

Coachella Valley Mountains Conservancy



PROPOSITION 1 GRANT PROGRAM

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

Grant Guidelines

Adopted May 11, 2015

Direct all inquiries, correspondence and grant applications to:

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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.

Note: Capitalized terms used below are defined in *Exhibit A, Definitions*.

II. **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 accordance with the requirements of a NOFA to be considered.

III. **Eligible Applicants**

Public Agencies, Nonprofit Organizations, Public Utilities, Indian Tribes, and Mutual Water Companies.

IV. **Eligible Projects**

The Conservancy will consider applications for any project that fulfils one or more of the statutory objectives of Proposition 1 (listed in *Exhibit B*) and complies with the General Obligation Bond Law (*Gov. Code section 16720 et seq.*), but in light of the water needs of the Coachella Valley, the Conservancy is specifically encouraging three types of projects to apply:

(a) Acquisition Projects. The purchase of land for conservation 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) Watershed Restoration Projects. The enhancement 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 conserve 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 are detrimental to water quality and/or habitat value.

(c) Infrastructure Projects. Improvement of water management structures 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.

V. Project Evaluation Criteria

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

- (a) **Objectives.** The extent to which the project fulfills the objectives of Proposition 1 and the California Water Action Plan (*available for review at http://resources.ca.gov/california_water_action_plan*) and the CVMSHCP. (Up to 25 points.) Points will not be deducted for projects located outside the CVMSHCP Planning Area or outside conservation areas established by the CVMSHCP.
- (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. (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) or improves access to water for human consumption in accordance with Water Code section 106.3. (Up to 10 points.)
- (i) **Public and community support.** Evidence of a high level of community and local stakeholder support. (Up to 5 points.)

VI. 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) Restoration and Infrastructure Projects must comply with prevailing wage requirements (except to the extent certified conservation corps or volunteer services are used), and if applicable, public contracting laws.
- (e) 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.
- (f) Watershed Restoration and Infrastructure Projects are required to include the California Conservation Corps or a certified conservation corps in their projects where feasible. The Conservancy will arrange a consultation with the relevant agencies as part of the application process, as described in more detail in *Exhibit D*.
- (g) Acquisition projects may use the Natural Heritage Preservation Tax Credit Act of 2000 (Public Resources Code 37000 *et seq.*).
- (h) 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.
- (i) Staff costs and expenses that are related to the funded project and are included in the approved Project Budget may be paid with grant funds, provided that no funds may be used for grantee Administrative Costs, and no more than ten percent of any award may be used for Project Planning.

- (j) 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.*)

VII. 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 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.

VIII. 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 ninety (90) days shall be allowed for applicants to prepare and submit an application.

The first step in the application process is for the applicant to contact Conservancy staff to arrange a mandatory pre-application consultation to discuss the project and grant process prior to submitting an application. (*See Exhibit C, Application Checklist, for an overview of the application process.*)

Applicants must submit the completed Proposition 1 Grant Application Package 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. The Board meetings are public in

accordance with the Bagley Keene Act, and applicants shall have the right to address the Board regarding their applications.

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 and subsequent project approval by the board. A reservation of funds is not an approval of the project itself, and any funds that are so reserved but not ultimately granted will be made available in the next funding cycle.

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

IX. Further Information

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

Exhibit A

Definitions

- (a) Acquisition Project – Means obtaining a fee interest or any other interest in real property, including easements, leases, water, water rights, or interest in water obtained for the purposes of instream flows and development rights.
- (b) 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.
- (c) Application – The completed application form.
- (d) 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.
- (e) CCC – California Conservation Corps or a local conservation corps certified by the California Conservation Corps.
- (f) 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://resources.ca.gov/ceqa/>
- (g) Conservancy – The Coachella Valley Mountains Conservancy, as established by California Public Resources Code section 33501.
- (h) CVMSHCP – The Coachella Valley Multiple Species Habitat Conservation Plan/Natural Community Conservation Plan, adopted by local Coachella Valley jurisdictions in 2008 in accordance with the requirements of Section 10(a)(1) of the Federal Endangered Species Act and the California Natural Community Conservation Planning Act of 2002.

- (i) 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.

- (j) Economically Distressed Area – Means a municipality with a population of 20,000 persons or less, a rural county, or a reasonably isolated and divisible segment of a larger municipality where the segment of the population is 20,000 persons or less, with an annual median household income that is less than 85 percent of the statewide median household income, and with one or more of the following conditions as determined by the Conservancy:
 - (1) Financial hardship.
 - (2) Unemployment rate at least 2 percent higher than the statewide average.
 - (3) Low population density.

- (k) 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 or public works project.

- (l) 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.

- (m) Indian Tribe – A federally recognized Indian tribe or a state Indian tribe listed on the Native American Heritage Commission California Tribal Consultation List.

- (n) Infrastructure Project – A project that improves water management structures to complement surrounding habitat values, as described more particularly in Section IV (c) of these Guidelines.

- (o) Monitoring – The collection and analysis of observations or data repeated over time and in relation to a conservation or management objective.

- (p) 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.
- (q) 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.
- (r) 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.
- (s) Performance Measure – A quantitative measure agreed upon by the Conservancy and grantee to track progress toward project goals and desired outcomes.
- (t) Project Budget – The final budget for a project approved for funding by the Conservancy board and included in a Grant Agreement.
- (u) Project Planning – Initial project development work, including but not limited to permits, mapping, partner coordination and planning exercises.
- (v) Public Agency – Means a state agency or department, special district, joint powers authority, city, county, city and county or other political subdivision of the state.
- (w) Public Utility – Any state chartered corporation that provides public services and is regulated by the California Public Utilities Commission.
- (x) Watershed Restoration Project – A project that consists of the enhancement of watershed-related natural features, such as washes, channels, streams or riverbeds, as described more particularly in Section IV (b) of these Guidelines.

Exhibit B

Proposition 1 Statutory Objectives

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, storm water 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.

Project 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 IV and Exhibit B 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 V 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.

Exhibit C

CVMC Prop 1 Grant Program Application Checklist

- Conservancy issues NOFA
- Pre-application consultation with Conservancy staff (*request by calling (760) 776-5026*)
- Submit project information to Conservancy for CCC Consultation and CEQA review (*does not apply to Acquisition Projects, see Exhibit D*)
- Prepare and submit Application by deadline in NOFA.
- Conservancy staff and independent expert panel review and score proposals.
- Conservancy board makes funding decisions
- Grantee executes grant agreement with Conservancy
- Project Implementation begins
- Project completion
- Performance monitoring and reporting

Exhibit D

California Conservation Corps and Certified Community Conservation Corps

Proposition 1 – Consultation for Restoration and Infrastructure Projects

Section 79734 of Proposition 1 requires that the services of the California Conservation Corps or a local conservation corps certified by the California Conservation Corps shall be used whenever feasible. To implement this requirement and facilitate the inclusion of conservation corps services in local projects, the Conservancy will initiate a consultation with representatives of CCC and the California Association of Local Conservation Corps or CALCC (the entity representing the certified community conservation corps) (collectively, “the Corps”) to determine the feasibility of Corps participation. This consultation shall be required for all proposed Restoration and Infrastructure Projects, but not for Acquisition Projects.

- Step 1: Prior to submittal of an application to the Conservancy, Applicant submits the following information to the Conservancy:
- Project Title
 - Project Description (identifying key project activities and deliverables)
 - Project Map (showing project location)
 - Project Implementation estimated start and end dates
- Step 2: The Conservancy will submit the forgoing information concurrently to the CCC and CALCC representatives:
- CCC Prop 1 Coordinator Email: Prop1@ccc.ca.gov
- Phone: (916) 341-3100
- CALCC Representative: Crystal Muhlenkamp
- Email: inquiry@prop1communitycorps.org
- Phone: (916) 426-9170
- Step 3: Within five (5) business days of receiving the project information, the CCC and CALCC representatives will review

the submitted information, request additional information, and respond to the Conservancy with a Corps Consultation Review Document indicating:

(a) It is NOT feasible for CCC and/or certified community conservation corps services to be used on the project; or

(b) It is feasible for the CCC and/or certified community conservation corps services to be used on the project and identifying the aspects of the project that can be accomplished with Corps services.

Step 4: The Conservancy will provide the Corps Consultation Review Document to the Applicant for inclusion in the final application packet.

Step 5: Where it is feasible to use Corp services, the Conservancy Grant Agreement will require that the Applicant work with either the CCC or CALCC to develop a scope of work and enter into a contract with the appropriate Corps.