

# URBAN FLOOD PROTECTION GRANT PROGRAM

## PROPOSITION 68 FINAL GRANT GUIDELINES



**STATE OF CALIFORNIA  
NATURAL RESOURCES AGENCY**

**JANUARY 2020**



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January 24, 2020

Dear Prospective Applicant:

The California Natural Resources Agency is pleased to announce the release of the Urban Flood Protection Grant Program Guidelines, funded by voter-approved Proposition 68.

Climate change is increasing California's already variable hydrology. Our dry periods are becoming drier, and our wet periods wetter. Along with longer, more punishing droughts, we are experiencing wet seasons punctuated with intense winter storms that exceed the capacity of current storm water management infrastructure.

To tackle the devastating and increasing problem of urban flooding, we must embrace progressive, sustainable solutions. We must convert our historically centralized, rigid, and static infrastructure to a system that is decentralized, flexible, and nimble to better manage an unpredictable water supply.

With this funding, we are looking for innovative solutions with multi-benefit approaches to develop sustainable infrastructure that can adapt to changing weather patterns season after season.

Building resilience to climate change impacts, such as drought and flooding, is a priority for Governor Newsom and the Natural Resources Agency. It is a daunting task but working together we will succeed, one project at a time.

Sincerely,

A handwritten signature in blue ink that reads 'Wade Crowfoot'.

Wade Crowfoot  
Secretary for Natural Resources

1416 Ninth Street, Suite 1311, Sacramento, CA 95814 Ph. 916.653.5656 Fax. 916.653.8102 <http://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:** <http://resources.ca.gov/grants/>

## HOW TO SUBMIT A PROJECT PROPOSAL

This grant program consists of a progressive, three-step evaluation process:

**Step 1:** Project Proposal  
**Step 2:** On-Site Field Visit  
**Step 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, please provide the following:

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

## TECHNICAL ASSISTANCE WORKSHOPS

The California Natural Resource Agency will conduct technical assistance workshops throughout the State. A list of workshop dates, locations, and times can be found on the California Natural Resources Agency website at: <http://resources.ca.gov/grants/ufp/>.

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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, which authorized a competitive grant program for the purpose of multi-benefit projects in urbanized areas to address flooding. Pub. Res. Code §80145(a)(3). It is the intent of the people of California that projects funded by Proposition 68 result in public benefits addressing the most critical statewide needs and priorities for public funding, some of which are enumerated in the general provisions of Proposition 68. See Pub. Res. Code §80001(a).

### **Funding Allocation**

Approximately \$87.5 million is available for Urban Flood Protection projects. Two funding cycles are anticipated.

### **Grant Amounts**

The minimum award for individual projects is \$200,000. The maximum award is \$6 million.

### **Eligible Applicants**

Eligible applicants include local and state agencies, joint powers authorities, public utilities, mutual water companies, nonprofit 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 address flooding in urbanized areas and provide multiple benefits. Eligible projects shall include, but are not limited to, storm water capture and reuse, planning and implementation of low-impact development, restoration of urban streams and watersheds, and increasing permeable surfaces to help reduce flooding.

## **STATUTORY REQUIREMENTS**

### **General Requirements**

1. At least twenty percent (20%) of program funds shall be allocated for projects serving severely disadvantaged communities.
2. Unless the project has been identified as serving a disadvantaged community, an entity that receives an award shall be required to provide a match of twenty-five percent (25%).
3. Projects must be located in an urbanized area, as defined in these guidelines.
4. Projects must protect persons and property from flood damage.
5. Projects must provide workforce education and training, contractor, and job opportunities for disadvantaged communities, where practicable.
6. Projects shall include the planning, monitoring, and reporting necessary to ensure successful implementation of the project objectives and be available to the State upon request.
7. Measurement of greenhouse gas emissions reductions and carbon sequestration associated with the project is required, where practicable.

8. Projects should include, where feasible:
  - Efficient use and conservation of water supplies.
  - Use of recycled water.
  - Storm water capture to reduce storm water runoff, reduce water pollution, or recharge groundwater supplies, or a combination thereof.
  - Provision of safe and reliable drinking water supplies to park and open-space visitors.
9. Grant funds cannot be used to fulfill any mitigation requirements imposed by law.
10. Grant funds shall not be expended to pay the costs of the design, construction, operation, mitigation, or maintenance of Delta conveyance facilities.

## **Funding Priorities**

### Statutory Priorities

Projects containing one or more of 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 propose to use, where feasible, the services of the California Conservation Corps or certified community conservation corps (see Appendix G for consultation process). Priority consideration is not affected if, after consultation, either California Conservation Corps or certified community conservation corps determines its participation is not feasible.
3. Projects that include water efficiencies, storm water capture for infiltration or reuse, or carbon sequestration and greenhouse gas emission reduction features in the project design, where feasible.

### Additional Priorities

1. Projects that use multi-benefit approaches to meet multiple needs at once. Examples include, but are not limited to:
  - Modify or expand weirs to expand seasonal floodplains and reduce public safety threats from flooding while providing habitat for fish and wildlife and/or groundwater recharge.
  - Improve levees to reduce public safety threats while providing habitat and/or expanding recreational opportunities, such as establishing a public path atop the levee.
  - Develop facilities within floodplains that can be flooded during high flow periods but serve other purposes outside those periods, such as a public park or playing fields.
  - Create horizontal levees that serve as a storm-surge barrier while providing coastal tidal marsh habitat and outdoor recreational opportunities.
  - Acquire easements and other property interests in the floodplains of urban areas to allow rivers to regain access to historic floodplains while providing multiple benefits, such as fish and wildlife habitat and recreation opportunities.
2. Projects that utilize natural infrastructure, such as forests and floodplains. Examples include, but are not limited to:
  - Restore natural floodplains to accommodate periodic flooding.
  - Restore urban streams through bio-engineered erosion control, bank stabilization, and revegetation.
3. Projects that are developed with local community engagement.

## Other Funding Considerations

In evaluating projects, scores are used to determine initial rankings and facilitate discussions for each proposal among a multidisciplinary team. To achieve equitable distribution of funds, the State may consider additional factors including, but not limited to, geographic distribution of funds, previous grant performance, disadvantaged community status, and ability to accept partial funding.

In addition, projects must:

1. Comply with the California Environmental Quality Act (CEQA).
2. Be acquired from a willing seller (acquisitions).
3. Comply with all labor codes.
4. Provide public access, if feasible.
5. Provide multiple benefits (e.g., climate adaptation, economic, environmental, social, improved physical and mental health, etc.).
6. Comply with the Model Water Efficient Landscape Ordinance (MWELO) or local agency landscape water ordinance (if as strict or stricter) **and** use native, low water, drought tolerant plantings. The use of non-native plantings require justification. Trees planted must be no larger than 15-gallon, regardless of funding source.
7. Be included in a Storm Water Resource Plan (SWRP) or functional equivalent plan if the project is subject to the Stormwater Resource Planning Act (Senate Bill 985).

Website addresses and links to legislation and other available resource and reference materials may be found in Appendix O.

## Examples of Eligible Projects

All projects must address flooding in urbanized areas and protect persons and property from flood damage. In addition to the project examples provided previously, the following list contains examples of projects and project elements that meet statutory conditions. It is not a comprehensive list.

- Create green alleys or streets to reduce impervious areas, treat polluted storm water runoff and mitigate localized flooding.
- Remove, replace or improve culverts, bridges, at-grade stream crossings, or other structures that impede flood flows, block fish passage, or have other negative environmental impacts.
- Acquire lands to accommodate periodic flooding as part of a flood management plan or project.
- Retrofit/naturalize a storm water detention basin by introducing trees, vegetation and soils to slow, spread and filter runoff, increase infiltration and create wildlife habitat.
- Remove accumulated sediment in reservoirs to restore flood capacity, return associated dams to full operation, and protect downstream communities.

Grantee is responsible for ensuring the project complies with all applicable local, 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 and other licenses, and disabled access laws. Grantee must certify that all applicable permits have been obtained.



## **Examples of Ineligible Projects**

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

- Design, construction, operation, mitigation, or maintenance of Delta conveyance facilities.
- Planning only.
- Operation and maintenance.
- Projects that exclusively fulfill mitigation requirements.
- Educational or training programs.
- Development contingent on future acquisition for project implementation. At the time of application, applicants must either own the project property or be entering into negotiations for long-term site control.
- Acquisition of property that cannot be purchased at fair market value.
- Acquisition of property from a person or entity that does not own the property at the time of Project Proposal submission.
- Projects including both acquisition and development (must be one or the other, not both).
- Projects not compatible with the specific environment or location in which they are situated.
- Projects intended to correct problems caused by inadequate maintenance.
- Proposals including more than one project (however, more than one Proposal can be submitted by an applicant).
- Projects with plantings that do not meet program requirements.

## **SELECTION PROCESS**

### **Step 1**

- Applicants submit Project Proposals through the System for Online Application Review (SOAR). No hardcopy Project Proposals are required.
- Project Proposals are reviewed and evaluated. Incomplete or ineligible Project Proposals may be removed from the competitive process.

### **Step 2**

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

### **Step 3**

- Applicants selected to further compete submit additional documentation.
- Documentation is evaluated, with the most competitive projects being recommended for funding.

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

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

The State reserves the right to reject a Project Proposal from 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 Project Proposal from an applicant who has a poor performance history 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 Project Proposals 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 Project Proposal 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 using the established criteria and any additional funding considerations. Project proposals will receive an initial ranking, with a score of 100 points possible. The initial ranking will be used to facilitate discussions about each proposal among a multidisciplinary team.

**Points will be attributed to each category and not to individual questions.**

<b>Scoring Criteria</b>	<b>Points</b>
Eligibility, 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>

## STEP 1: PROJECT PROPOSAL

Applicants are required to submit an online Project Proposal in SOAR (System for Online Application Review). Refer to the solicitation notice for due dates. No hard copies of the Project Proposal are required. Applicants proposing the most competitive eligible projects will be invited to compete in the next phase of the evaluation process, an on-site field visit. The most competitive projects receiving a field visit will be invited to submit additional supporting documentation for further evaluation. Incomplete or noncompliant proposals may be eliminated from the competitive process.

All Project Proposal submittals must include the following:

### **Project Summary**

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

### **Project Questions**

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

#### ***Eligibility, Statutory Requirements, and Project Need***

1. Explain how the project addresses flooding in an urbanized area and will protect persons and property from flood damage. Include information on current conditions and a brief history of flooding on the project site.
2. How does the project provide flood mitigation in accordance with applicable design storm requirements (local, state or federal standards)?
3. How will the project be implemented with Low Impact Development (LID) techniques? If not, describe why LID is not feasible.
4. Describe any innovative techniques to reduce flooding to be implemented in the project.
5. How will the effectiveness of the project be monitored and assessed?
6. Describe the multiple benefits offered by the project (e.g., economic, environmental, social, improved physical and mental health, etc.).
7. If the project is serving either a disadvantaged or a severely disadvantaged community, specify which type of community and the tool used to make the determination.
8. If the project is serving a disadvantaged or severely disadvantaged community, explain how the project is serving the community **and** list the direct benefits provided. (See definition of Serving a Disadvantaged or Severely Disadvantaged Community in Appendix P.)
9. If the project is not serving a disadvantaged or severely disadvantaged community, describe how the 25 percent match requirement will be met (private, federal, state, or local funding; in-kind services; etc.).
10. If the project is subject to the Stormwater Resource Planning Act, provide the name of the Storm Water Resource Plan (SWRP) or functionally equivalent plan that incorporates the project.

11. If the project is subject to the Stormwater Resource Planning Act but is not included in a SWRP or functionally equivalent plan, explain why. Describe steps taken to incorporate the project into a new or existing SWRP or functionally equivalent plan and the anticipated timeline for plan completion or project incorporation.
12. If applicable, how will the project impact communities upstream or downstream from the project site?
13. Explain how the project addresses the State's critical need to address flooding **and** how it is consistent with the California Water Action Plan.
14. For development projects, how will the project provide workforce education and training, contractor, and job opportunities for disadvantaged communities? If not applicable or practicable, explain why.
15. For development projects, describe how the following is included in the project design. If not feasible, explain why:
  - a. Efficient use and conservation of water supplies.
  - b. Use of recycled water.
  - c. Storm water capture to reduce storm water runoff, reduce water pollution and/or recharge groundwater supplies.
  - d. Provision of safe and reliable drinking water supplies to park and open-space visitors.
16. 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***

17. For development projects, what is the status of applicant's consultation with the California Conservation Corps or a certified community conservation corps about the project?
18. For development projects, describe any water efficiencies, storm water capture for infiltration or reuse, or carbon sequestration and greenhouse gas emissions reduction features included in the project design. If not feasible, explain why.
19. How does the project leverage private, federal, or local funding?
20. If the project will result in displacement (e.g., unsheltered individuals, neighborhood gentrification, etc.), what solutions are included in the project design?
21. If the project is to be publicly accessible, what features in the design are intended to maximize safe and equitable access to the project?
22. How does the project utilize natural infrastructure?
23. How does the project use multi-benefit approaches that meet multiple needs at once?
24. How was the project developed with local community engagement?

### ***Project Readiness***

25. If the requested funds are insufficient to cover all project costs, what is the funding gap and how will it be bridged?
26. On a scale of 1-10 (with 1 being the least and 10 being the most), how ready is the project for implementation? Explain.

27. Describe the status of the following items, including anticipated timing for completion of each:
  - a. Preliminary design.
  - b. Environmental documentation (CEQA - see definition in Appendix P).
  - c. Necessary permits and long-term operation and maintenance commitments/agreements.
  - d. Other funding sources needed to complete the project.
  - e. For acquisitions, willing seller (e.g., purchase agreement, option, discussions, etc.).
28. List the legal owners for each parcel within the project footprint and the status of notifications, negotiations, agreements, etc. to implement the project.
29. List all entities with jurisdiction over the project and the status of notifications, agreements, meetings, etc. with each jurisdictional entity.

### ***Organizational Capacity***

30. Describe applicant's experience in completing similar projects.
31. Describe applicant's experience in managing other grant-funded projects.
32. Describe applicant's fiscal capacity to carry out the proposed project.
33. Describe applicant's plan for long-term operations and maintenance of the project (see Appendix J for requirements).
34. What is the source of funds for ongoing operations and maintenance?

### ***Collaboration***

35. Describe partnerships with other entities and their corresponding roles in the project.
36. Describe past, current and future community involvement (neighbor/user groups, etc.), outreach, partnerships, and support for the project.
37. What steps are being taken to ensure the project will not cause unanticipated negative consequences to neighboring communities?

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

38. Describe American with Disabilities Act (ADA) access and/or improvements included in the project. If not applicable, explain.
39. Explain how the project incorporates climate adaptation strategies to help protect against climate change impacts.
40. Describe any other project characteristics not previously discussed that would assist in evaluating the Project Proposal.

## **End of Project Questions**

## Required Documentation for Project Proposal

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

### ***For All Projects***

1. **Project Proposal Form Signature Page** - The signature page of the completed Project Proposal Form should be printed and signed by the Authorized Representative to be identified in the resolution to be submitted in Step 3 (see Appendix F for resolution template), and then scanned and uploaded to SOAR as an attachment.

To print the Project Proposal Form from SOAR:

- a. Log into SOAR and go into the active Urban Flood Protection Grant Program Project Proposal Form.
  - b. Ensure all Project 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 Project Proposal).
  - d. On the Project Proposal Preview page, select the "Print Project Proposal" button on the top.
  - e. Select CTRL+P, to print the Project Proposal. Choose the correct page range for just the signature page. Click Print.
2. **Photographs** - Provide up to five (5) labeled color photographs of different views of the project site reflecting **current** conditions.
  3. **Cost Estimate** - Provide a cost estimate reflecting all costs associated with the project. Identify costs to be funded by the grant and costs to be covered by other funding sources. The cost of project elements funded by the Urban Flood Protection grant should not be split between the grant and other funding sources (see sample formats in Appendix B for development projects and Appendix C for acquisitions). Cost estimates should include an individual line item for funding acknowledgment signage costs. See Appendix E for information on eligible costs
  4. **Community Engagement Summary** - Provide a detailed overview of the community engagement strategy for the project. The summary should include past, current, and future activities to engage the community in the project planning, design, and implementation process.

### ***For Development Projects***

5. **Site Plan** – Site plans provided 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, including exterior boundaries, public access points, and location of the proposed improvements described in the Project Proposal (vegetation, restrooms, amenities, interpretive signage, bond acknowledgment sign, etc.). Indicate the names and locations of rivers, creeks, or streams that abut or cross the property, other natural/geologic features, as well as any existing buildings and/or impediments (wells, storm drains, power lines, etc.).

For projects that cite stream and streamside habitat restoration as an objective, submit a concept restoration plan that includes a cross-section, plan view, and longitudinal profile of the proposed restoration. Submit the same information and views for existing conditions.

***For Acquisitions***

6. **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 D for a sample letter). If available, include a copy of the fully executed purchase option agreement as well.
7. **Assessor's Parcel Map** - Provide a photocopy of relevant assessor's parcel maps, with project parcels highlighted and full parcel numbers clearly labeled.

**End of Step One Project Proposal**



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

Applicants submitting the most competitive Project 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 (including cross-section), site control, operations and maintenance, partnerships, community involvement, and any possible barriers to successful completion.

Applicants may be required to provide additional documentation about the project before being granted a field visit.

**End of Step Two On-Site Field Visit 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. Templates for some materials can be found at <http://resources.ca.gov/grants/UFP>.

### 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 F 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); 2) the corporation is in good standing with the Secretary of State (e.g., Active Status printout); and 3) the corporation is current with Charity Registration with the State of California Department of Justice, Office of the Attorney General.
4. **Environmental Compliance** - At a minimum, provide a copy of the Categorical Exemption, Environmental Checklist Form, or Initial Study 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 H).
5. **Project Timeline** - Provide an estimated timeline for major project milestones.
6. **Funding Plan** – Provide a plan with specific information about the status of other funding needed to complete the project, including where applicant is in the process with each funder and a timeline for funding decisions.
7. **Property Data Sheet** - Provide the completed Property Data Sheet for all parcels included in the project (see Appendix I). Be sure to include properties that do not have parcel numbers, (e.g. rights-of-way, etc.).
8. **Storm Water Resource Plan Compliance** (if applicable) – If the project is subject to the Stormwater Resource Planning Act, provide the name of the applicable SWRP or functionally equivalent plan, lead agency preparing the plan, online link to access the plan, and the page number on which the project can be found.

If the project is subject to the Stormwater Resource Planning Act but is not yet included in a SWRP or functionally equivalent plan, provide a letter signed by applicant's authorized representative that describes the status of the project's incorporation into a new or existing SWRP or functionally equivalent plan, including the plan's name, lead agency and anticipated timeline for plan completion or project incorporation.

## For Development Projects

9. **Corps Consultation Forms** - Provide forms completed by the California Conservation Corps and the Certified Community Conservation Corps (as represented by the California Association of Local Conservation Corps) (see Appendix G).
10. **Plant Palette** - For projects with any plantings, provide genus, species, common name, and stock size (if known). Plantings should be low water, drought tolerant, and native. Provide justification for the use of non-natives in the palette. Trees planted must not be larger than 15-gallons, regardless of funding source. (see Appendix O for resources to aid in plant selection and planting standards).
11. **Assessor's Parcel Map** - Provide a photocopy of relevant assessor's parcel maps, with project parcels highlighted and full parcel numbers clearly labeled.
12. **Proof of Ownership** - Provide copies of documents verifying current ownership of each parcel listed on the Property Data Sheet. Examples of such documents include tax records, owner data sheets from county records, recorded deeds, title reports, etc. All documents verifying ownership must have the parcel numbers clearly indicated on the document (handwritten acceptable).
13. **Adequate Site Control/Land Tenure** – For parcels not owned by the applicant, provide 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 J).  
  
If an agreement has not 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 to allow long-term access for construction, maintenance and public use of the project.
14. **Operation and Maintenance** - If operation and maintenance will be performed by an entity other than the applicant, explain and provide evidence of the entity's concurrence (e.g., operational agreements, letters of intent, memoranda of understanding signed by all parties, etc.). If an agreement has not been executed at the time of submitting supporting documentation, the applicant may submit a signed letter from the entity indicating its intent to enter into such an agreement (see Appendix J).
15. **Project Permit/Approval Status** - Indicate the types of permits necessary to complete the project, timeline for permitting submittal, and potential project delays due to permitting (see Appendix K). 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.

## For Acquisition-Projects

16. **Conservation Easement** – If acquiring a conservation easement, describe the proposed restrictions and reservations and the funding mechanism to support long-term stewardship.
17. **Appraisal** - If available.
18. **Preliminary Title Report** - If available.

**End of Step Three Supporting Documentation 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 (subject to retention).
6. Prior to commencing construction, grantee submits final design plans for the State's review, 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 periodic progress reports and periodic reimbursement requests for eligible expenses (subject to retention).
10. For acquisition projects, grantee may request an advance of funds into escrow (subject to retention).
11. For fee-title/simple acquisitions, grantee records the deed with restrictions (see Appendix N).
12. For conservation easement acquisitions, grantee records the conservation easement subject to restrictions (See pg. 14 Conservation Easements and pg.17 Use of Project Property).
13. As applicable, grantee records Deed Restriction/Memorandum of Unrecorded Grant Agreement (MOUGA) (see Appendix M).
14. Grantee completes project and submits project completion packet.
15. 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 proposal. Grantees jeopardize funding should changes be made without prior notice to and approval by the State.

### **Eligible costs**

Direct project-related costs and incidental costs that can be directly tied to the capital project that are incurred during the project performance period specified in the grant agreement are eligible for reimbursement. All eligible costs must be supported by appropriate documentation, including but not limited to, timesheets for in-house labor. Costs incurred outside of the project performance period are not eligible for reimbursement. General operational overhead costs such as rent, utilities and office equipment/supplies are not eligible for reimbursement.

Up to 25% of the grant request may be budgeted for non-construction costs and incidental costs that are directly related to construction or acquisition including, but not limited to, CEQA/NEPA, design, permitting, outreach, etc. (see Appendix E for further information on eligible costs).

## Site Visits

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

## 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 being 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 J).

Grantee must own the land or hold a lease or other legal, long-term interest in the land that is satisfactory to the State. For fee-title/simple acquisitions, grantees must include deed restrictions describing the State's interest in the property (see Appendix N). The final deed is subject to input, review and approval by the State.

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.

## **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 grant administrator. Grantee will be responsible for measurement of greenhouse gas emissions reductions and carbon sequestration associated with the project, where practicable.

## **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. Further, grantees must include planning, monitoring, and reporting necessary to ensure successful implementation of the project objectives and have documentation available for State review upon request.

### **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 individual projects 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 – PROJECT PROPOSAL  
(ALL PROJECTS)  
(PAGES 19 TO 25)**

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

<b>The following should be entered directly into SOAR:</b>	
• Project Proposal Form	
• Project Summary	
• Project Question Responses	
<b>The following should be uploaded into SOAR as attachments:</b>	
• Project Proposal Form Signature Page (print, sign, and upload)	
• Photographs	
• Cost Estimate (Appendix B or C)	
• Community Engagement Summary	
• Site Plan (development projects only)	
• Willing Seller Letter (Appendix D) (acquisitions only)	
• Assessor's Parcel Map (acquisitions only)	



## 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 Urban Flood Protection Grant and Other Funding Source columns should sum to the Total Cost column.
4. **The cost of project elements funded by the grant should not be split between the grant and other funding sources.**
5. General overhead costs such as rent, utilities and office equipment/supplies are not eligible for reimbursement. In-service payroll may not include a “billable rate” or administrative cost allocation.

PROJECT ELEMENTS (Examples)		Total Cost*	Urban Flood Protection 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>1.0</b>	<b>Direct Project Management &amp; Administration**</b>				
1.1	Staff Time				
1.2	Technical Consultants				
<b>2.0</b>	<b>Planning, Design &amp; Permitting</b>				
2.1	Design & Engineering				
2.2	Environmental Documents				
<b>TOTAL NON-CONSTRUCTION (not to exceed 25% of grant)</b>					
<b>CONSTRUCTION</b>					
<b>3.0</b>	<b>Site Preparation</b>				
3.1	Mobilization				
3.2	Demolition				
3.3	Grading				
<b>4.0</b>	<b>Construction and Materials</b>				
4.1	Permeable Sidewalk				
4.2	Storm Drain				
4.3	Bioswales				
4.4	Irrigation				
<b>5.0</b>	<b>Other</b>				
5.1	Hazard Insurance/Bond				
5.2	Funding Acknowledgment Sign (Required)				
<b>TOTAL CONSTRUCTION</b>					
<b>Contingency (not to exceed 10% of grant)</b>					
<b>PROJECT GRAND TOTAL</b>					

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

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

# 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(s) Name and Address</b>		
<b>ACQUISITION COST ESTIMATE</b>					
	<b>Total Costs</b>	<b>Urban Flood Protection 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 – Staff and Consultants <i>(limited to \$10,000)</i>					
State Approval of Appraisal, Transaction Review, etc. <i>(recommend budgeting \$10,000)</i>					
Contingency <i>(not to exceed 10% of grant)</i>					
Funding Acknowledgement Sign <b>(Required)</b>					
Other <i>(specify)</i>					
<b>Grand Total</b>					

<b>Acquisition Schedule*</b>	<b>Completion Date</b>
Complete appraisal	
Submit appraisal, purchase documents and preliminary title report to State	
Open escrow and request advance into escrow	
Submit instruments of conveyance	
Close escrow and submit final closing documents to State	
Install funding acknowledgement sign	
Close-out	

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

## APPENDIX D – WILLING SELLER LETTER (ACQUISITIONS ONLY)

All acquisition 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  
Urban Flood Protection 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 landowner*

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

\_\_\_\_\_  
*Signature of landowner*

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

\_\_\_\_\_  
*Signature of landowner*

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

## APPENDIX E – ELIGIBLE COSTS

Direct project-related costs and incidental costs that can be directly tied to the capital project that are incurred during the project performance period specified in the grant agreement are eligible for reimbursement and/or to be used for match. All eligible costs must be supported by appropriate documentation, including timesheets for in-house labor. Costs incurred outside of the project performance period are not eligible for reimbursement. General operational overhead costs such as rent, utilities and office equipment/supplies are not eligible for reimbursement.

Applicants who can demonstrate that architectural plans, drawings, or other documents developed **solely** for the proposed capital asset project were created within one year prior to the Project Proposal submission deadline can credit those costs toward their match requirement.

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.

The State will award pre-implementation funds for eligible proposed projects provided the applicant agrees that if the proposed project is not ultimately approved for implementation or awarded funding by the State but is instead funded and implemented by entities independent of the State, and which rely in whole or in part on the environmental documentation paid for by the pre-implementation award, that upon approval by those other entities, all funds expended by the State for the environmental review will be repaid.

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.

3. **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.

#### 4. **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. 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.
- c. 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.
- d. 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 <https://dot.ca.gov/programs/construction/equipment-rental-rates-and-labor-surcharge>).
  - 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.

5. **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.

### **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, Government Code section 7260 et seq.).
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 27 TO 38)**

## APPENDIX F – RESOLUTION TEMPLATE

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

RESOLUTION OF (*GOVERNING BODY OF GRANTEE*)  
APPROVING THE APPLICATION FOR GRANT FUNDS FOR THE  
URBAN FLOOD PROTECTION 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 and establishing necessary procedures; and

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

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

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

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

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

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

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



# APPENDIX G – CORPS CONSULTATION INSTRUCTIONS AND FORM

Revised December 2019



## California Conservation Corps and Certified Community Conservation Corps

### Corps Consultation Process



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

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. **Corps must be consulted prior to application submission. If the grant program to which Applicant is applying includes multiple phases of application review, please consult the program's guidelines for when to submit the Corps consultation response.**

The Corps have developed the following consultation process:

Step 1: Applicant completes the Corps Consultation Form. 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.

Step 2: Applicant submits the Corps Consultation Form via email concurrently to CCC AND CALCC representatives:  
California Conservation Corps: [Prop68@ccc.ca.gov](mailto:Prop68@ccc.ca.gov) // (916) 341-3272  
California Association of Local Conservation Corps: [Inquiry@Prop68CommunityCorps.org](mailto:Inquiry@Prop68CommunityCorps.org) // (916) 426-9170 x4

Step 3: Within 10 business days of receiving the completed form, CCC and CALCC representatives will each review the submitted information, contact the applicant for more information if necessary, and respond to the applicant with a Corps Consultation Review Document informing them:

- (1) It is NOT feasible for Corps services to be used on the project, or
- (2) It is feasible for Corps services to be used on the project, identifying the aspects of the project that can be accomplished with Corps services.

Notes: While the Corps will take up to 10 business days to review projects, applicants are encouraged to contact CCC and CALCC representatives **early in the project development process** to discuss the feasibility of the Corps' participation and project costs.

**The Corps cannot guarantee a compliant review process for applicants who submit the required form and attachments fewer than 10 business days before an application deadline.**

Step 4: Applicant submits grant application and Corps Consultation Review Documents to administering agency. 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 the component(s).

Step 5: Administering agency reviews applications. Applications without documentation demonstrating that the Corps have been consulted will not receive preference for consulting with the Corps in accordance with PRC § 80016.

Step 6: If the project receives funding, applicant will contact the Corps to coordinate and schedule Corpsmember involvement in the project.

**NOTE:** The Corps have determined that it is not feasible to use their services on projects that do not include hand labor, therefore these projects are exempt from the consultation process and do not need to submit the Corps Consultation Review Document to the administering agency.

#### **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



## Corps Consultation Process

### Tips for Consulting with the Corps

#### About the CCC and LCC

The California Conservation Corps (CCC) is a state department within the California Natural Resources Agency. The CCC program provides young men and women 18-25 years old – many of whom come from disadvantaged and severely disadvantaged communities – a year of paid service to work on environmental projects that protect and enhance California's natural resources. Through hard work and education, these men and women are empowered and developed to gain skills and experience that lead to meaningful careers.

Certified Local Conservation Corps (LCCs) are nonprofit or local government entities that share a similar mission as the CCC. LCCs are independent organizations not affiliated with the State of California and are typically located in urban communities that may be underserved and/or disadvantaged. LCCs share the same mission of providing job skills training and educational opportunities to young adults ages 18-25 while preserving and protecting the environment. Certified LCCs are collectively represented by the California Association of Local Conservation Corps (CALCC).

Below are tips to assist applicants with the Corps Consultation Process.

#### General

- Applicants should reach out to the CCC and LCC office closest to their project site during project inception and design to identify mutually beneficial project design and work. CCC and LCC office locations can be found on the following websites:

CCC: <https://ccc.ca.gov/locations/>

LCC: <https://mylocalCorps.org/join-a-Corps/#directory>

- Although the CCC and CALCC (hereafter collectively referred to as Corps) representatives will respond to consultation inquiries within the required timeline, applicants are encouraged to reach out as soon as possible to prevent unexpected delays (i.e. project questions).
- When using the Corps in their project, applicants do not need to go out to bid. Legislation that requires or encourages the use of the Corps do not require applicants to engage in the competitive bidding process.
- The Corps are exempt from prevailing wages (California Labor Code section 1720.4(c)).

#### Application

- If the CCC and/or CALCC determine that it is feasible for Corpsmembers to work on the project, the applicant should reach out to the Corps identified in the determination emails to discuss costs and coordinate the planning of Corpsmember involvement in the project. This information will be needed for the grant application.

#### Post-Award

- If both the CCC and CALCC determine that it is feasible for their crews to work on the project, it is the grantee's responsibility to decide which Corps to hire. If there is enough project work for both Corps to carry out, the grantee is welcome to hire both Corps. We are always open to collaboration.
- If the project is funded, the grantee must contact the Corps identified in the determination email(s) to schedule crews as soon as possible to ensure compliance and crew availability.

Applicants who have been given preference for using the Corps and have been awarded Proposition 68 funds for projects where the Corps has determined Corps services can be used must thereafter work with either CCC and/or CALCC to develop a scope of work and enter into a contract with the appropriate Corps.

If the grantee cannot or chooses not to work with the Corps for any reason, the grantee must reach out to the grant administrator and Corps to determine next steps.

# California Conservation Corps and Certified Community Conservation Corps

## Corps Consultation Form



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

To initiate the Corps Consultation Process, this completed form and all required attachments must be emailed to the California Conservation Corps (CCC) and certified local conservation corps (represented by the California Association of Local Conservation Corps (CALCC)):

California Conservation Corps: [Prop68@ccc.ca.gov](mailto:Prop68@ccc.ca.gov)

California Association of Local Conservation Corps: [Inquiry@Prop68CommunityCorps.org](mailto:Inquiry@Prop68CommunityCorps.org)

Upon completion of the consultation process, both the CCC and CALCC will each send to the Applicant a completed Corps Consultation Review Document to include with the grant application. Please see the Corps Consultation Process for more information. A copy of the process can be requested from the state department administering the grant program.

Except for an exempted project as noted below, this Corps Consultation Form shall be completed by entities applying for funding through Proposition 68, Chapter 1, Division 45: California Drought, Water, Parks, Climate, Coastal Protection, and Outdoor Access for All Act of 2018.

The Corps have determined that it is not feasible to use their services on projects that do not include hand labor, therefore these projects are exempt from the consultation process and do not need to submit the Corps Consultation Review Document to the administering agency.

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 and no further action is required)
  - No (proceed to Question 2)
2. Department/Conservancy administering the grant program to which you are applying for funding:
3. Name of Grant Program:
4. Due date of Grant Application:
5. Anticipated Grant Award Date:
6. Name of Grant Applicant Organization:
7. Project Title:
8. Project Start and End Dates:
9. Anticipated Start and End Dates for Corpsmember Labor (identify all seasons, if applicable):
10. Best person to contact regarding project details:
 

Name:	Email Address:
Title & Organization:	Phone:

11. Project Description identifying key project activities, deliverables, and a clear description of field work  
(Attach additional pages if necessary):

12. Portions of this project that can be carried out by Corpsmembers. If unfamiliar with the full capabilities of Corpsmembers, type "Uncertain". (Attach additional pages if necessary):

13. Please attach the following:

- Project Location Map(s) (required)
- Site Plan(s) (if available)
- Any other information that would be helpful for Project Managers to understand your project

#### Notes

*CCC and CALCC representatives will return a Corps Consultation Review Document to applicant via email within 10 business days of receipt of a complete consultation request as verification of consultation. Applicant will include a copy of the documents as part of the project application.*

*If the Corps determine it is feasible for their services to be used on the project, applicant will contact the Corps to discuss costs and coordinate the planning of Corpsmember involvement in the project and reach out again if the project receives funding.*

*Submission of past consultations does not satisfy the requirement to consult with the Corps. The Corps must be consulted each grant cycle prior to submitting a grant application.*

## APPENDIX H – ENVIRONMENTAL COMPLIANCE

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

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

- 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 I – 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 J – 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 Urban Flood Protection 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 20 years for grants up to \$1 million
- At least 25 years for grants over \$1 million

### **All Projects**

1. A deed restriction or a Memorandum of Unrecorded Grant Agreement (MOUGA) which defines the State's interest in the property must be recorded on all projects, whether grantee owns the property or not. Exceptions may be granted as appropriate and at the sole discretion of the State. (See Appendices M and N.)
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 K – 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 Storm Water Permit	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
State Lands Commission	Permit (if using State-owned property)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
State Office of Historic Preservation	Section 106 Consultation with State Historic Preservation Officer (National Historic Preservation Act of 1986)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<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, CPUC, etc.):		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	



## 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.

Project Title/Description

Another multi-benefit project funded through the Natural Resources Agency to address flooding in urbanized areas

**GAVIN NEWSOM, GOVERNOR**  
Wade Crowfoot, Secretary  
for Natural Resources



### Logo

All signs must display the Parks and Water Bond Act logo. The logo is available at <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 <https://dot.ca.gov/caltrans-near-me>.

### State Approval

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

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

(DO NOT FILL OUT AS PART OF GRANT APPLICATION PROCESS)

Recording requested by, and )  
when recorded, return to: )  
State of California )  
Natural Resources Agency )  
Bonds and Grants Unit )  
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 Department of Justice, Office of the Attorney, General Registry of Charitable Trusts

<http://rct.doj.ca.gov/Verification/Web/Search.aspx?facility=Y>

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 State Water Resources Control Board – Storm Water Resource Plan Guidelines

[https://www.waterboards.ca.gov/water\\_issues/programs/grants\\_loans/swgp/docs/prop1/swrp\\_finalguidelines\\_dec2015.pdf](https://www.waterboards.ca.gov/water_issues/programs/grants_loans/swgp/docs/prop1/swrp_finalguidelines_dec2015.pdf)

California Storm Water Quality Association

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

California Water Action Plan

[http://resources.ca.gov/california\\_water\\_action\\_plan/](http://resources.ca.gov/california_water_action_plan/)

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 / i-Tree Streets

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

Local Conservation Corps

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

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

[http://leginfo.legislature.ca.gov/faces/codes\\_displayexpandedbranch.xhtml?lawCode=PRC&division=45.&title=&part=&chapter=3.&article=&goUp=Y](http://leginfo.legislature.ca.gov/faces/codes_displayexpandedbranch.xhtml?lawCode=PRC&division=45.&title=&part=&chapter=3.&article=&goUp=Y)

Safeguarding California – California's Climate Adaptation Strategy

<http://resources.ca.gov/climate/safeguarding/>

Save Our Water

<http://saveourwater.com/>

Senate Bill No. 985, Pavley Text

[http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill\\_id=201320140SB985](http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201320140SB985)

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.

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

**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.

**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 (see Appendix O: Community FactFinder or Department of Water Resources Disadvantaged Communities Mapping Tool).

**Dry Weather Runoff** - means surface water runoff and flow in storm drains, flood control channels, or other means of runoff conveyance produced by non-storm water resulting from irrigation, residential, commercial, and industrial activities. Water Code section 10561.5(a).

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

**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 California Public Resources Code 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.

**Green Infrastructure** - means site-specific practices and infrastructure that mimic storm water management from natural hydrology and reduces effective imperviousness. Examples of green infrastructure include green street medians, green roofs, and porous/pervious pavement.

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

**Groundwater** - means subsurface water that occurs beneath the water table in soils and geologic formations that are fully saturated. Where groundwater occurs in a saturated geologic unit that contains sufficient permeable thickness to yield significant quantities of water to wells and springs may be defined as an aquifer. A groundwater basin is defined as a hydrogeologic unit containing one large aquifer or several connected and interrelated aquifers.

**Groundwater Recharge** - means the augmentation of groundwater by natural or artificial means.

**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.).

**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.

**Low-Impact Development** - Means a storm water management strategy aimed at maintaining or restoring the natural hydrologic functions of a site or project to achieve natural resource protection objectives and fulfill environmental regulatory requirements; low impact development employs a variety of natural and constructed features that reduce the rate of runoff, filter pollutants out of runoff, facilitate the infiltration of water into the ground and replenishment of local natural surface water systems, and/or allow for on-site storage of water for a beneficial use.

**Match** - means contributions to the project from private, federal, state or local funding, including in-kind.

**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 Urban Flood Protection program.

**Overhead** - means expenses of doing business that are of a general nature 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

include rent, utilities, office equipment and salaries of employees not assigned to the funded project.

**Plant Palette** - means a recommended list of plants (shrubs, trees, etc.) that meet program requirements, which are appropriate and sustainable for a given jurisdiction and/or environment, considering economic, environmental, and social factors such as rainfall, terrain, soil, maintenance requirements, appearance, desired function and public use.

**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.

**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.

**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, storm water capture and storage or to otherwise reduce storm water 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.

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

**Serving a Disadvantaged or Severely Disadvantaged Community** - means a project located within one mile of a disadvantaged or severely disadvantaged community and providing direct benefits to the disadvantaged or severely disadvantaged residents, including, but not limited to, training and workforce education, job opportunities, educational and recreational opportunities, reduced pollution burden, and increased resilience to climate change.

**Severely Disadvantaged Community** - means a community with a median household income less than 60 percent of the statewide average (see Appendix O: Community FactFinder or Department of Water Resources Disadvantaged Communities Mapping Tool).

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

**Storm Water** - means temporary surface water runoff and drainage generated by immediately preceding storms.

**Storm Water and Dry Weather Runoff Capture** - means to intercept, store, manage, and use storm water and dry weather runoff, thereby reducing the volume of runoff exiting a site. Water Code section 10561.5(b)

**Storm Water Resource Plan (SWRP)** - means a plan for watershed-based storm water management required by Water Code section 10563(c)(1) in order to receive grants for storm water and dry weather runoff capture projects from a bond act approved by voters after January 1, 2014. An SWRP must address requirements listed in the Water Code and be developed in accordance with the State Water Board's Storm Water Resource Plan Guidelines.

**Stormwater Resource Planning Act** - means Water Code section 10560, et seq., as amended by Senate Bill 985, Stats. 2014, ch. 555, sec. 5.

**Urbanized 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.

**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**