

California Tahoe Conservancy  
Agenda Item 9  
February 5, 2015

**CALIFORNIA TAHOE CONSERVANCY GRANT GUIDELINES**

Since 1985, the California Tahoe Conservancy (Conservancy) has awarded grants for projects on the California side of the Lake Tahoe Basin (Basin). Conservancy staff administered four separate competitive grant programs based on Board-approved Program Guidelines for the Soil Erosion Control Program, the Stream Environment Zone and Watershed Restoration Program, the Wildlife Enhancement Program, and the Public Access and Recreation Program. As part of the development and implementation of the Conservancy's Strategic Plan, however, Conservancy staff consolidated these four programs into a new Resources and Public Access Program to promote projects that provide multiple benefits.

This consolidation, together with the passage of Proposition 1, has prompted Conservancy staff to develop a draft set of consolidated project solicitation and evaluation guidelines (Attachment 1). These Grant Guidelines apply to Conservancy grants from all funding sources including Proposition 1, SB630 revenue, license plate and land bank revenue, other special funds, and Federal reimbursements and subventions.

As in the past, the primary focus of the Grant Guidelines is to support implementation of the Lake Tahoe Environmental Improvement Program (EIP). Accordingly, the draft Grant Guidelines promote projects that 1) provide multiple benefits within or across six EIP-related Focus Areas; 2) are consistent with the appropriate guidance documents for these Focus Areas, and 3) are coordinated with the relevant EIP interagency workgroup.

Following the Conservancy Board review of these draft Grant Guidelines, the Conservancy will host a public workshop and several meetings with representatives of local jurisdictions and other past and potential grantees to provide them with a more personal opportunity to provide their comments. After these opportunities to receive public comments, Conservancy staff will prepare final Grant Guidelines. Consistent with the Agency's Proposition 1 Implementation Guidance, the Grant Guidelines must also be reviewed and approved by the Agency. The guidelines will then come back to the Board for approval for submittal to the Agency for posting on the bond accountability website and transmittal to the fiscal committees and appropriate policy committees of the Legislature.

**List of Attachments:**

Attachment 1 - California Tahoe Conservancy Draft Grant Guidelines

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**ATTACHMENT 1**

**CALIFORNIA TAHOE CONSERVANCY**

*Draft Grant Guidelines*



**February 2015**

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# 1. BACKGROUND AND GRANT PROGRAM OVERVIEW

## The California Tahoe Conservancy

The California Tahoe Conservancy (Conservancy) is a state agency that leads California's efforts to restore and enhance the extraordinary natural and recreational resources of the Lake Tahoe Basin. Since its inception in 1984, the Conservancy has invested more than \$450 million in conservation and recreation projects on the California side of Lake Tahoe.

As the only state agency focused entirely on the Tahoe Basin, the Conservancy works collaboratively with its federal, state, local, and private partners to achieve its mission. For more information on the Conservancy and its priorities, see the Conservancy's *Strategic Plan* and visit its website at [www.tahoe.ca.gov](http://www.tahoe.ca.gov).

## The Conservancy Grant Program

The principal goal of the Conservancy's grant program is to support implementation of the Lake Tahoe Environmental Improvement Program (EIP). Launched in 1997, the Lake Tahoe EIP is a partnership of federal, state, and local agencies, private interests, and the Washoe Tribe to jointly identify, invest in, and coordinate the implementation of high priority conservation and recreation projects in the Tahoe Basin. For each EIP program area, the EIP partner agencies have 1) set guiding documents that establish goals and priorities; 2) established an interagency workgroup to coordinate implementation; and 3) developed a set of performance measures to track progress. For more information on the EIP, visit: [www.trpa.org](http://www.trpa.org).

The Conservancy has traditionally issued separate grant guidelines for each of its program areas. Now the Conservancy is issuing this single set of grant guidelines with several Focus Areas related to the EIP. This change reflects the Conservancy's recent consolidation of its programs and helps support new state mandates and funding programs that emphasize multiple-benefit projects. These guidelines apply to Conservancy grants from all funding sources, including Proposition 1, license plate and land bank revenue, other special funds and Federal funds. There are no maximum or minimum grant awards.

The Conservancy expects to award a significant level of grants through appropriations from Proposition 1, which provides funds for multi-benefit ecosystem and watershed protection and restoration projects consistent with the *California Water Action Plan* and other State priorities (see **Appendix A**). The *California Water Action Plan* emphasizes, among other priorities, multi-benefit projects, restoration of mountain meadow habitat areas, implementation of Integrated Regional Water Management Plans (IRWMPs) and the state's land use planning guidelines, and assistance to disadvantaged communities. The *Action Plan* also highlights the importance of continuing restoration efforts in the Lake Tahoe Basin, including implementation of EIP projects. The Conservancy expects that Proposition 1 funds will be available for most of the project types described below in Section 2, Focus Areas. Focus Areas include Stormwater Quality, Ecosystem and Watershed Management, Aquatic Invasive Species, Forest Improvement, Sustainable Communities and Recreation and Public Access. Applicants should work closely with Conservancy staff to determine whether their proposed projects are eligible for funding.

## Grant Categories

The Conservancy awards grants in four categories:

**Planning Grants.** Planning grants provide funding for planning efforts that will lead to the successful design, selection and implementation of projects. These efforts may include program development and guidance, scientific studies and workshops, implementation strategies, and project specific activities such as preliminary design and environmental review. Planning grants are intended to support the development of projects that are likely to qualify for future implementation funding.

**Implementation Grants.** Implementation grants are the primary focus of the grants program. These grants fund final design and construction of new or enhanced facilities and restoration projects, and implementation of stewardship education, public outreach, and other key elements of EIP program areas. They are primarily intended to support high priority "shovel ready" EIP projects that have advanced to the stage where planning, land tenure, and engineering are largely completed.

**Acquisition Grants.** Acquisition grants fund purchases of land and interests in land to support Conservancy and EIP goals. Acquisitions must be from willing sellers and at fair market value, as confirmed by a Conservancy-approved appraisal. Acquisition grants to eligible nonprofit organizations are also subject to the non-profit purposes and conditions found in Government Code section 66907.7.

**Monitoring Grants.** Monitoring grants fund projects to assess the condition or usage of the Basin's natural or recreational resources, or the effectiveness of EIP projects and programs. Monitoring proposals should be consistent with ongoing regional programs or monitoring efforts, such as the Regional Stormwater Monitoring Program (RSWMP) or the Lake Tahoe Interagency Monitoring Program (LTIMP).

## Availability of Funds

The Conservancy receives funding from numerous sources, including bonds passed by the voters of California, revenues from Lake Tahoe license plate sales, and other special funds. Funds available from these sources fluctuate from year to year, and are subject to legislative appropriations and specific funding source requirements and restrictions (see Funding Source Fact Sheets in **Appendix B**). Prior to preparing or submitting an application, applicants should meet with Conservancy staff to discuss grant program priorities, the potential sources of funds for their projects and any additional restrictions or requirements that may apply.

If funding for any fiscal year is reduced, removed, or frozen by the State of California, the Conservancy shall have the option to either delay or cancel the grant with no liability to the State, or amend the grant agreement to reflect the reduced amount.

## Grant Restrictions and Requirements

Funding source restrictions and availability affect the ability and timing of the Conservancy to award grants. In addition, the Conservancy Board of Directors (Board) may impose additional restrictions or requirements when a grant is awarded. All grant projects must be implemented in accordance with the terms and conditions of the staff recommendation, Board authorization, grant agreement and these Grant Guidelines.

## **Environmental Documents and CEQA Compliance**

Grantees are responsible for complying with all laws and regulations applicable to their projects, including the California Environmental Quality Act (CEQA). In addition, the Conservancy Board is required to make its own environmental findings and certify that projects which are awarded funding comply with CEQA when grants are authorized for funding. Since CEQA compliance will vary significantly depending upon proposed project activities and potential impacts, applicants should consult with Conservancy staff as early as possible in the development of the project. For more information on CEQA, visit <http://ceres.ca.gov/ceqa>.

## **Eligible Applicants**

The following entities are eligible to apply for Conservancy grants:

- Public agencies, including cities, counties, special districts, joint powers authorities, state or bi-state agencies, and federal agencies;
- Federally recognized Indian tribes, including the Washoe Tribe of Nevada and California; and
- Eligible nonprofit organizations, as defined in California Government Code section 66905.9: "any private, nonprofit organization which qualifies for exempt status under section 501(c)(3) of the United States Internal Revenue Code of 1986, and has among its principal charitable purposes the preservation of land for scientific, historic, educational, recreational, scenic, or open-space opportunities, or protection of the natural environment or preservation or enhancement of wildlife."

## **2. FOCUS AREAS**

The Conservancy will award grants for high-priority projects in the following Focus Areas. Applicants should demonstrate that their proposed project is consistent with the appropriate guiding documents, and are coordinated through the relevant EIP working group, or provide a compelling alternative justification. Grants are available only for projects that provide multiple benefits within or across Focus Areas and provide benefits greater than those under applicable environmental mitigation measures or compliance obligations.

### **Stormwater Quality**

*Purpose:* Stormwater Quality projects are essential to capture and treat pollutants in stormwater runoff that impair Lake Tahoe's clarity. Conservancy stormwater quality grants are largely intended to help state and local agencies fund multi-benefit, watershed-based projects to assist in meeting Lake Tahoe Total Maximum Daily Load (TMDL) reduction targets in all source categories and other watershed health goals.

*Example projects include:*

- Reducing or treating stormwater runoff from city, county, or forest roads;
- Capturing runoff in infiltration basins, rock-lined channels, or other improvements;
- Dispersing and returning runoff to historical flow patterns to the extent feasible;
- Retrofitting public facilities; and
- Other projects consistent with the EIP's Stormwater Management Program.

*Guiding Documents:* Applicants should describe how the proposal is consistent with the TMDL and the Conservancy's *Preferred Design Approach (Appendix C)*. Projects in the TMDL Urban Source category should be included in a current *Pollutant Load Reduction Plan* (PLRP) and should be developed in coordination with the Lake Tahoe Stormwater Quality Improvement Committee (SWQIC). Projects in other TMDL source categories must be included in an inventory or watershed assessment document. Stormwater quality monitoring proposals should be consistent with the goals and objectives of the *Tahoe Regional Stormwater Monitoring Program (RSWMP)*. Applicants should also describe how the project will be incorporated into a watershed-based approach to meet the goals of the TMDL and other restoration priorities.

## **Ecosystem and Watershed Management**

*Purpose:* The Lake Tahoe Basin's watersheds and stream environment zones have been significantly impacted by growth and development. Conservancy grants are intended to help restore the ecological health of the Basin's most significant watersheds, including the Upper Truckee River, the largest watershed which contributes substantial pollutants that affect Lake Tahoe's clarity, and restore natural processes and functions of other key watersheds and habitats.

*Example projects include:*

- Restoration of key watersheds, wetlands, floodplains, and self-sustaining natural processes, to the maximum extent feasible;
- Restoration and adaptation of fish and wildlife habitat at risk to climate change;
- Establishment of wildlife corridors;
- Acquisition of environmentally sensitive land; and
- Other projects consistent with the EIP Watershed Management Program.

*Guiding Documents:* Applicants should describe how their project is consistent with restoration plans or assessments for specific watersheds, including the *Upper Truckee River Restoration Strategy*, and/or restoration plans for rare, endangered, or sensitive species, such as the *Tahoe Yellow Cress Conservation Strategy* and the *Lahontan Cutthroat Trout Recovery Plan*. Projects should also apply relevant watershed restoration planning, implementation, monitoring, and quantification tools, such as the *Stream Load Reduction Tool* and the *Riparian Ecosystem Restoration Effectiveness Framework* (2nd Nature, 2010).

## **Aquatic Invasive Species**

*Purpose:* Aquatic invasive species (AIS) pose a major threat to the ecological health of the Tahoe basin and its outdoor recreation-based economy. Conservancy AIS grants are intended to control and limit the spread of invasive species and protect and restore a broad range of native species and their habitats.

*Example projects include:*

- Removal of aquatic invasive species, including Eurasian water milfoil, curlyleaf pondweed, and Asian clams;
- Removal of warm water fishes, including large mouth bass, black crappie, and bluegill;
- Development and implementation of AIS removal strategies; and



- Other projects consistent with the EIP Invasive Species Program.

*Guiding Documents:* Applicants should describe how their proposal is consistent with the *Lake Tahoe AIS Management Plan* and forthcoming AIS Implementation Plan. Proposals should be developed in coordination with the Lake Tahoe AIS Coordination Committee and its working groups.

## **Forest Improvement**

*Purpose:* After decades of fire suppression, the Tahoe Basin's overstocked forests are highly vulnerable to insects, disease, and catastrophic wildfire. Tahoe's forests lack the diversity and age structure to support healthy forest ecosystems. Conservancy forest improvement grants are intended to improve forest health and water quality, enhance wildlife habitat, protect public and private property, sequester carbon, and help make Tahoe's forests more resilient to climate change.

*Example projects include:*

- Thinning of overstocked forest stands;
- Enhancement of riparian areas;
- Restoration of aspen stands;
- Re-introduction of fire through prescribed burning;
- Reforestation or site restoration;
- Removal and transport to biomass facilities; and
- Other projects consistent with the EIP Forest Ecosystem Health and Hazardous Fuels Reduction Program.

*Guiding Documents:* Applicants should describe how their proposal is consistent with the *Lake Tahoe Basin Multi-Jurisdiction Fuels Reduction and Wildfire Prevention Strategy*, and should be developed in coordination with the Tahoe Fire and Fuels Team (TFFT) and the Multi-Agency Coordination Committee (MAC).

## **Sustainable Communities**

*Purpose:* Proposition 1 requires the Conservancy and other agencies to support projects that promote state planning priorities and the implementation of Sustainable Communities Strategies. These strategies promote more efficient and integrated development patterns that preserve and enhance stream environment zones and other natural resources in urbanized areas; treat stormwater runoff; remove land coverage; reduce vehicle miles travelled; and provide recreational opportunities.

*Example projects include:*

- Acquisition and/or restoration of aging developed properties on or adjacent to environmentally sensitive lands;
- Partnerships to utilize Conservancy land to accomplish area plan and community planning goals;
- Acquisition of the remaining private properties in Lake Tahoe's roadless subdivisions to remove the threat of development; and
- Other projects consistent with Lake Tahoe Region's Sustainable Communities Strategy.

*Guiding Documents:* Consistent with Proposition 1, applicants should describe how the project is consistent with state planning priorities, and regional and local land use planning priorities, as described in the *Lake Tahoe Regional Plan*, the *Lake Tahoe Region's Sustainable Communities Strategy*, the Conservancy's Tahoe Livable Communities (TLC) Program, and local area plans (or equivalent).

## **Recreation and Public Access**

*Purpose:* Public access and recreation projects serve millions of visitors, and are the foundation of the Basin's outdoor recreation-based economy. Conservancy grants are intended to provide state and regionally significant recreation opportunities, reduce traffic congestion and vehicle miles travelled, and increase public access to Lake Tahoe and other natural, cultural, and recreational areas.

*Example projects include:*

- Expansion of the Basin's bike, hiking, and water trail networks, including the Lake Tahoe Bikeway, the Tahoe Rim Trail, and the Lake Tahoe Water Trail;
- Construction of trailheads, parks, and other recreation, cultural, or interpretive facilities;
- Acquisition of lakefront parcels and other recreational lands; and
- Other projects consistent with the EIP Recreation Program.

*Guiding Documents:* Bike trail projects should be consistent with the *Lake Tahoe Region Bicycle and Pedestrian Master Plan (BPMP)*, *Caltrans Bikeway Planning and Design guidelines*, and the American Association of State Highway and Transportation Officials (AASHTO) *Guide for the Development of Bicycle Facilities*.

## **3. GRANT APPLICATION AND FUNDING PROCESS**

The Conservancy's grant application and funding process will maintain and build upon the existing collaborative interagency process developed as part of the EIP to identify, invest in, and coordinate the implementation of high priority conservation and recreation projects in the Tahoe Basin.

### **Annual Competitive Submittal, Review and Reporting Process**

*Step 1:* Project sponsors submit their 5-year EIP Priority Project lists to TRPA. Applicants for Conservancy funding of projects from Proposition 1 and other sources will also submit concept proposals (**Appendix D**) to the Conservancy.

*Step 2:* The concept proposals will be reviewed and ranked by the appropriate or newly established interagency workgroup for each focus area, such as the Stormwater Quality Improvement Committee, the Lake Tahoe Aquatic Invasive Species Coordinating Committee, the Tahoe Fire and Fuels Team, and others.

*Step 3:* The interagency workgroup project rankings will be collectively reviewed and ranked by a team of state agency staff and key stakeholders (State Team), including representatives from the Conservancy, State Parks, the Lahontan Water Board, the State Lands Commission, the

Department of Fish and Wildlife, Caltrans, and TRPA, based on the conceptual proposals. The State Team review process will also include a representative of the proposed Tahoe Science Council, which will facilitate reviews of the key science, monitoring, and evaluation elements of the projects.

*Step 4:* Conservancy and appropriate State Team staff will meet with the project sponsor for each highly ranked project to discuss the potential availability of funding from the Conservancy and other sources. The Conservancy, on behalf of the State Team, will then develop (or update) a *CA EIP Priority Project List and Funding Strategy*.

*Step 5:* TRPA, in coordination with the Tahoe Interagency Executives, will prepare and distribute its annual report on EIP accomplishments and priorities.

## **Conservancy Funding Process**

*Application:* Sponsors seeking Conservancy funding from Proposition 1, SB 630, or other sources for projects ranked as top priorities by the State Team will be invited to submit a full application (**Appendix E**) addressing the evaluation criteria described below. Conservancy staff will review completed applications for consistency with the proposed funding source(s), state planning priorities, and evaluation criteria. Successful projects will be forwarded for funding.

Conservancy staff will prepare a Staff Recommendation to the Conservancy Board, which meets four or five times annually. The Conservancy Board must authorize all Conservancy grants.

Applications to augment existing grants will be considered if grantees are faced with unforeseen circumstances or unanticipated costs or opportunities. These applications will be considered on a case-by-case basis, but may also be subject to same review process.

*Grant Agreement:* Following Board approval of Conservancy-funded projects, Conservancy staff will prepare a grant agreement with more specific information regarding the payment of funds and performance of work, including a work plan describing the specific tasks to be performed and products to be produced. Grantees may request modifications to their approved project work plan by providing the Conservancy with a revised work plan and letter of justification.

*Operations and Maintenance Plan:* Implementation and Acquisition grant recipients also must submit an Operations and Maintenance Plan (**Appendix F**) prior to final payment. The plan should address staffing, season of operation, fire prevention, forest fuels management, maintenance of Best Management Practices, and other day-to-day operations for the project maintenance period.

Funding provided by Conservancy grants is typically available for 2-5 years, depending on the funding source. However, the term of the grant contract may be longer. For example, because the Conservancy require a 20 year commitment to operations and maintenance, the term of an Implementation Grant typically runs from the effective date through a period extending twenty (20) years from the date of completion of construction of all improvements.

## Full Application Requirements

All applications should include the following information in as concise a manner as possible, and should address all items applicable to the proposed project:

- **Contact Information.** Provide the grant applicant's name, mailing address, email address and phone number and contact information for key personnel. Provide contact information for the applicant's authorized representative if the project will be administered by an outside entity.
- **Project Description.** Provide a one-page overview, including the name of the project, the primary Focus Area, and the primary benefits within or across Focus Areas.
- **Maps.** Include maps with enough detail to allow a person unfamiliar with the area to locate the project. On the maps identify any Conservancy parcels proposed for use or located within the project area. Acquisition Grant applications must complete one Acquisition Information Form for each parcel being considered (see **Appendix G**).
- **Project Schedule and Budget.** Provide a budget and schedule that identifies the current status of the project, other funding sources, major remaining project elements, tasks, and any other relevant information to support the amount of funding requested. Ensure that the request is consistent with costs eligible for Conservancy funding (see "Eligible and Ineligible Costs" below). The project schedule should list the completion date for each major project milestone (or work product) and a project completion date. The project budget should be based upon estimates of allowable costs, and if possible, an engineer's estimate for construction of improvements. If the project administration or contingency request is more than 10% of the total grant request, applicants must provide a justification of the special circumstances that warrant consideration of the proposed amount.
- **Consistency with Plans and Priorities.** Describe how the project is consistent with applicable State, regional, and local plans and priorities.
  - State: These include the *California Water Action Plan*, the *Safeguarding California Plan*, the *California Wildlife Action Plan*, and/or others.
  - Regional: These include the *Lake Tahoe Regional Plan*, the *EIP*, the *Sustainable Communities Strategy*, the *Tahoe-Sierra IRWMP*, and others.
  - Local: These include local area plans and master plans, if applicable.
- **Consistency with Focus Area Priorities and Guiding Documents.** Describe how the project is consistent with the priorities of the appropriate Focus Areas and guiding documents.
- **Goals and Performance Measures.** Describe the specific goals of the project and expected outcomes that are consistent with or supplement the EIP performance measures. (See **Appendix H**).
- **Project Monitoring and Evaluation.** For implementation projects, provide a monitoring and evaluation plan describing how the effectiveness of the project will be assessed. Describe the data to be collected and evaluated.
- **Climate Change.** Describe, if applicable, how the project uses best practices to reduce greenhouse gas emissions or improve resiliency to the effects of climate change.
- **Funding Partners.** List all funding sources that have been secured, applied for, or that are being considered (include application deadlines if applicable). List in-kind assistance to be provided by the applicant.
- **Public, Stakeholder, and Agency Support.** Describe the extent to which the project was developed, coordinated, and/or supported by the appropriate EIP workgroup, if applicable. Describe the support of other interested stakeholders.

Describe the type and level of public involvement/collaboration to date and anticipated, and summarize public response to the project. Attach any support letters.

- **Environmental Documentation.** For implementation and acquisition projects, provide completed environmental documentation that encompass all aspects of the work to be performed. Provide status of environmental documentation for other projects.
- **Cost Saving Measures.** Describe whether and how the California Conservation Corps (CCC) will be used and other proposed cost-saving measures.
- **Land Ownership Tenure.** If the applicant does not own the project site, submit documentation that demonstrates adequate control over the site, or describe how site control will be obtained.
  - “Adequate control” includes fee title, a lease, special use permit, easement, joint powers agreement, or other suitable interest in the property (lasting at least for the duration of the grant operation and maintenance obligation).
  - If site control has not been obtained, describe how the project would be affected if it is not obtained.
  - Describe any plans to locate the project on or adjacent to Conservancy land, and how that land might be affected.
- **Governing Body Approval.** Submit a resolution by the governing body or administrator of the project sponsor confirming its commitment to the project, including the operation and maintenance of a constructed project for a minimum of 20 years following the completion of construction (see **Appendix F**).

## **Eligible and Ineligible Costs**

In general, only direct costs for items within the scope of the project and the timeframe of the grant agreement are eligible for payment. Indirect Costs, such as the federally approved overhead rate, may be reimbursed if these costs are reimbursable by the originator of the funds.

Eligible activities and expenses include, but are not limited to:

### *Planning Grants*

- review of existing data
- site analysis and base mapping
- preliminary project design necessary for environmental documentation
- opportunities and constraints analysis
- environmental review and documentation (including surveys and other environmental assessments)
- project administration
- interagency and public coordination
- preliminary specifications and cost estimates
- pre-acquisition activities (such as obtaining title reports, appraisals, legal descriptions and initial coordination with the property owners to determine if they are willing sellers. Purchase negotiations and escrow fees are not eligible expenses under planning grants but are covered by acquisition grants.)
- pre-construction monitoring related to the goals of the project
- preparation of permit applications
- other relevant costs approved by Conservancy staff

### *Implementation Grants*

- project management/administration

- preparation of contract documents including final design plans
- preparation of grant-required documents
- project specifications, engineering, and cost estimates
- preparation and processing of permit applications, including SWPPPs
- preparation of construction bid packages
- project bidding
- construction of site improvements
- utility relocation and undergrounding costs consistent with Government Code section 66907.7(d)
- project inspection, evaluation, reporting and monitoring (including compliance monitoring)
- other relevant costs approved by Conservancy staff

#### *Acquisition Grants*

- acquisition of land or interests in land up to the current fair market value of the interest(s) being acquired
- pre-acquisition costs
- escrow, title, and other closing costs
- project administration
- other relevant transactional costs requested in the grant application and approved by Conservancy staff
- **Appendix I** contains model deed language

#### *Monitoring Grants*

- monitoring equipment purchase, calibration, installation and removal
- laboratory tests and analysis
- collection and retrieval of monitoring data
- data analysis and evaluation
- preparation of monitoring reports

Ineligible activities and expenses include, but are not limited to:

- all costs incurred before grant award
- all costs related to the preparation and submittal of the grant application
- staff time to oversee contracted project management services
- staff time beyond administration of grant products and requirements
- food, refreshments and decorations
- marketing materials
- membership fees and associated costs for attendance at conferences
- travel not expressly identified in the grant budget
- ongoing project site operations and maintenance
- disallowance of per diem expenditures or at levels above State-authorized per diem amounts. Current rates are available on line in chapter 700 (Travel) of the *California State Administration Manual*
- funding for a purchase price above the appraised fair market value
- equipment that will be used for purposes that are unrelated to the project
- costs that are not substantially related to the project



## 4. CONSERVANCY EVALUATION CRITERIA

Grant applications will be evaluated on the following criteria:

- **Project Benefits.** Applicants must demonstrate that the project would provide multiple benefits within or across Focus Areas, and provide clear, reportable measures of progress that are consistent with or supplement the EIP performance measures. See **Appendix H**, Performance Measures.
- **State and Regional Priorities.** Applicants must demonstrate how the project is consistent with State priorities, including implementation of the *California Water Action Plan*, *Safeguarding California Plan*, *California Wildfire Action Plan*, and/or other state-wide planning documents. Projects should connect state priorities, policies, or programs with regional and/or local planning efforts and priorities. See **Appendix A**, State of California Planning Priorities.
- **Cost-effectiveness.** Priority will be given to projects that leverage other sources of federal, state, local or private funds.
- **Feasibility.** Implementation projects should have secured funding from other sources, gained access to the site, and largely completed environmental documents and regulatory approvals.
- **Organizational Capacity:** Applicants must demonstrate relevant expertise and capacity to complete the project on time and within budget, and to evaluate the results.
- **Innovation.** Special consideration will be given to projects that employ new or innovative technology or practices.
- **Public and Stakeholder Support.** Projects with strong interagency, community, and stakeholder support are more likely to be funded.
- **Disadvantaged Communities.** Projects serving disadvantaged communities, which may include areas of the City of South Lake Tahoe and Kings Beach, will be more competitive.

Conservancy staff may consult with other agencies and organizations with expertise to help evaluate proposals. In some cases, applicants may be asked to further refine their proposal or provide supplemental information.

## 5. GRANT ADMINISTRATION REQUIREMENTS

### General

Grants awarded by the Conservancy are administered in accordance with the terms and conditions of the Conservancy's Board authorization, staff recommendation, grant agreement, and State requirements. Information on requirements pertaining to allowable costs, financial reporting and accounting may be found under the following:

- *State of California State Administrative Manual* section 700 Travel, section 900 Grants, and section 1600 Records Management
- Title 49, Code of Federal Regulations (CFR) Part 18, *Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments*.
- Title 49 CFR part 19, *Uniform Administrative Requirements for Grants and Cooperative Agreements with Institutions of Higher Education, Hospitals, and Other Non-Profit Organizations*.

- Procurement and acquisition for executive branch agencies governed by the Federal Acquisition Regulations (FAR).

Applicants for Conservancy grants may also be subject to additional federal and State requirements (i.e. State Public Contract and Labor Code). These requirements may extend to any assignees, contractors, subcontractors, or any other individuals or firms retained by the grant recipient to provide deliverables.

Grantees should be familiar with and maintain financial operations, records, systems, and procedures, and maintain sufficient documentation to support their expenses.

## **Payment of Funds**

Once the grant agreement is fully executed, Conservancy grants are generally reimbursed in arrears upon the submittal of invoices monthly or quarterly, although advance requests for a percentage of the grant amount may be approved in certain instances. All reimbursement requests must be supported by appropriate invoices, purchase orders, canceled warrants/checks, payroll documents and other approved documents. Only actual and direct project-related costs incurred during the approved term of the grant agreement and as specified in the grant agreement budget are eligible for reimbursement.

Disbursements of grant funds are made incrementally, as each element of the project is satisfactorily completed. The Conservancy will retain ten percent (10%) of the total grant amount to ensure satisfactory completion of the Project. Acquisition Grants are not subject to the ten percent retention. Recipients of acquisition grants may request that land acquisition costs be paid directly to the escrow holder. All other expenses will be paid as a reimbursement upon the submittal of invoices.

## **Reports**

Grantees must submit progress reports semi-annually, in April and October, and a final report when the project is completed. If the grantee bills more frequently, progress reports must be submitted with reimbursement requests.

All reports should be consistent with the forms found in **Appendix J**.

## **Site Visits**

The Conservancy may conduct periodic site visits, including a final inspection, to determine if the work performed is in accordance with the terms of the grant agreement.

## **Final Payment**

Grantees must submit their final invoice to the Conservancy by the deadline identified in the grant agreement. This will provide adequate time for the Conservancy to review the final invoice for completeness, conduct the final inspection, if necessary, verify that the project was completed in accordance with the grant agreement, and process the final payment (including retention).



## **Accounting and Audits**

The Conservancy or their duly authorized representatives have the right of timely and unrestricted access to any books, documents, papers, or other records of recipients that are pertinent to awards, in order to make audits, examinations, excerpts, transcripts, and copies of such documents. An audit may be performed before or after final payment.

## **State and Federal Certifications and Assurances**

Grantees may be subject to State of California and Federal funding certifications and assurances when receiving grant awards from the Conservancy. A grantee's contracts must contain provisions concerning the appropriate certifications and assurances. For additional details on requirements for compliance see **Appendix B**, Funding Source Fact Sheets.

## APPENDIX A

### STATE PRIORITIES

**The following table summarizes the major state environmental and land use planning priorities and key documents related to implementation of the Tahoe EIP. It is not all-inclusive. Conservancy staff will work with applicants to cite other state planning documents that are relevant to their projects, if necessary.**

State Priority	Summary Description	Source
Water Resources	<p>The California Water Action Plan includes the following priorities related to the Tahoe Basin:</p> <ul style="list-style-type: none"> <li> <b>Continue Restoration Efforts in the Tahoe Basin</b>  California, in partnership with state of Nevada and the federal government, will continue its efforts to protect the beautiful and unique waters of Lake Tahoe. California's restoration efforts include, among other things, support of the Tahoe Regional Planning Agency's Regional Plan Update and support for projects contained in the Region's Environmental Improvement Program. </li> <li> <b>Restore Key Mountain Meadow Habitat</b>  The Department of Fish and Wildlife, in coordination with other state resource agencies, will restore 10,000 acres of mountain meadow habitat in strategic locations in the Sierra Nevada and Cascade mountain ranges, which can increase groundwater storage and provide habitat for more than 100 native species, many of which are at risk as threatened or endangered. </li> </ul>	2014 California Water Action Plan
Conservation	<p>The CA Department of Fish and Wildlife's State Wildlife Action Plan (SWAP) is the conservation blueprint for the State of California. The SWAP examines the health of wildlife and prescribes actions to conserve wildlife and vital habitat before they become rarer and more costly to protect. The plan also promotes wildlife conservation while furthering responsible development and addressing the needs of a growing human population. DFW is now preparing a SWAP 2015 Update.</p>	State Wildlife Action Plan
Land Use Planning	<p>The state planning priorities are:</p> <ul style="list-style-type: none"> <li>To promote infill development and equity by rehabilitating, maintaining, and improving existing infrastructure that supports infill development and appropriate reuse and redevelopment of previously developed, underutilized land that is presently served by transit, streets, water, sewer, and other essential services, particularly in underserved areas, and preserving cultural and historic resources.</li> <li>To protect environmental and agricultural resources by protecting, preserving, and enhancing the state's most valuable natural resources, including working landscapes such as farm, range, and forest lands, natural lands such as wetlands, watersheds, wildlife habitats, and other wildlands, recreation lands such as parks, trails, greenbelts, and other open space, and landscapes with locally unique features and areas identified by the state as deserving special protection.</li> </ul>	California Government Code 65041.1

Land Use Planning (continued)	<ul style="list-style-type: none"> <li>To encourage efficient development patterns by ensuring that any infrastructure associated with development, other than infill development, supports new development that does all of the following: <ul style="list-style-type: none"> <li>Uses land efficiently.</li> <li>Is built adjacent to existing developed areas to the extent consistent with the priorities specified pursuant to subdivision (B).</li> <li>Is located in an area appropriately planned for growth.</li> <li>Is served by adequate transportation and other essential utilities and services.</li> <li>Minimizes ongoing costs to taxpayers</li> </ul> </li> </ul>	
Sustainable Communities	Under SB375, California's Regional Planning Agencies are required to develop and adopt Sustainable Communities Strategies to integrate land use, transportation, and housing, and to reduce greenhouse gas emissions. Tahoe's Sustainable Communities Strategy (SCS) is a key element of the Regional Transportation Plan (RTP) and Regional Plan.	California Government Code 65080(b)(2) and 65080(b)(2)(C)(ii) Tahoe SCS
Climate Change	<ul style="list-style-type: none"> <li><b>AB 32 Scoping Plan</b> Assembly Bill 32 (AB32) required the California Air Resources Board (ARB or Board) to develop a Scoping Plan that describes the approach California will take to reduce greenhouse gases (GHG) to achieve the goal of reducing emissions to 1990 levels by 2020. The Scoping Plan was first considered by the Board in 2008 and must be updated every five years. The Board approved the First Update to the Climate Change Scoping Plan on May 22, 2014.</li> <li><b>Safeguarding California Plan</b> The 2014 update of the Safeguarding California Plan summarizes climate change impacts and recommends adaptation strategies across seven sectors: Public Health; Biodiversity and Habitat; Oceans and Coastal Resources; Water; Agriculture; Forestry; and Transportation and Energy.</li> </ul>	AB 32 Scoping Plan; Safeguarding California Plan

**APPENDIX B**  
**FUNDING FACT SHEETS**

Habitat Conservation Fund  
Lake Tahoe Science and Improvement Account  
Lake Tahoe Conservancy Account  
    Proposition 1  
    Proposition 12  
    Proposition 40  
    Proposition 50  
    Proposition 84

## **Habitat Conservation Fund**

The Habitat Conservation Fund was established by voter approval of the Proposition 117 initiative statute on the June 1990 ballot. Among its provisions:

- Under Fish and Game Code Section 2787(d), the Tahoe Conservancy is allocated \$500,000 annually through the 2019-20 fiscal year.
- Under Fish and Game Code Section 2786, these funds can be used for:
  - *“The acquisition of habitat...necessary to protect deer and mountain lions.*
  - *The acquisition of habitat to protect rare, endangered, threatened, or fully protected species.*
  - *The acquisition, enhancement, or restoration of wetlands*
  - *The acquisition, restoration or enhancement of aquatic habitat for spawning and rearing or anadromous salmonids and trout resources.*
  - *The acquisition, restoration, or enhancement of riparian habitat.”*

## **Lake Tahoe Science and Lake Improvement Account**

Among other things, the passage of SB 630 in 2013 established the Lake Tahoe Science and Lake Improvement Account (LTSLIA). Pursuant to Public Resources Code Section 6217.6, all State Lands Commission rental income from surface uses of its lands at Lake Tahoe are deposited into the fund. The Tahoe Conservancy may be appropriated moneys from LTSLIA.

- Pursuant to Public Resources Code Section 6717.6.1(c), the purposes for which these funds can be used include:
  - The costs associated with establishing the bistate science-based advisory council.
  - Near-shore environmental improvement program activities and projects that include, but are not limited to, all of the following:
    - Near-shore aquatic invasive species projects and projects to improve public access to sovereign land in Lake Tahoe, including planning and site improvement or reconstruction projects on public land, and land acquisitions from willing sellers, subject to the clause below.
    - Near-shore aquatic invasive species projects and projects to improve public access to sovereign land in Lake Tahoe may be funded only if matching funds for this purpose are provided by the California Tahoe Conservancy or by another public entity. The Conservancy shall coordinate the selection of projects to be funded through a collaborative process that includes the participation of other public agencies, nonprofit organizations, and private landowners, including those person or organizations that pay the rental income.

## **Lake Tahoe Conservancy Account**

The Lake Tahoe license plate program was created through the passage of SB 648 in 1993.

Among its provisions:

- Pursuant to Vehicle Code Section 5075, proceeds from the program are deposited into the Lake Tahoe Conservancy Account and allocated to the Tahoe Conservancy.
- Vehicle Code Section 5075 (c) further provides that these funds can be used for:
  - “Preservation and restoration projects in the Lake Tahoe area.
  - Establishing and improving trails, pathways, and public access for nonmotorized traffic in that area.”

Except as provided in paragraph (5) of subdivision (b) of the statute, and after deducting its administrative costs under this section, the department shall deposit the additional revenue derived from the issuance, renewal, transfer, and substitution of special environmental design license plates in the Lake Tahoe Conservancy Account, which is hereby created in the California Environmental License Plate Fund. Upon appropriation by the Legislature, the money in the account shall be allocated by the Controller to the California Tahoe Conservancy or its successor for expenditure for the exclusive trust purposes of preservation and restoration projects in the Lake Tahoe area and for the purpose of establishing and improving trails, pathways, and public access for nonmotorized traffic in that area. (2433)

The California Environmental License Plate Fund (environmental fund) was established under Public Resources Code section 21191 to support the California Environmental Protection Program. This code section requires all funds be used only to support identifiable projects and programs which have a clearly defined benefit and purposes. To carry out the program, funds are available to various state agencies, local governments, the University of California, private nonprofit environmental and land acquisition organizations, and private research organizations.

### **Administrative Provisions and Requirements:**

To be determined.

## Proposition 1

The voters approved Proposition 1, the Water Quality, Supply, and Infrastructure Improvement Bond Act of 2014, on the November 2014 ballot. Among its provisions:

- Under Section 79731(b), \$15 million is allocated to the Tahoe Conservancy,
- Under Section 79736, \$475 million is allocated to various obligations of the State of California, including the Tahoe Regional Planning Compact, pursuant to Title 7.42 of the Government Code, the Conservancy's enabling legislation.
- Section 79731 further specifies that these funds are intended for *“multibenefit water quality, water supply, and watershed protection and restoration projects.”*
- Pursuant to Section 79732, projects funded from the Tahoe Conservancy's allocation should promote one or more of the following purposes:
  - *“Protect and increase the economic benefits arising from healthy watersheds, fishery resources, and instream flow.*
  - *Implement watershed adaptation projects in order to reduce the impacts of climate change on California's communities and ecosystems.*
  - *Protect and restore aquatic, wetland, and migratory bird ecosystems, including fish and wildlife corridors and the acquisition of water rights for instream flow.*
  - *Remove barriers to fish passage.*
  - *Implement fuel treatment projects to reduce wildfire risks, protect watersheds tributary to water storage facilities, and promote watershed health.*
  - *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.*
  - *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.*
  - *Assist in the recovery of endangered, threatened, or migratory bird 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.”*
- Pursuant to Section 79707,
  - Priority will be given to projects that leverage private, federal, or local funding or produce the greatest public benefit.
  - Special consideration will be given to projects that employ new or innovative technology or practices.
  - Evaluation of projects considered for funding will include review by professionals in the fields relevant to the proposed project.
  - Projects funded will promote state planning priorities and sustainable communities strategies to the extent feasible.

### Administrative Provisions and Requirements:

**Monitoring:** Water quality monitoring data shall be collected and reported to the state board in a manner that is compatible and consistent with surface water monitoring data systems or groundwater monitoring data systems administered by the state board. Watershed monitoring data shall be collected and reported to the Department of Conservation in a manner that is compatible and consistent with the statewide watershed program administered by the Department of Conservation.



**Signage:** Sign guidelines require a specific sign or signs at the project site identifying that the project received funds from the Water Quality, Supply, and Infrastructure Improvement Act of 2014.”

## Proposition 12

The voters approved Proposition 12, the Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Act of 2000, on the March 2000 ballot. Among its provisions:

- Under Public Resources Code Section 5096.310(n), a total of \$50 million is allocated to the Tahoe Conservancy.
- Under Public Resources Code Section 5096.351(b), the funds can be used for:
  - *"expenditure for the development, restoration, acquisition from a willing seller, and enhancement of real property, by the California Tahoe Conservancy within the Lake Tahoe region pursuant to Title 7.42 (commencing with Section 66905) of the Government Code for the following purposes:*
    - *(1) Protecting the natural environment through preservation of environmentally sensitive lands, soil erosion control, restoration or enhancement of watershed lands, and restoration or enhancement of streams and other natural areas.*
    - *(2) Providing public access and public recreation opportunities.*
    - *(3) Enhancing and restoring wildlife areas."*

### Administrative Provisions and Requirements:

The Conservancy must annually report to the Legislature and the Department of Finance regarding progress of Proposition 12 expenditures. Based on these reports, the Department of Finance must audit and report on the expenditure of these funds. Accordingly, the Conservancy and individual grantees receiving Proposition 12 funds may be subject to annual audits. The Conservancy requires grantees to maintain, for three years following final payment, satisfactory financial accounts, documents, and records relating to the projects and make them available for audit.

Grantees must establish separate accounting records for each project (including receipt date, deposit, and disbursement) and maintain their records sufficient to reflect properly the amount and disposition of all project funds, including State funds, interest earned, and any matching funds.

Bond proceeds fund "Actual Costs" incurred in connection with administering programs (PRC § 5096.367.5).

**Signage:** Sign guidelines require a specific sign or signs at the project site identifying the Proposition 12 funding, containing the Proposition 12 logo. Project Signs must be in place for a lengthy period of time, preferably for a minimum of two years for all projects and four years for projects over \$750,000. The cost of the sign(s) is an eligible project cost.

## Proposition 40

The voters approved Proposition 40, the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Bond Act of 2002, on the March 2002 ballot. Among its provisions:

- Under Public Resources Code Section 5096.650(b)(2), a total of \$40 million is allocated to the Tahoe Conservancy.
- Under Public Resources Code Section 5096.650(b), the funds can be used for:
  - *“acquisition, development, rehabilitation, restoration, and protection of land and water **resources**.”*

### Administrative Provisions and Requirements:

Grantees must prepare and submit an on-line catalog entry form to the California Environmental Information Catalog for information products and reports relating to California's natural environment for projects that have been designed with proposition funds. Of particular interest are those products that characterize site-specific conditions with regard to vegetation, wildlife populations, species occurrences, and other measures of biological diversity, environmental and ecological condition. The Conservancy shall determine whether, for public policy reasons, a catalog description of any information product or report should be withheld from disclosure in the California Environmental Information Catalog.

The Conservancy must annually report to the Legislature and the Department of Finance regarding progress of Proposition 40 expenditures. Based on these reports, the Department of Finance must audit and report on the expenditure of these funds. Accordingly, the Conservancy and individual grantees receiving Proposition 40 funds may be subject to annual audits. The Conservancy requires grantees to maintain, for three years following final payment, satisfactory financial accounts, documents, and records relating to the projects and make them available for audit.

Grantees must establish separate accounting records for each project (including receipt date, deposit, and disbursement) and maintain their records sufficient to reflect properly the amount and disposition of all project funds, including State funds, interest earned, and any matching funds.

**Signage:** The sign guidelines require a specific sign or signs at the project site identifying the Proposition 40 funding. They also require that the sign(s) contain a specific Proposition 40 logo.

## Proposition 50

The voters approved Proposition 50, the Water Security, Clean Drinking Water, Coastal and Beach Protection Bond Act of 2002, on the November 2002 ballot. Among its provisions:

- Under Water Code Section 79542, a total of \$40 million is allocated to the Tahoe Conservancy.
- Water Code Section 79542 further provides that the funds can be used for:
  - *“acquisition from willing sellers, restoration, and protection of land and water resources to improve water quality in Lake Tahoe.”*

### Administrative Provisions and Requirements:

Grantees shall prepare and submit an on-line catalog entry form to the California Environmental Information Catalog for information products and reports relating to California's natural environment for projects that have been designed with proposition funds. Of particular interest are those products that characterize site-specific conditions with regard to vegetation, wildlife populations, species occurrences, and other measures of biological diversity, environmental and ecological condition. The Conservancy shall determine whether, for public policy reasons, a catalog description of any information product or report should be withheld from disclosure in the California Environmental Information Catalog.

**Signage:** The sign guidelines require a specific sign or signs at the project site identifying the proposition funding received for the project. They also require that the sign(s) contain a logo specific to the proposition.

**Labor Code Compliance:** The body awarding any contract for a public works project financed in any part with funds made available by the Water Security, Clean Drinking Water, Coastal and Beach Protection Act of 2002 (Division 26.5 (commencing with Section § 79500) of the Water Code) shall adopt and enforce, or contract with a third party to adopt and enforce, a labor compliance program pursuant to subdivision (b) of Section § 1771.5 for application to that public works project. For the purposes of this section, a labor compliance program shall include, but not be limited to, the following requirements: All bid invitations and public works contracts shall contain appropriate language concerning the requirements of this chapter. A pre-job conference shall be conducted with the contractor and subcontractors to discuss federal and state labor law requirements, applicable to the contract. Project contractors and subcontractors shall maintain and furnish, at a designated time, a certified copy of each weekly payroll containing a statement of compliance signed under penalty of perjury. The awarding body shall review, and, if appropriate, audit payroll records to verify compliance with this chapter. The awarding body shall withhold contract payments when payroll records are delinquent or inadequate. The awarding body shall withhold contract payments equal to the amount of underpayment and applicable penalties when, after investigation, it is established that underpayment has occurred.

**Multi-benefit:** All prospective grantees must submit grants that have multiple benefits. Projects submitted for funding which have well developed and integrated cross focus area benefits shall receive funding preference. Therefore, grantees are encouraged, where feasible, to develop project designs which integrate enhancements to resources such as water quality, wildlife habitat, forest and riparian habitat, and/or public access and recreation. Where appropriate and feasible, programs shall support projects that improve local and regional water supply reliability.

For projects that affect water quality, preference shall be given to funding projects that contribute expeditiously and measurably to the long-term attainment and maintenance of Lake Tahoe water quality standards and that eliminate or significantly reduce pollution into impaired waters and sensitive habitat areas, including areas of special biological significance.

**Monitoring:** To the extent applicable and feasible, projects that affect water quality shall include a monitoring component that allows the integration of data into statewide monitoring efforts, including, but not limited to, the surface water ambient monitoring program carried out by the State Water Resources Control Board (SWRCB). Grantees shall comply with all the applicable requirements specified under this provision of SWRCB surface water ambient monitoring program. Grantees are also encouraged to coordinate with their local SWRCB regional offices, and appropriate SWRCB personnel, when addressing all applicable surface water ambient monitoring program requirements.

To the extent applicable and feasible, projects that affect groundwater shall include groundwater monitoring requirements consistent with the Groundwater Quality Monitoring Act of 2001 (Part 2.76 ) commencing with Section § 10780 of Division 6 of Water Resources Control Board. Grantees shall comply with all applicable requirements specified under this provision of the Groundwater Quality Monitoring Act of 2001. Grantees are also encouraged to coordinate with their local SWRCB regional offices, and appropriate SWRCB personnel, when addressing all applicable groundwater monitoring requirements as specified in the Groundwater Quality Monitoring Act of 2001.

**Disadvantaged Communities:** Where appropriate and feasible, preference shall be given to funding safe drinking water and water quality projects that serve disadvantaged communities. Applicants are encouraged to submit data showing whether or not a specific project serves disadvantaged communities. A disadvantaged community, as defined pursuant to the bond act, means a community with an annual median household income that is less than 80% of the statewide annual median household income.

## Proposition 84

The voters approved Proposition 84, the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006, on the November 2006 ballot. Among its provisions:

- Under Public Resources Code Section 75050(k), a total of \$36 million is allocated to the Tahoe Conservancy.
- Public Resources Code Section 75050(k) further provides that these funds can be used for:
  - *“the protection and restoration of rivers, lakes and streams, their watersheds and associated land, water, and other natural resources.”*

### Administrative Provisions and Requirements:

**Labor Code Compliance:** Proposition 84 required every project to comply with the section of the Labor Code that requires a Labor Compliance Program (LCP), authorized by the Department of Industrial Relations (DIR). (Section 75075)

**Signage:** Sign guidelines require a specific sign or signs at the project site identifying the Proposition 84 funding, containing the Proposition 84 logo. The cost of the sign(s) is an eligible project cost.

**Native American Consultation:** California Native American Tribe Notification is a requirement for projects funded with Proposition 84 funds. PRC §75102 states: *“Before the adoption of a negative declaration or environmental impact report required under Section 75070, 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.”*

The notification process may include the following steps:

1. Determine if the proposed project is a project under CEQA.
2. If the project will use a negative declaration or an EIR to comply with CEQA and the CEQA document was not adopted by March 1, 2009, tribal notification is required prior to adoption of the CEQA document.
3. To determine which tribes may have traditional lands located within the project area, send a request to the Native American Heritage Commission (NAHC) using the NAHC request form which can be found at the following link:  
[http://www.nahc.ca.gov/consult\\_request.html](http://www.nahc.ca.gov/consult_request.html). Expect a reply within 30 days.
4. Once tribal information from NAHC is received, notify tribes of the project nature and project location.
5. Allow tribes 90 days to reply to the notification.
6. Solicit input from tribes that respond to the notification.
7. Consider tribal input to the project prior to adoption of a negative declaration or EIR.

The above notification process follows OPR’s procedures for tribal consultation for General Plans and Specific Plans. Further information on tribal consultation can be found at the following link:

[http://www.opr.ca.gov/s\\_localandtribalintergovernmentalconsultation.php](http://www.opr.ca.gov/s_localandtribalintergovernmentalconsultation.php)

Contact information for the NAHC is as follows:  
Native American Heritage Commission 915 Capitol Mall, Room 364  
Sacramento, CA 95814 Phone: 916-653-4082  
Fax: 916-657-5390 <http://www.nahc.ca.gov>

## **APPENDIX C**

### **FOCUS AREA-SPECIFIC GUIDANCE**

#### **STORMWATER QUALITY FOCUS AREA:**

##### **Preferred Design Approach (PDA)**

The Preferred Design Approach emphasizes project elements that prevent the mobilization of fine sediment and nutrients by erosion (source control), and that reduce the volume of runoff reaching natural surface waters (hydrologic design considerations). Source control measures and hydrologic design considerations, primarily infiltration, are the most cost-effective and efficient means to improve water quality. These two elements should be considered together, not separately, when looking for opportunities. Water quality treatment measures to remove pollutants from runoff are to be considered only after source control and hydrologic design.

In cases where applicants find it difficult to apply a specific portion of the PDA to a project or element of a project, the applicant should consult with Conservancy and other agency staff on specific barriers to implementation of the PDA. If project designs are not based on the PDA, grantees will be required to explain the specific barriers to the application of the PDA and provide documentation to support how the proposed alternative approach meets program objectives (e.g., maximizes water quality benefit).

The Conservancy recognizes that this approach must be applied within the context of professional engineering practices to avoid impacts on public health and safety and damage to public and private property. It also recognizes that there are legal and regulatory limitations to the application of these principles, such as applicable drainage law.

Specific elements of the Preferred Design Approach are:

##### Source Control

1. Place higher priority on source controls than on treatment. Source controls are measures that prevent the mobilization of Fine Sediment Particles (FSP). Treatment facilities remove pollutants from stormwater runoff.
2. Emphasize reduction in bare, erodible surfaces (e.g., steep cut slopes, dirt roads) and impervious area.
3. Emphasize stabilization of gullies, unstable channels, and other sources that contribute especially high sediment loads.
4. Maximize self-sustaining source control methods, such as revegetation with native plants, pine needle mulching, and adding soil amendments such as mycorrhizal inoculum to soils when appropriate.

##### Hydrologic Design

1. Maintain or create distributed flow patterns (e.g., flows which discharge from the right-of-way frequently, or from shoulders by unconcentrated "sheet flow") and avoid concentration or increases of flows where feasible.
2. Maximize infiltration of runoff from impervious surfaces. In some cases this can be accomplished by techniques described in number 5 above or also by the construction of leach fields, dry wells, or detention basins, for example.



3. Keep runoff from non-urban areas separate from urban runoff until urban runoff is treated. Treatment efficiency is much greater when flow volumes are smaller.
4. Keep treated urban runoff separate from untreated urban runoff to avoid resuspension of sediments and decreased treatment efficiency in downstream facilities.
5. Apply geomorphologic principles to natural channel design and mimic natural processes when stabilizing, restoring, or recreating natural drainage channels. For example, channels with floodplains tend to be more stable than those without. Channels with steps and pools are a frequent natural stream form and have better habitat values than those with continuous slopes. Avoid adding to or decreasing natural stream flows or changing watershed boundaries.

#### Treatment

1. Emphasize removal of fine sediments and phosphorous. For the purposes of the PDA, fine sediment is considered to be those particles less than 16 microns. Examples of improvements that are likely to achieve this objective are properly-sized, flat or gently-sloping, well-vegetated, detention areas (meadow-like areas).
2. Use natural treatment systems, such as meadows, where feasible. Because of the critical importance of wetland plants in removing pollutants from runoff, projects located in Stream Environment Zones (SEZ) should generally preserve the existing vegetation and function of the SEZs to the maximum extent practicable.

**APPENDIX D**  
**CONCEPTUAL PROPOSAL SUBMITTAL FORM**

**Project Name** \_\_\_\_\_

Project Location: \_\_\_\_\_

Applicant \_\_\_\_\_

Contact Person: \_\_\_\_\_

Title: \_\_\_\_\_

Address: \_\_\_\_\_

Phone Number: \_\_\_\_\_ Fax Number: \_\_\_\_\_

Email Address: \_\_\_\_\_

Type of Grant requested: (Check One)

\_\_\_\_\_ Planning \_\_\_\_\_ Implementation \_\_\_\_\_ Acquisition \_\_\_\_\_ Monitoring

Primary Focus Area: (Check one)

\_\_\_\_\_ Stormwater Quality \_\_\_\_\_ Ecosystem & Watershed Management

\_\_\_\_\_ Aquatic Invasive Species \_\_\_\_\_ Forest Improvement

\_\_\_\_\_ Sustainable Communities \_\_\_\_\_ Recreation & Public Access

Grant Amount Requested: \_\_\_\_\_

Project Start Date: \_\_\_\_\_ Completion Date: \_\_\_\_\_

EIP Reporting current: \_\_\_\_\_ Yes \_\_\_\_\_ No If no, when will it be brought current?

Project Description: (Maximum 3000 characters, including spaces)

Project objectives and performance measures to be achieved: (Maximum 3000 characters, including spaces)

Describe multi-benefits, including other focus areas, to be achieved by project: (Maximum 3000 characters, including spaces)

Describe how the project meets state priorities and why it is a high-priority: (Maximum 3000 characters, including spaces)

Describe how grant funding will be used and other funding leveraged: (Maximum 3000 characters, including spaces)

Current Project status: (Maximum 1500 characters, including spaces)

## APPENDIX E

### CALIFORNIA TAHOE CONSERVANCY FULL GRANT APPLICATION FORM

Refer to Conservancy Grant Guidelines and its Evaluation Criteria when completing this application. Be concise; do not attach additional pages when the application indicates that character limits apply.

**Project Name:**

\_\_\_\_\_

\_\_\_\_\_ Planning Grant Application  
\_\_\_\_\_ Implementation Grant Application  
\_\_\_\_\_ Acquisition Grant Application  
\_\_\_\_\_ Monitoring Grant Application  
\_\_\_\_\_ Grant Augmentation Request, CTA # \_\_\_\_\_

**Contact Information:**

Applicant's Name (Organization): \_\_\_\_\_

Mailing Address: \_\_\_\_\_

\_\_\_\_\_

Authorized Representative (indicate whether staff or contractor):

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

Other key personnel who may represent the application, list name and contact:

\_\_\_\_\_

**Project Description.** (Include primary Focus Area and the primary benefits within or across Focus Areas; describe Project's use of new or innovative technology or practices.)

**Project Schedule.** (Indicate completion dates for major project milestones/work products and project completion date. Describe organization's capacity to deliver project within the schedule and budget.)

**Project Budget.** (Support the amount of funding requested based upon estimates of eligible costs; identify the current status of the project, other funding sources, and major remaining project elements and tasks.)

**Does this budget request include a project administration and/or contingency amount of more than 10% of the total grant request? If so, provide a justification of the special circumstances that warrant consideration of the proposed amount.**

**Describe Project's Consistency with State, Regional, and Local Plans and Priorities.**

**Describe Project's Consistency with Focus Area Priorities and Guiding Documents.**

**Describe Project's Goals and Outcomes; include Performance Measures (Appendix H).**

**List Project's Funding Partners.** (Include all funding sources that have been secured, applied for, or that are being considered, including application deadlines. Include in-kind assistance to be provided by the applicant.)

**Describe Public, Stakeholder, and Agency Support.** (Role of Environmental Improvement Program workgroup, support of stakeholders; also indicate public involvement to date and anticipated, and summarize public response to the project.)

**Project's Proposed Cost Saving Measures.** (Also, indicate whether and how the California Conservation Corps will be used.)

**Environmental Documentation Status, if applicable.**

\_\_\_\_\_ Complete

\_\_\_\_\_ Not complete; provide explanation:

**Land Tenure, if applicable.**

\_\_\_\_\_ Not applicable (such as, Acquisition Grant)

\_\_\_\_\_ Applicant owns site

\_\_\_\_\_ Land is not owned by applicant.

If the applicant does not own the project site but has site control to support their Project activity, describe and attach documentation. "Adequate control" includes a lease, special use permit, easement, joint powers agreement, or other suitable interest in the property (lasting at least for the duration of the grant operation and maintenance obligation).

If site control has not been obtained, describe the plan to obtain site control and how the project would be affected if it is not obtained.

Describe any plans to locate the project on or adjacent to Conservancy land, and how that land might be affected.

**Climate Change, if applicable.** Describe how the project uses best practices to reduce greenhouse gas emissions or improve resiliency to the effects of climate change.

**Governing Body Approval.** Submit a resolution by the governing body or administrator of the project sponsor confirming its commitment to the project and to operate and maintain the project for a minimum of 20 years following the completion of construction.

\_\_\_\_\_ Attached

\_\_\_\_\_ In progress. Expected on: \_\_\_\_\_

**Additional Requirements Specific to Acquisition Grants:**

- Application must include an Acquisition Information Form (Appendix G) for each parcel requested.
- Attach completed environmental documentation that addresses the acquisition.

**Additional Requirements Specific to Implementation Grants:**

- Grant Request Budget should be based upon an engineer's estimate, if possible.
- Attach completed environmental documentation that encompass all aspects of the work to be performed.
- Provide monitoring and evaluation plan describing how the effectiveness of the project will be assessed. Describe the data to be collected and evaluated. If applicable, describe how Project will comply with monitoring requirements applicable to the desired funding source (see Appendix B).

**ATTACHMENTS:**

**Location Map (required)**

**Project Map that also identifies any Conservancy land located within the Project Area (required)**

**Governing Body Resolution (required)**

**Support Letters (optional, no more than five)**

**Site Control Documentation (if applicable)**

**Implementation and Acquisition Grant Requests Only: Completed**

**Environmental Documentation**

**Acquisition Grants Only: Acquisition Information Form(s)**

*- Applicants may be asked to further refine their proposal or provide supplemental information -*

## APPENDIX F

### OPERATIONS AND MAINTENANCE PLAN

Project Name: \_\_\_\_\_

CTA #: \_\_\_\_\_

Date Submitted: \_\_\_\_\_

Submitted by (Name/Title): \_\_\_\_\_

The Conservancy requires recipients of implementation and acquisition grants to:

- Operate and maintain improvements for 20 years after the completion of construction. Should changes occur or be observed, grantees should provide the Conservancy with the changes to this plan and the justification for the need for the change for their review and approval.
- Hold and maintain real property interests in a manner consistent with the purpose of the acquisition into perpetuity.

#### **Instructions**

- Fill out a separate Operations and Maintenance Plan sheet for each major project element. Closely related project elements can be grouped on one sheet if O&M needs are very similar.
- Circle the type of project element(s) this O&M plan pertains to:
  - Facilities: structures, bathrooms, parking lots, plazas, tables, benches, etc.
  - Stormwater: storm drain pipes and inlets, channels, BMPs, basins, etc.
  - Infrastructure: electrical, potable water plumbing, irrigation, sewer, etc.
  - Restoration: revegetation, riparian stabilization, source control, etc.

#### **Operations:**

- Months, Days and Hours of Operation:
- Staffing levels during operation:
- Operated by: (ex. Agency department, concessionaire, volunteers, etc.)
- Special Programs to be offered:
- Estimated annual operations costs:
- Operations funded by: (Collected revenues, donations, general fund, etc.)

#### **Maintenance:**

- Maintenance inspections to be performed and frequency:
- Routine maintenance needs and triggers:
- Routine maintenance performed by: (ex. Agency Road Crew, California Conservation Corps, seasonal parks staff, etc.)
- Procedure for special repairs or maintenance needs:

- Estimated annual inspection and maintenance costs:
- Maintenance funded by: (ex. Road Fund, General Fund, Measure S, etc.)

**Reporting:**

Please advise the Conservancy of any regular reporting on the operations or maintenance that occurs or is expected to occur, i.e., TMDL reporting, annual report to Council or Board in (month), etc.

## **APPENDIX G**

### **ACQUISITION INFORMATION FORM**

This form shall be submitted with the Acquisition Grant application for purchase of land or an interest in land.

#### Nominal and Low-Value Acquisitions

Grantees may use an abbreviated and faster value determination process for nominal value (defined as \$2,500 or less) and low-value (\$2,501 to \$10,000) acquisitions. Grantees are eligible for this streamlined appraisal process when there is no serious question as to the highest and best use, when adequate market data is available to make an administrative determination of value, when substantial damages or benefits are not involved, and when there is no reason to believe hazardous materials/waste is present.

Grantees shall indicate in their request which acquisition they believe will be eligible for the streamlined valuation process. A final determination on which easements are eligible for this process will be made in consultation with Conservancy staff, who will continue to review and approve all valuation determinations as provided for in the standard grant agreement.

For nominal value acquisitions, title insurance is not required. However, a preliminary title report (PTR) is required for all acquisitions, including donations. In order to compensate for the lack of title insurance, an indemnification clause must be added to the purchase and sale agreement between the grantee and the seller. This clause must require the seller to indemnify the grantee against loss resulting from defects in the title in an amount sufficient to allow the project to be fully implemented.

Grantees may take title subject to a deed of trust or mortgage under the following conditions:

1. where a partial acquisition is a relatively small portion of a parcel, or of nominal value; and
2. the interest/easement is for improvements that are not essential to the overall functioning of the project, such as curb and gutter and pavement along the perimeter of a parcel. An indemnity clause will be required in the purchase agreement for loss resulting from defects in title.



**INFORMATION FORM FOR LAND ACQUISITION**  
(Use one form for each parcel)

Project Title: \_\_\_\_\_

1. Assessor's Parcel Number: \_\_\_\_\_
2. Parcel Street Address: \_\_\_\_\_
3. Owner's Name: \_\_\_\_\_
4. Owner's Mailing Address: \_\_\_\_\_  
\_\_\_\_\_
5. Subdivision Name: \_\_\_\_\_
6. IPES Score or Land Capability: \_\_\_\_\_
7. a. Assessed Value: Land \$ \_\_\_\_\_ Improvements \$ \_\_\_\_\_  
b. Approximate % of parcel needed: \_\_\_\_\_  
c. Current fair market value of portion of parcel needed: \_\_\_\_\_  
\_\_\_\_\_
- circle one: fee or easement
8. Existing improvements, if any: \_\_\_\_\_  
\_\_\_\_\_
9. Reason for acquisition: \_\_\_\_\_  
\_\_\_\_\_
10. a. Owner Contacts Made: \_\_\_\_\_  
b. Owner's Response (if the owner is willing but with conditions, list those conditions):  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
c. Alternatives to acquisition (such as permit or right-of-entry):  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
11. Attach annotated Assessor's Plat showing proposed acquisition and approximate location of project improvements that will affect the lot. If a creek or other drainage crosses the property, sketch its approximate location.

## APPENDIX H

### PERFORMANCE MEASURES BY FOCUS AREA

#### Stormwater Quality Focus Area:

- Fine sediment load reduction achieved
- Nitrogen load reduction achieved
- Phosphorous load reduction achieved
- Parcels with stormwater retrofits
- Miles of roads treated

#### Ecosystem and Watershed Management Focus Area:

- Linear feet of stream habitat restored or enhanced
- Impervious coverage retired
- Acres of SEZ restored or enhanced
- Acres of environmentally sensitive land acquired
- Acres of habitat protected
- Acres of habitat restored or enhanced
- Special status species sites protected or re-established
- Fish planted

#### Aquatic Invasive Species Focus Area:

- Acres of invasive species inventoried
- Acres treated for invasive species
- New invasive species location detected

#### Forest Improvement Focus Area:

- Acres treated for fuels reduction hazard
- Acres treated for forest health

#### Sustainable Communities Focus Area:

- Tons of Biomass Utilized
- Non-Compliant Wood Stoves Removed or Retrofitted
- Miles of Pedestrian and Bicycle Routes Improved or Constructed
- Pounds of Air Pollutants Removed or Avoided by Project
- Tons of Greenhouse Gases Reduced

#### Recreation and Public Access Focus Area:

- Miles of trails developed or improved
- Length of public shoreline added
- Educational and Interpretive programs produced
- Facilities improved or created
- People served

## APPENDIX I

### ACQUISITION MODEL DEED LANGUAGE

SUBJECT to a right of entry by the STATE OF CALIFORNIA ("State") in the event that any essential term or condition of that certain grant agreement for the acquisition of real property, No. \_\_\_\_\_ entered into between State, acting by and through the California Tahoe Conservancy and \_\_\_\_\_ (jurisdiction) on \_\_\_\_\_ (date), 20\_\_\_\_, is violated, or the property is ever used in a manner inconsistent with the provisions of the funding source (INSERT ACTUAL FUNDING SOURCE: EXAMPLE, Lake Tahoe Acquisitions Bond Act, Government Code Section 66950, et seq.). Exercise of said right of entry shall be by State's recordation of a notice of the default of \_\_\_\_\_ (jurisdiction) under said agreement, and shall have the effect of vesting full \_\_\_\_\_ (jurisdiction) title to the hereinabove described real property in State at the expiration of thirty (30) days from the recordation of said notice.

The right of entry created herein is subject to the provisions of California Civil Code Section 885.010 - 885.070, and shall be construed in accordance with said provisions (or successor statutes).

**APPENDIX J**  
**SAMPLE REPORTING FORMS**

**SEMI-ANNUAL REPORTING FORM**

Project Name: \_\_\_\_\_  
CTA#: \_\_\_\_\_  
Date Submitted: \_\_\_\_\_ Reporting Period: \_\_\_\_\_  
Prepared by: \_\_\_\_\_  
Invoice No. enclosed: \_\_\_\_\_

Summary of work completed during reporting period:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Discussion of any challenges or opportunities encountered:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Schedule Assessment:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Financial Analysis:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Draft products, reports, interim findings, or other relevant materials produced:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Production Summary Table:

Product	Scheduled delivery date	Actual delivery date	Amount expended this period	Total amt expended to date	Percent of total budget expended to date	Percent of task complete	Status

## FINAL REPORTING FORM

Project Name:

CTA#: \_\_\_\_\_

Date Submitted: \_\_\_\_\_

Prepared by: \_\_\_\_\_

Brief summary of the objectives of the project and how these objectives were accomplished:

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Findings, conclusions, or recommendations for follow-up or ongoing activities

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Project Financial Analysis (including other sources):

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Statement, if applicable, of future intent of public and/or private support to maintain or further develop the project, including proposed submittal dates for future funding;

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News articles and any other media coverage, as well as all promotional and educational materials produced:

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Workplan work products, including summaries of the public and agency meetings (preferably provided electronically):

## **IMPLEMENTATION GRANTS FINAL SUBMITTAL REQUIREMENTS**

Project Name:

CTA#: \_\_\_\_\_

Date Submitted: \_\_\_\_\_

Prepared by: \_\_\_\_\_

Recorded Notice of Completion:

As-Built or Record drawings:

First year and second year post construction monitoring reports. These reports include photographs (prints and slides) of the completed Project site(s), with labels or annotations showing dates of photographs and briefly describing the subject of each picture.

If applicable, water quality monitoring data collected to date and an analysis of the significance of this data in regard to the effectiveness of the site improvements in improving water quality.

## **MONITORING GRANTS FINAL SUBMITTAL REQUIREMENTS**

Project Name:

CTA#: \_\_\_\_\_

Date Submitted: \_\_\_\_\_

Prepared by: \_\_\_\_\_

Workplan work products, including summaries of the public and agency meetings (preferably provided electronically)

Reports should include data collected and obtained, maps and photographs of the areas studied, interpretation of the data relevant to the project goals and objectives, and recommendations for further study and utilization of the data and results.