

Coachella Valley Mountains Conservancy



PROPOSITION 1 GRANT PROGRAM

Draft for Public Review and Comment 2/5/2015

Funded by the Water Quality, Supply, and Infrastructure Improvement Act of 2014

Grant Guidelines

Adopted _____, 2015

Direct all inquiries, correspondence and grant applications to:

Coachella Valley Mountains Conservancy
73-710 Fred Waring Drive, Suite 112
Palm Desert, CA 92260
(760) 776-5026
www.cvmc.ca.gov

The attached draft Guidelines for the Conservancy's Proposition 1 program are being posted pursuant to state law for public review and comment. The Guidelines will be the subject of several public meetings, the first being a hearing at the Conservancy Board of Directors meeting at 3 p.m. on March 9, 2015, at 73-710 Fred Waring Drive, Suite 115, Palm Desert, California. Other meetings will be held around the Conservancy's territory on future dates to be announced on this page. Interested members of the public may provide comments verbally or in writing at one of the Conservancy's public meetings, or by letter or email to Jim Karpiak, Executive Director, 73-710 Fred Waring Drive, Suite 112, Palm Desert, CA 92260, or by email to jkarpiak@dc.rr.com. If you have any questions, please email or call the Conservancy's offices at (760)776-5026.

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EXHIBITS:

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I. Introduction

The Coachella Valley Mountains Conservancy (“Conservancy”) was established by California Public Resources Code section 33501 in 1991 to protect the natural and cultural resources of the Coachella Valley and its surrounding mountains, which include the San Jacinto and Santa Rosa Mountains National Monument and portions of Joshua Tree National Park. The Conservancy has a history of working efficiently with federal agencies, Riverside County, local cities and numerous nonprofit organizations to preserve open space, wildlife, scarce water resources and historical artifacts through conservation land acquisition, habitat management or restoration, and educational and recreational opportunities for residents and visitors.

Proposition 1, the Water Quality, Supply, and Infrastructure Improvement Act of 2014, was enacted by the voters on November 4, 2014 to provide a comprehensive and fiscally responsible approach for addressing the array of challenges facing California’s limited water resources. Proposition 1 provides funding to implement the three objectives of the California Water Action Plan, namely, more reliable water supplies, the restoration of important species and habitat, and a more resilient and sustainably managed water infrastructure.

Under Chapter 6 of Proposition 1, the Conservancy received an allocation of \$10 million to fund multi-benefit water quality, water supply, and watershed protection and restoration projects that benefit the Coachella Valley. These guidelines establish the process to be used by the Conservancy to solicit applications, evaluate proposals and award grants of Proposition 1 funds.

II. Definitions

- (a) **Administrative Costs** – Administrative costs include any expense which does not relate directly to project implementation. Similar to the traditional definition of “overhead,” administrative costs include such items as rent, utilities, per diem, office equipment and supplies, services such as internet and phone, etc.
- (b) **Application** – The completed application form attached as Exhibit A and its required attachments described in Exhibit B for grants pursuant to the Conservancy Grants Program.

- (c) California Water Action Plan – The January, 2014 plan released by the State of California to guide the state’s near and long term water priorities.
- (d) CEQA – The California Environmental Quality Act as set forth in the Public Resources Code Section 21000 et seq. and the Guidelines set forth in Title 14, Chapter 3 of the California Code of Regulations. For more information, see <http://ceres.ca.gov/ceqa>.
- (e) Conservancy – The Coachella Valley Mountains Conservancy, as established by California Public Resources Code section 33501.
- (f) Disadvantaged Community – A community with an annual median household income that is less than 80 percent of the statewide annual median household income in accordance with Water Code section 79505.5.
- (g) Economically Distressed Area – An area with an annual median household income that is less than 85 percent of the state median income that also meets the criteria established by section 79702 (k) of Proposition 1.
- (h) Environmental Mitigation Requirements – Actions required as a condition of approval by any federal, state or local entitlement to reduce the environmental impacts of a development project or public work.
- (i) Grant Agreement – An agreement between the Conservancy and the grantee specifying the payment of funds by the Conservancy for the performance of the project scope within the specific performance period.
- (j) Indian tribe – A federally recognized Indian tribe or a state Indian tribe listed on the Native American Heritage Commission California Tribal Consultation List.

- (k) **Monitoring** – The collection and analysis of observations or data repeated over time and in relation to a conservation or management objective.
- (l) **Mutual Water Company** – Any private corporation or association organized for the purpose of delivering water pursuant to California Public Utilities Code section 2725 et seq.
- (m) **Nonprofit Organization** – A private, nonprofit organization that qualifies for exempt status under Section 501(c) 3 of Title 26 of the United States Code, and whose charitable purposes are consistent with those of the Conservancy.
- (n) **Notice of Funding Availability or NOFA** – An announcement by the Conservancy of a round of funding under the Proposition 1 Grant Program that seeks proposals for funding.
- (o) **Performance Measure** – A quantitative measure agreed upon by the Conservancy and grantee to track progress toward project goals and desired outcomes.
- (p) **Project Planning** – Initial project development work, including but not limited to permits, mapping, partner coordination and planning exercises.
- (q) **Public Agency** – Any city, county, district, or joint powers authority; state agency; public university; or federal agency.
- (r) **Public Utility** – Any state chartered corporation that provides public services and is regulated by the California Public Utilities Commission.

III. Overview of the Conservancy Grant Program

The Conservancy anticipates making \$2.5 million available for eligible projects in fiscal year 2015-16, and approximately \$2.0 million per year for the next four fiscal years. The minimum grant amount is \$5,000. The Conservancy will administer one or more competitive cycles each fiscal year through the issuance of a notice of funding availability (“NOFA”). Applicants must submit a Conservancy

Proposition 1 grant application package (*see Exhibit A*) in accordance with the requirements of a NOFA to be considered.

IV. Eligible Applicants

Public agencies, nonprofit organizations, public utilities, Indian tribes, and mutual water companies.

V. Eligible Projects

Proposition 1 funds may be used to fund only multi benefit water quality, water supply, and watershed protection and restoration projects in, or benefitting, the Coachella Valley that meet the objectives listed in section 79732 of Proposition 1:

- (a) Protect and increase the economic benefits arising from healthy watersheds, fishery resources, and instream flow.
- (b) Implement watershed adaptation projects in order to reduce the impacts of climate change on California's communities and ecosystems.
- (c) Restore river parkways throughout the state, including, but not limited to, projects pursuant to the California River Parkway Act of 2004 (Chapter 3.8 (commencing with Section 5750) of Division 5 of the Public Resources Code), in the Urban Streams Restoration Program established pursuant to Section 7048, and urban river greenways.
- (d) Protect and restore aquatic, wetland, and migratory bird ecosystems, including fish and wildlife corridors and the acquisition of water rights for instream flow.
- (e) Fulfill the obligations of the State of California in complying with the terms of multiparty settlement agreements related to water resources.
- (f) Remove barriers to fish passage.
- (g) Collaborate with federal agencies in the protection of fish native to California and wetlands in the central valley of California.

- (h) Implement fuel treatment projects to reduce wildfire risks, protect watersheds tributary to water storage facilities, and promote watershed health.
- (i) Protect and restore rural and urban watershed health to improve watershed storage capacity, forest health, protection of life and property, stormwater resource management, and greenhouse gas reduction.
- (j) Protect and restore coastal watersheds, including, but not limited to, bays, marine estuaries, and near shore ecosystems.
- (k) Reduce pollution or contamination of rivers, lakes, streams, or coastal waters, prevent and remediate mercury contamination from legacy mines, and protect or restore natural system functions that contribute to water supply, water quality, or flood management.
- (l) Assist in the recovery of endangered, threatened, or migratory species by improving watershed health, instream flows, fish passage, coastal or inland wetland restoration, or other means, such as natural community conservation plan and habitat conservation plan implementation.
- (m) Assist in water-related agricultural sustainability projects.

VI. **Funding Priorities for Local Projects**

The Conservancy will consider any project that fulfills one or more of the objectives of Proposition 1, but in light of the water needs of the Coachella Valley, the following types of projects are specifically encouraged to apply:

- (a) **Acquisition of conservation lands that implements the key objectives of the California Water Action Plan by:**
 - (1) Preserving water quality by recharging the groundwater aquifer, e.g., sites containing streams, seasonal wetlands, washes, alluvial fans or similar features that promote natural water flow and surface drainage, allowing water to percolate efficiently;

- (2) Protecting water flow into rivers and inland bodies of water, including the Salton Sea and Coachella Valley Stormwater Channel;
- (3) Minimizing flooding by preventing development in flood plains or washes, thus alleviating dangerous floods, erosion and related property damage as a result of seasonal rains; or
- (4) Reducing water use by limiting development in areas where water service would be inefficient and detrimental to habitat values.

(b) Restoration of watershed-related natural features, such as washes, channels, streams or riverbeds through:

- (1) Improving ground water supply by enhancing flow into the aquifer through washes, alluvial fans, the Whitewater River or local streams;
- (2) Preserving and maintaining watershed areas that are critical habitat for species that are endangered or threatened or that are critical to the health of the Salton Sea ecosystem;
- (3) Removing invasive plants, shrubs or trees that divert water from the aquifer or interfere with the water quantity or quality necessary to support riparian or endangered/threatened species, or replacing non-native grasses or other plant species with indigenous plants that similarly preserve water;
- (4) Preserving or enhancing water supplies for endangered or threatened species to offset identified expected results of climate change; or

- (5) Cleanup or remediation of hazardous materials that is detrimental to water quality and/or habitat value.

(c) **Enhancement of water-related infrastructure to complement surrounding habitat values, including:**

- (1) Construction of new supply structures or flood prevention improvements that enhance efficiency and are consistent with habitat preservation;
- (2) Modernization, repair or retrofitting of water system supply structures or flood improvements in a manner that contributes to habitat quality;
- (3) De-channelization or removal of abandoned improvements that prevent or reduce flooding, or construction of flood minimizing improvements that are consistent with the natural habitat; or
- (4) Shoreline or bank stabilization or erosion control improvements.

VII. Project Evaluation Criteria

Project applications will be assigned a score with a maximum of 100 points based on the following:

- (a) **Objectives.** Consistency with Proposition 1 objectives, the California Water Action Plan (*available for review at http://resources.ca.gov/california_water_action_plan*) and the Conservancy's funding priorities. (Up to 25 points.)
- (b) **Technical effectiveness and innovation.** Use of methods and techniques based on best available science, innovative and interdisciplinary approaches and demonstrated readiness to proceed with implementation. (Up to 15 points.)

- (c) **Multi benefits.** The extent to which projects achieve more than one Proposition 1 objective (e.g., acquiring habitat land for conservation and then restoring it to conserve flows into the aquifer, or water infrastructure projects that include a habitat preservation or restoration component). (Up to 5 points.)
- (d) **Cost Effectiveness.** Efficient use of funds and maximization of value. (Up to 10 points.)
- (e) **Leveraged financial support.** The ability of projects to leverage Conservancy funds by including funding or in kind contributions from other public agencies or private funding sources. Applicants are encouraged to include the California Conservation Corps in their projects where feasible. (Total of 10 points possible, with up to 5 points if other support includes federal agency funds or private contributions, and up to 5 points if other support comes from other state programs.)
- (f) **Collaboration.** Private/public partnerships or cooperative projects among governmental agencies will be preferred. (Up to 10 points.)
- (g) **Grantee capacity.** Applicants shall demonstrate relevant technical capability and a proven track record at implementing similar projects (Up to 10 points.)
- (h) **Local economic benefits.** The extent to which a project benefits Disadvantaged Communities or Economically Distressed Areas (as those terms are used Section 79702 of Proposition 1). (Up to 10 points.)
- (i) **Public and community support.** Evidence of a high level of community and local stakeholder support. (Up to 5 points.)

VIII. Minimum Project Requirements

- (a) All applicants must agree to comply with the state audit requirements applicable to Proposition 1 funding, including that the grantee retain for at least three years following final payment, satisfactory financial records relating to the project and make them available to the Conservancy upon request.
- (b) All projects must comply with applicable environmental review requirements of the California Environmental Quality (CEQA).
- (c) All projects must comply with applicable federal, state and local permitting requirements.
- (d) Any acquisitions must be from willing sellers for a price that does not exceed the fair market value of the property as determined by a Conservancy-approved appraisal, and the property acquired shall be encumbered with a deed restriction in favor of the Conservancy that requires perpetual conservation use of the property.
- (e) Acquisition projects may use the Natural Heritage Preservation Tax Credit Act of 2000 (Public Resources Code 37000 *et seq.*).
- (f) No funds will be granted to complete environmental mitigation requirements of other projects, except where the grant funds would support only aspects of the project that exceed the minimum mitigation requirements of the applicable permit condition.
- (g) No funds may be used for grantee Administrative Costs, and no more than ten percent of any award may be used for Project Planning.
- (h) Grantees whose projects are funded shall enter into a grant agreement with the Conservancy that includes all provisions required by Proposition 1 and

state law, as well as the Conservancy's standard insurance and indemnification provisions. (*Copies available upon request.*)

IX. Project Solicitation, Application and Award Process

The Conservancy shall issue one or more NOFAs in each fiscal year for which Proposition 1 funding remains available. The NOFA shall be posted on the Conservancy's website, and will be sent to local media and local conservation, water, and environmental agencies and organizations. At least sixty days shall be allowed for applicants to prepare and submit an application.

Applicants are strongly encouraged to contact Conservancy staff to arrange an informal consultation to discuss the project and grant process prior to submitting an application.

Applicants must submit the completed Proposition 1 Grant Application Package (*see Exhibits A & B*) prior to the deadline set in an NOFA.

All applications shall be reviewed and evaluated by staff in consultation with independent professionals with relevant expertise in biological, hydrological, geological, engineering or other discipline appropriate to the type of grant. After such consultation, the staff shall rank the proposals and recommend grant awards for consideration by the Conservancy Board.

No project with a score of less than 80 points shall be eligible for funding, but the Conservancy board is not required to fund all eligible projects resulting from a NOFA. The board shall have the discretion to reject all eligible projects, or hold eligible projects over for consideration after issuance of a new NOFA and receipt of additional proposals. No final grant awards shall be made until compliance with CEQA has been achieved, but the board shall have the discretion to reserve funding for a high scoring project until completion of environmental review.

In approving each award, the Board shall make written findings detailing the objectives of Proposition 1 that are met by the award.

X. Performance Monitoring and Reporting Requirements

Applicants must propose project-specific Performance Measures in their applications. The actual Performance Measures will be finalized by Conservancy

staff based on consultation with the grantee, and post award reporting shall be required not less frequently than annually and on a regular schedule established by the grant agreement. Annual reporting will also include data the Conservancy is required to provide to the state under Proposition 1 for the type of project involved, as well as a written narrative explaining how project implementation in the prior year fulfills goals set forth in the grant application and grant agreement.

XI. Further Information

Contact CVMC's office at (760) 776-5026.

**Exhibit A
State of California - The Resources Agency
COACHELLA VALLEY MOUNTAINS CONSERVANCY**

APPLICATION FOR LOCAL ASSISTANCE GRANT (Proposition 1)

PROJECT NAME: _____	AMOUNT OF GRANT REQUESTED _____	
	ESTIMATED TOTAL PROJECT COST _____	
GRANT APPLICANT (agency and address, include zip code)	COUNTY Riverside	
	PROJECT ADDRESS Portion of Riverside County in the _____ area of _____ (_____ acres in S____T____ R____)	
	NEAREST CROSS STREET _____ (must have this filled in)	
	SENATE DISTRICT NO.	ASSEMBLY DISTRICT NO.
GRANT APPLICANT'S REPRESENTATIVE AUTHORIZED IN RESOLUTION (name typed)	TITLE	PHONE
PERSON WITH DAY-TO-DAY RESPONSIBILITIES FOR PROJECT IF DIFFERENT FROM AUTHORIZED REPRESENTATIVE	TITLE	PHONE
BRIEF DESCRIPTION OF PROJECT		
For Acquisition projects, Project land will be up to approximately _____ acres. _____ Acquired in fee simple by Grant Applicant. _____ Acquired in other than fee simple (<i>explain</i>) _____	For Restoration or Infrastructure projects, Project Site is _____ Acres. _____ Acres owned in fee simple by Grant Applicant. _____ Acres available under a _____ year lease. _____ Acres other interest (<i>explain</i>) _____	

I certify that the information contained in this project application form, including required attachments, is accurate.

SIGNED _____ DATE _____, 20__
Grant Applicant's Authorized Representative as shown in Resolution

CERTIFICATION

Applicant possesses legal authority to apply for the grant, and to implement the proposed project described in the Project Narrative below. A resolution, motion or similar action has been duly adopted or passed as an official act of the applicant's governing body authorizing the filing of the application, including all understandings and assurances contained therein, and directing and authorizing the person identified as the official representative of the applicant to act in connection with the application and to provide such additional information as may be required.

Applicant will cause the project to be implemented in accordance with the schedule, budget and conditions contained in its grant proposal. Where the project includes land acquisition, the property shall be maintained in perpetuity for the conservation of its biological and scenic resources. With the approval of the Conservancy, the applicant or its successors in interest in the property may transfer the responsibility to maintain the property to a qualified local, state, or federal agency, or to another qualified non-profit organization.

Applicant will give the State's authorized representative access to and the right to examine all records, books, papers, or documents related to the grant.

Applicant will comply where applicable with provisions of the California Environmental Quality Act and the California Relocation Assistance Act, any other state, and/or local laws, and/or regulations.

Applicant provides the foregoing assurances as witnessed by the signature of applicant's authorized representative below.

Name, Title

Date

EXHIBIT B

Application Narrative Instructions

Please provide a written narrative, with accompanying charts or schedules as required, that addresses the following:

1. **Project Description.** Provide a detailed explanation of the project, along with accompanying exhibits (e.g., conceptual designs, charts, etc.).
2. **Project Location.** Include a map with enough detail to allow a person unfamiliar with the area to locate the project, along with photos as needed to depict the current condition of the site as applicable. For restoration or infrastructure enhancement projects, if the applicant does not own the land, please document site control or describe your plan for doing so.
3. **Schedule.** List proposed estimated starting and completion dates, together with significant milestones. In the alternative, you may list the time periods required for each stage.
4. **Budget and Cost Effectiveness.** Detail the costs of the entire project, sources of all funds, including requested from the Conservancy. List any non-state funding or in-kind contribution commitments from funding partners. Describe any use of the California Conservation Corps or similar program. Explain steps the project will take to use funds efficiently.
5. **Organizational Capacity.** Describe the applicant's staff capacity and record of accomplishing similar projects. Highlight local projects and achievements. Attach resumes of lead staff persons or contractors.
6. **Response to Grant Program Objectives.** Describe how the project will meet one or more of the Proposition 1 objectives and Conservancy priorities listed described in Section V and VI of the Grant Program Guidelines. To the extent possible, please include quantitative data on the expected project outcomes or provide letters of relevant experts describing how the objectives will be met. If applicable, explain how the project will serve disadvantaged communities or economically distressed areas.

7. **Response to Project Evaluation Criteria.** Describe how the project reflects the Evaluation Criteria in Section VII of the Grant Program Guidelines. If applicable, explain how the project will use best available science, innovation and interdisciplinary approaches.
8. **Environmental Review.** To the extent possible, describe the proposed environmental review for the project. If you have considered whether the project qualifies for any exemption under CEQA, or has already been subject to environmental review for a larger project, provide the relevant exemption or project information.
9. **Proposed Performance Measures and Monitoring.** Provide proposed project-specific Performance Measures for evaluating the progress on the project as well as ongoing Monitoring. Identify any measurable data to be collected and methods for collecting and tracking it. Explain how data or findings would be used to improve the project.
10. **Project Sustainability.** Describe how the future of the project can be sustained to maximize the fulfillment of Proposition 1 objectives, including, as applicable, future monitoring, maintenance, rehabilitation, etc.
11. **Project Support.** Describe support anticipated from interested stakeholders, such as public agencies, nonprofit organizations, community groups, local businesses or landowners. If any significant opposition is expected, please describe that as well.