §80020).
- Prop 68 funds may only be used for projects that will provide benefits or improvements that are greater than required applicable environmental mitigation measures or compliance obligations.

#### **E. Grant Awards**

Prop 68 grants will be awarded when authorized by the Conservancy Board. The Conservancy Board holds public board meetings approximately 6 times a year. Staff recommendations will be provided to the Conservancy Board to document how each project meets objectives and priorities for the Prop 68 Grant program. Recommended awards will be posted on the Conservancy's website prior to the public meeting.

A grant agreement will be the binding legal agreement between the Conservancy and its grantee. Expenses incurred before the Conservancy grant agreement is executed are not reimbursable. The agreement will include requirements of the grantee and information about how and when funds can be disbursed. To the extent practicable, the grant agreement will require grantees to comply with some of the provisions of Prop 68, including signage acknowledging Prop 68 funding and measurement of greenhouse gas emission reductions or carbon sequestration and provide site access for maintenance and operation period post project implementation. The grantee must sign the grant agreement and exhibits, as needed and comply with general terms and conditions in order to receive funds.

### **IV. Additional Information**

#### **A. Available Funding**

The Conservancy expects to grant approximately \$1-2 million every other year for 8 years. However, the amount of funds available will depend upon the amount appropriated to the Conservancy each year. The amount awarded will also depend on the quality of the proposed projects submitted and being developed and any returned funds.

#### **B. Grant Provisions**

Following Conservancy Board approval of a grant, staff will prepare a grant agreement with detailed conditions specific to the project. The grant agreement must be signed by the grantee before funds will be disbursed. Several typical grant agreement provisions are:

- Actual awards are conditional upon funds being available from the State.
- Grantees must submit a detailed project work program and budget for Conservancy approval.
- Grant funds will only be paid in arrears on a reimbursement basis.
- Site control from the landowner is needed prior to commencing work.
- Grantee or Land owner must agree to a ten (10) or twenty (20) year Memorandum of Understanding for operation and management agreement for the project site, depending on project type.
- Grantees may be required to reimburse the Conservancy for some or all of the disbursed grant funds if the project is not successfully completed.
- Grantees must maintain liability insurance during grant term and include the San Diego River Conservancy as an “additional insured.”
- Expenses incurred before the Conservancy grant agreement is executed are not reimbursable.

### **C. Payment of Grant Funds**

Funds cannot be disbursed until there is a fully-executed grant agreement between the Conservancy and grantee and satisfactory site control, including an operations and maintenance agreement; CEQA / NEPA (if applicable) is completed; and signage is installed.

For all Projects, payments are 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 Conservancy). Each invoice submitted will require a progress report. 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 will be withheld and issued as a final payment upon project completion.

### **D. 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. 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 approval of the Conservancy.

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

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 and implementation, 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.

### **E. Project Monitoring and Reporting**

The Full Application must include a monitoring and reporting component that explains how the effectiveness of the project will be measured and reported. The monitoring and reporting component will vary depending on the nature of the project. In addition, Conservancy staff will work with grantees to develop appropriate monitoring and reporting templates and procedures.

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

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

- (1) Grantee fails to execute a grant agreement within three (3) months of grant issuance.
- (2) Grantee withdraws from the grant program.
- (3) Property cannot be acquired at or below approved fair market value.
- (4) Grantee loses willing seller(s).
- (5) Grantee loses site control or landowner does not sign an operation and management agreement.
- (6) Grantee fails to submit required documentation within the time periods specified in the grant agreement.
- (7) Grantee fails to submit evidence of CEQA/NEPA compliance as specified by the grant agreement.
- (8) Grantee changes project scope without prior approval from the Conservancy.
- (9) Grantee fails to complete the project.
- (10) Grantee fails to demonstrate sufficient progress.

## **G. State Audit and Accounting Requirements**

### **Audit requirements**

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 Conservancy. All project records must be retained by the grantee at least one (1) year following an audit. A project is considered complete upon receipt of final grant payment from the Conservancy.

### **Ongoing Project Reporting**

Grantees are required to submit report on the progress of the project as request by the Conservancy through the term of the grant agreement. Entities will be provided a final report of tasks completed and final accounting with the last invoice.

**APPENDIX A - FULL APPLICATION CHECKLIST (BY INVITATION ONLY)**

<b>All items below must be submitted to the Conservancy by July 30, 2019</b>	
<b>San Diego River Conservancy Application</b>	
<b>Signed Authorizing Resolution or Certification Letter</b>	
<b>Eligibility for Nonprofit Applicants – proof of current business with Secretary of State</b>	
<b>Environmental Compliance (CEQA) - Project Permit / Approval Status</b>	
<b>Adequate Site Control / Land Tenure (I.e. Proof of ownership such as tax rolls, grant deed, etc.)</b>	
<b>Project location map</b>	
<b>Site Plan</b> <b>For projects, also submit:</b> <input type="checkbox"/> Physical address or GPS coordinates <input type="checkbox"/> Concept Plan or and map of project footprint <input type="checkbox"/> Native Plant List Applicable for the Site	
<b>FIVE (5) Photographs of site/ project location</b>	
<b>Flood Project Information</b> <input type="checkbox"/> Flood Agency Concurrence <input type="checkbox"/> Floodplain Map	
<b>Evidence of Disadvantaged or Severely Disadvantaged (if applicable)</b>	
<b>Support Letters</b>	
<b>Property Data Sheet</b>	
<b>Assessor’s Parcel Map(s) of all parcels</b>	
<b>Native American consultation</b>	
<b>California Conservation Corps consultation</b>	
<b><i>For Acquisition Projects:</i></b>	
<b>Land Acquisition Form</b>	
<b>Evidence of Willing Seller</b>	
<b>Stewardship Plan (conservation easements)</b>	
<b>Appraisal and/or Preliminary Title Report (if available)</b>	

**APPENDIX B - RESOLUTION TEMPLATE**

Resolution No: \_\_\_\_\_  
RESOLUTION (*GOVERNING BODY OF GRANTEE*)  
APPROVING THE APPLICATION FOR GRANT FUNDS FOR THE  
SAN DIEGO RIVER CONSERVANCY PROPOSITION 68 GRANT  
PROGRAM

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

WHEREAS, the San Diego River Conservancy has been delegated the responsibility for the administration of this grant program, establishing necessary procedures; and

WHEREAS, said procedures established by the San Diego River Conservancy require a resolution certifying the approval of application(s) by the Applicants governing board before submission of said application(s) to the Conservancy; and

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

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

1. Approves the filing of an application for the (*name of the project*);
2. Certifies that Applicant understands the assurances and certification in the application; and,
3. Certifies that Applicant or title holder will have sufficient funds to operate and maintain the project(s) consistent with the land tenure requirements; or will secure the resources to do so; and,
4. Certifies that it will comply with all provisions of Section 1771.5 of the California Labor Code; and,
5. If applicable, certifies that the project will comply with any laws and regulations including, but not limited to, the *California Environmental Quality Act* (CEQA), legal requirements for building codes, health and safety codes, disabled access laws, and, that prior to commencement of construction, all applicable permits will have been obtained; and,
6. Certifies that applicant will work towards the State Planning Priorities intended to promote equity, strengthen the economy, protect the environment, and promote public health and safety as included in Government Code Section 65041.1, and
7. Appoints the (*designate position, not person occupying position*) \_\_\_\_\_, or designee, as agent to conduct all negotiations, execute and submit all documents including, but not limited to applications, agreements, payment requests and so on, which may be necessary for the completion of the aforementioned project(s).

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

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

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

## APPENDIX C - 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 San Diego River Conservancy Prop 68 Grant Program.
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.

**SAN DIEGO RIVER  
CONSERVANCY'S NATIVE  
AMERICAN CONSULTATION FOR  
APPLICANTS' PROJECT  
PROPOSITION 68 GRANT  
PROGRAM**

Forward a request for review to both organizations listed on the right side of this document. Prepare a 1 page summary of project and include actual physical address and forward the following information:

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

Document outreach:

I, \_\_\_\_\_ contacted NAHC on \_\_\_\_\_ (insert date) and spoke with/left message for \_\_\_\_\_ and emailed the above information to the following email address \_\_\_\_\_.

I, \_\_\_\_\_ contacted KDLC on \_\_\_\_\_ (insert date) and spoke with/left message for \_\_\_\_\_ and emailed the above information to the following email address \_\_\_\_\_.

**RETURN FOR TO CONSERVANCY WITH FULL APPLICATION**

**NATIVE  
AMERICAN  
HERITAGE  
COMMISSION  
(NAHC)**

1550 Harbor Blvd,  
Suite 100  
West Sacramento, CA  
95691

Website:  
<http://nahc.ca.gov/contact-us/>

Email:  
[nahc@nahc.ca.gov](mailto:nahc@nahc.ca.gov)

Phone: (916) 373-3710

**Kumeyaay  
Diegueno  
Land  
Conservancy  
(KDLC)**

PO Box 485  
Alpine, CA 91903

Website:  
<http://www.kdlc.org/>

Email:  
[KDLC@mail.com](mailto:KDLC@mail.com)

## APPENDIX E - ELIGIBLE COSTS

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

All projects must comply with all provisions of Section 1771.5 of the California Labor Code. Include prevailing wages in the cost estimates, as applicable. Refer to the Department of Industrial Relations' Division of Labor Statistics and Research Web site at <http://www.dir.ca.gov/DLSR/PWD/index.htm> for general prevailing wage determinations.

### A. Development

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

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

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

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

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

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

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

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

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

- Premiums on hazard and liability insurance to cover personnel and/or property.
- Work performed by another section or department of the grantee's agency that can be documented as direct costs to the project. (See requirements above under personnel or employee services).
- Transportation costs for moving equipment and/or personnel.
- Community access (up to 5% of grant)

## **B. Acquisition**

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

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

## **C. All Projects**

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

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

**APPENDIX F - LAND ACQUISITION FORM**

(Complete one form for each escrow)

<b>Project Title:</b>			
<b>Assessor's Parcel Number(s):</b>	<b>Acreage</b>	<b>Fee Title or Easement</b>	<b>Willing Seller Name and Address</b>
<b>ACQUISITION COST ESTIMATE</b>			
	<b>Total Costs</b>	<b>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>			

<b>Acquisition Schedule</b>	<b>Timeframe</b>	<b>Comments</b>
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, through the Department of Real Estate Services must approve the fair market value of the acquisition.

2. **Required Signage** – Provide an estimated cost of required signage.
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. **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.)
7. **Other** – Include any additional tasks directly related to the proposed acquisition.

**APPENDIX G - PROPERTY DATA SHEET**

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

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

**Comments:**

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

## **APPENDIX H - SITE CONTROL/LAND TENURE REQUIREMENTS**

The Conservancy recognizes that specific activities may change over time; however all uses on the project property must remain compatible with the Conservancy's 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 Conservancy.

### **Development projects -**

The grantee shall maintain and operate the property developed pursuant to this grant for a period of time as defined in the Grant Agreements, Exhibit entitled Maintenance and Operation Agreement:

### **All projects**

- All projects are subject to the recordation of a document against the real property that defines the Conservancy's interest in the property whether the grantee owns the property or not. Exceptions may be granted as appropriate and at the sole discretion of the Conservancy.
- 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 Conservancy, 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 Conservancy 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 I – WILLING SELLER LETTER (ACQUISITIONS ONLY)**

(Letter from Willing Seller acceptable if Purchase Option Agreement is not available.)

All acquisition application packages must include the signed purchase option agreement. If not available, for application purposes only, it is okay to submit 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: San Diego River Conservancy  
Proposition 68 Grant Program

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

Re: Parcel numbers:  
County:  
Property Address:

To Whom It May Concern:

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

Acknowledged:

\_\_\_\_\_  
*Signature of ALL parties required to sign for a sale*

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

## APPENDIX J - ENVIRONMENTAL COMPLIANCE

To demonstrate compliance with the California Environmental Quality Act Division 13 (commencing with Section 21000; 14 California Code of Regulations section 15000 et seq. ["CEQA"]), applicants must submit one of the following (a draft is acceptable for application purposes).

- a. Notice of Exemption stamped by the county clerk if the project is categorically exempt.
- b. Negative Declaration and Initial Study including the checklist and Notice of Determination stamped by the county clerk or State Clearinghouse with the State Clearinghouse response, as applicable.
- c. Final Environmental Impact Report with Initial Study including the checklist and Notice of Determination with State Clearinghouse response.
- d. For b and c: include documentation that the State of California Department of Fish and Game CEQA fee was paid or is not applicable.
- e. Initial Study checklist only
- f. A current and complete Initial Study with a description of how the grantee will complete CEQA compliance within one year from the date of grant agreement. Remaining CEQA requirements may be met as part of the grant work plan. However, grant funds for construction or acquisition will be available only after the project is in compliance with CEQA and other environmental laws. Funds for planning and document preparation may be available sooner, if included in the grant work plan.
- g. For projects included in a Master Environmental Impact Report (MEIR), CEQA compliance shall include a copy of the subsequent Initial Study for the proposed project together with a copy of the Notice of Determination, stamped by the county clerk or State Clearinghouse, as applicable.
- h. Where a lead agency cannot make the findings required in Section 21157.1 Subdivision (c) of the California Public Resources Code for a subsequent Project, CEQA compliance shall include a copy of the Mitigated Negative Declaration or Environmental Impact Report

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 K - 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"/>	
San Diego Regional Water Quality Control Board	401 Water Quality Certification or Waste Discharge Requirement	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
State Water Resources Control Board	Water Rights Permit	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
State Water Resources Control Board	General Industrial Storm Water Permit	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
State Office of Historic Preservation	Cultural Resources-Submission of findings to State Historic Preservation Officer	<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"/>	
Other : _____		<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"/>	
Local Resource Conservation District	Consultation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Flood Control Districts	Floodway & Hydrological Analysis	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Others :		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>Describe any potential delays due to permitting (indicate specific permits):</b>					

## APPENDIX L - 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. Grantee is responsible to replace sign if it is destroyed or removed prior to four year post project completion. The minimum sign size is 2' X 3' the minimum size for the logo is 1' X 1' .

**If approved by the Conservancy the same sign can be used during construction and completion.**

### Language for Signs

All signs will contain the following minimum language as seen on the side panel to the right. The name of the director of the local public agency or other governing body may also be added. The sign may also include the names (and/or logos) of other partners, organizations, individuals and elected representatives these logos maximum size shall be 6" x 6".

### Logo

All signs must contain the logo for the San Diego River Conservancy and the Parks and Water Bond Act. The logo is available at <http://resources.ca.gov/grants/logo-art/>. The logo must be mounted in an area to maximize visibility and durability. Each edge of the logo itself must be a minimum of 12" X 12". Exceptions may be approved when at the discretion of the Conservancy.

### 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.

### Conservancy Approval

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

Project Title/Description	
<b>Another project funded through the San Diego River Conservancy</b>	
<b>GAVIN NEWSOM, GOVERNOR</b>	
<b>Wade Crowfoot, Secretary Natural Resources</b>	

for

**APPENDIX M - SAMPLE MEMORANDUM OF UNRECORDED GRANT  
AGREEMENT/DEED RESTRICTIONS**

**(Do NOT fill out as part of application)**

Recording requested by, and )  
when recorded, return to: )  
State of California )  
San Diego River Conservancy )  
Attn: Executive Officer )  
1350 Front Street, Suite 3024 )  
San Diego, CA 92101 )

Space above this line for Recorder's use

**MEMORANDUM OF UNRECORDED GRANT AGREEMENT/DEED RESTRICTIONS**

This Memorandum of Unrecorded Grant Agreement (Memorandum), dated as of \_\_\_\_\_, 20\_\_\_\_, is recorded to provide notice of an agreement between the State of California, by and through the San Diego River Conservancy ("Conservancy") and

\_\_\_\_\_  
("Grantee").

RECITALS

- On or about \_\_\_\_\_, \_\_\_\_\_, Conservancy 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 San Diego River Conservancy, 1350 Front Street, Suite 3024, San Diego, CA 92101

GRANTEE:

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

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**APPENDIX N – CALIFORNIA CONSERVATION CORPS CONSULTATION (REQUIRED)**



# California Conservation Corps and Certified Community Conservation Corps



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

### *Corps Consultation Process*

2018

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*

2018

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:
3. Department/Conservancy to which you are applying for funding:
4. Name of Grant Program:
5. Due date of Grant Application:
6. Project Start Date: Project End Date:
7. Field Work Start Date: Field Work End Date:
8. Project Map(s): (must be attached)

9. 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 O – SAMPLE OF ELIGIBLE PROJECTS

The list below provides examples of project concepts, but is not exhaustive.

### **Recreation**

- Create or expand trails for walking, bicycling and/or equestrian activities that are compatible with other conservation objectives.
- Improve existing river parkways by providing amenities such as picnic and rest areas, shade ramadas, etc.
- Provide river access for non-motorized activities such as fishing, canoeing, etc.
- Acquire property along a river to be used for compatible recreational opportunities such as picnics, nature viewing, etc.
- Relocate or reconstruct existing trails to correct environmental damage.

### **Habitat**

- Convert channelized streams or rivers to a more historical flow pattern that will promote the structure, function and dynamics of riparian and riverine habitat.
- Acquire land that will be managed to increase the size and quality of existing riparian habitat.
- Remove exotic and/or invasive plants along stream corridors that damage habitat.
- Plant appropriate native trees, shrubs, and plants to restore or improve the river parkway's biological habitat.
- Convert riverfront land from industrial use into public multi-use areas such as floodplains, wetlands, public trails, etc.

### **Flood Management** – as part of a flood management plan or flood management project

- Acquiring lands adjacent to the streams, tributaries and rivers to accommodate periodic flooding.
- Restore land to natural floodplain forms, including wetland areas that will accommodate periodic flooding.
- Acquire streamside parcels that have historically flooded.

### **Conservation and Interpretive Enhancements**

- Construct an overlook area for a restored wetland with interpretive signage, where the public can observe the project benefits.
- Construct a boardwalk adjacent to sensitive habitat to allow public viewing without disturbing flora or fauna.
- Develop open-space areas such as demonstration gardens/basins that illustrate restoration/conservation project benefits.
- Provide informational displays, interpretive kiosks and signage to present information/maps about the River Parkway, its restoration projects, wildlife, etc.
- Construct small scale structures designed to secure kiosks and displays.

## **APPENDIX P – AVAILABLE RESOURCES**

California Conservation Corps

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

California Department of Industrial Relations Prevailing Wage Determination

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

CAL FIRE's Tree Planting Standards and Specifications

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

California Native Plant Society

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

California Stormwater Quality Association

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

Community FactFinder (SCORP)

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

Department of Water Resources Disadvantaged Communities Mapping Tool

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

Governor's Office of Planning and Research CEQA Documents

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

i-Tree Planting

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

i-Tree Streets

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

Local Conservation Corps

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

Save Our Water

<http://saveourwater.com/>

Water Use Classification by Landscape Species (WUCOLS)

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

**END OF GUIDELINES**