

California Tahoe Conservancy
Agenda Item 10
April 30, 2015

CALIFORNIA TAHOE CONSERVANCY GRANT GUIDELINES UPDATE

Background. At the February 5, 2015 California Tahoe Conservancy (Conservancy) Board meeting, Conservancy staff presented draft consolidated Grant Guidelines as a discussion item. The draft proposed one set of Conservancy Grant Guidelines, utilizing the full range of available funding sources, including the recently voter approved Proposition 1, the *Water Quality, Supply, and Infrastructure Improvement Act of 2014*.

Today Conservancy staff will present for Board discussion a revised draft of Proposition 1-only grant guidelines and the associated grant application package. No Board action will be taken. These updated guidelines evolved from comments and guidance received from Conservancy Board members and staff, the Natural Resources Agency (the Agency), the California Conservation Corps (Corps), potential grantees, and other interested parties. The comment period for the draft guidelines ended on March 20, 2015. Three public workshops held in March 2015, one on North Shore, one on South Shore, and a workshop in Auburn simultaneously broadcast as a webinar, as well as several interagency working group meetings, provided additional forums for soliciting and receiving public comments.

Comments received focused on concerns and requests for clarification. Common themes include:

- Amount of funding available;
- Schedule for soliciting applications and award process;
- Fairness and equitability to all applicants and all projects in the evaluation process;
- Clarification on eligible grantees;
- Eligibility of specific benefits, efforts and projects;
- Evaluation and ranking criteria;
- Corps consultation and commitment;
- Grant administration flexibility;
- Match requirements; and
- Funding from multiple Conservancy sources for one project or effort.

Changes since February 5, 2015. The revised draft Conservancy Grant Guidelines now only apply to the funds directly provided to the Conservancy through Proposition 1 (California Water Code section 79731[b]). At this time, all existing program guidelines remain effective. Key changes include:

- Removal of the Recreation and Public Access Focus Area, as Proposition 1 funds multi-benefit ecosystem and watershed protection and restoration projects consistent with state priorities.
- Significant revisions to the evaluation and ranking process to decrease complexity, increase efficiency, and clarify evaluation criteria.
- Clarification of eligible public agency grantees consistent with Proposition 1, which narrows the range that would otherwise be allowed under the Conservancy's statute.

Next Steps. Conservancy staff will consider and incorporate the Board's comments from today's meeting and finalize Grant Guidelines for Proposition 1 and the grant application package. Consistent with the Agency's Proposition 1 Implementation Guidance, the Conservancy's Proposition 1 Grant Guidelines would then be submitted for Agency review and approval. Staff anticipates Board action on the Proposition 1 Grant Guidelines at the June 18, 2015 Board meeting.

Following Board approval, staff will submit the Proposition 1 Grant Guidelines to the Agency for posting on the bond accountability website and for transmittal to the fiscal committees and appropriate policy committees of the Legislature. After posting and notification, Conservancy staff will release the grant solicitation.

List of Attachments:

Attachment 1 – California Tahoe Conservancy Revised Draft Proposition 1 Grant Guidelines

Attachment 2 – California Tahoe Conservancy Draft Grant Application Package

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ATTACHMENT 1

CALIFORNIA TAHOE CONSERVANCY

Revised Draft Proposition 1 Grant Guidelines



April 2015

Grants funded by the *Water Quality, Supply, and Infrastructure Improvement Act of 2014*
Direct all inquiries, correspondence, and grant applications to:

California Tahoe Conservancy
1061 Third Street
South Lake Tahoe, CA 96150

(530) 542-5580 phone
(530) 542-5567 fax

www.tahoe.ca.gov
Link to [California Water Code](#)

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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 the Lake Tahoe Basin.

As the only state agency focused entirely on the Tahoe Basin, the Conservancy works collaboratively with its federal, state, local, and private partners at Lake Tahoe 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.

The Conservancy's Proposition 1 Grant Program

California voters approved Proposition 1, the Water Quality, Supply, and Infrastructure Improvement Bond Act of 2014, on the November 2014 ballot. The water bond allocates \$15 million directly to the Conservancy (California Water Code [CWC] section 79731[b]) for multi-benefit ecosystem and watershed protection and restoration projects consistent with the *California Water Action Plan* and other State priorities (**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), 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 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. The EIP partner agencies have adopted guiding documents that set goals and priorities for several interagency programs, established workgroups to coordinate implementation, and developed a comprehensive set of performance measures to track and evaluate progress. For more information about the EIP, visit: www.trpa.org.

The principal goal of the Conservancy Proposition 1 grant program is to support implementation of the EIP by providing funding for multi-benefit stormwater, watershed and ecosystem restoration, aquatic invasive species, forest health, and sustainable communities projects, as described in Section 2 below. These Grant Guidelines further describe project eligibility and criteria, the application submittal and review process, and other administrative requirements.

Grant Categories

The Conservancy awards Proposition 1 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 EIP projects that are likely to qualify for future implementation funding.

Implementation Grants. Implementation grants fund final design and implementation of EIP projects. They support high priority projects that have advanced to the stage where planning, land tenure, and engineering are largely completed.

Acquisition Grants. Acquisition grants fund the purchase of land and interests in land in support of 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 nonprofit purposes and conditions requirements in Government Code section 66907.7.

Monitoring Grants. Monitoring grants fund projects to assess the condition or usage of the Basin's natural 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).

Eligible Applicants

Eligible Applicants include:

- Public agencies, including cities, counties, special districts, joint powers authorities, state agencies or departments, or other political subdivisions of the State of California;
- Federally recognized Indian tribes; and
- Eligible nonprofit organizations, as defined in 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."

Federal agencies, public agencies in the State of Nevada, and the Tahoe Regional Planning Agency are not eligible applicants. However, eligible applicants in California may partner with these organizations in submitting proposals, and in limited circumstances, seek funding for the California share of basin-wide programs or projects.

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 certify that projects comply with CEQA when authorizing 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>.

Reporting/Performance Measures

All applications must provide project-specific performance measures that describe the goals of the project and expected outcomes that are consistent with or supplement the EIP performance measures (**Appendix B**). Grantees will be required to provide semi-annual progress reports and a final report when the project is completed, as described in the Application Package. Applicants should also consult with the Tahoe Regional Planning Agency (TRPA) on EIP reporting, tracking, and performance requirements.

2. FOCUS AREAS

The Conservancy will award grants for high-priority projects in the Focus Areas described in this section. Grant applicants are encouraged to demonstrate that their proposed projects are consistent with the appropriate guiding documents, and are coordinated through the relevant EIP workgroup, if applicable. Grants are available only for projects that provide multiple benefits within or across Focus Areas and provide benefits greater than those required 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, but are not limited to:

- Reducing or treating stormwater runoff from roads or other facilities;
- Capturing runoff in infiltration basins, rock-lined channels, or the like;
- Dispersing and returning runoff to historical flow patterns; and
- Other projects consistent with the EIP Stormwater Management Program.

Guiding Documents: Applicants should describe how the proposal is consistent with the TMDL, the Conservancy's *Preferred Design Approach* (**Appendix C**), or other guiding documents. Projects in the TMDL Urban Source category should be included in a current *Pollutant Load Reduction Plan* (PLRP) and 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.

Senate Bill 985, enacted in 2014, requires public agencies to have a stormwater resources plan or a functionally equivalent plan (e.g., an existing watershed management plan, integrated resource plan, urban water management plan, etc.) in place to be eligible for stormwater and dry weather runoff capture projects from any bond acts approved after January 1, 2014. The Conservancy is evaluating the potential impact of this requirement on grant applications in this Focus Area, and will provide additional guidance in the Final Guidelines.

Ecosystem and Watershed Management

Purpose: The Lake Tahoe Basin's watersheds and stream environment zones (SEZs) 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 and restore natural processes and functions of other key watersheds and habitats.

Example projects include, but are not limited to:

- Protection and restoration of key watersheds, wetlands, and floodplains;
- Restoration of habitat to support the recovery of endangered, threatened, or migratory species or species at risk to climate change;
- Improvements to wildlife corridor processes and instream flow;
- 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 the applicable watershed, such as 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 serious 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, but are not limited to:

- Removal of aquatic invasive species, such as Eurasian water milfoil, curly-leaf pondweed, and Asian clams;
- Removal of warm water fishes, such as largemouth 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 the *AIS Implementation Plan*. Proposals should be developed in coordination with the Lake Tahoe AIS Coordination Committee and its working groups.

Forest Health

Purpose: After decades of fire suppression, the Tahoe Basin's overstocked forests are 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, but are not limited to:

- Thinning of overstocked forest stands to improve forest health;
- Treatment and prevention of forest pests or invasive species;
- Restoration of riparian areas and hardwood communities;
- Reforestation of native species;
- Vegetation treatments to increase carbon sequestration and forest resiliency to climate change;
- Utilization of biomass resulting from activities associated with improving forest health; and
- Other projects consistent with the EIP Forest Ecosystem Health Program.

Guiding Documents: Applicants should describe how their proposal is consistent with the EIP, 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 (**Appendix A**). These strategies promote more efficient and integrated development patterns that preserve and enhance stream environment zones and other natural resources in urban areas; treat stormwater runoff; remove land coverage; and reduce vehicle miles travelled and other sources of greenhouse gas emissions.

Example projects include, but are not limited to:

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

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

3. APPLICATION AND EVALUATION PROCESS

The Conservancy's Proposition 1 grants program will maintain and build upon the collaborative interagency process developed as part of the EIP. As described below, the Conservancy will issue a solicitation for proposals, recommend an initial allocation of funds among the Focus Areas after the proposals are submitted, and establish a Proposition 1 Review Team to evaluate and rank the proposals before making funding recommendations to the Conservancy Board. Applicants may be asked to provide supplementary information at any step in the process.

Submittal and Review Process

Step 1: *Project Solicitation Notice.* The Conservancy will issue a solicitation for applications, which will also be posted on the Conservancy's website at www.tahoe.ca.gov with the Grant Guidelines and the Grant Application Package. The first solicitation is anticipated for release on or about July 1, 2015. Acquisition grant applications may be solicited up to quarterly, if funding is available.

Step 2: *CCC Consultation.* Before submitting their applications, applicants must consult with the California Conservations Corps (CCC) regarding the services the CCC can provide, as described in the Grant Application Package. Applicants must use the CCCs to implement projects where feasible.

Step 3: *Application Submittal.* Applicants must submit a complete Grant Application Package during the solicitation period established by the Conservancy.

Step 4: *Initial Conservancy Staff Review.* Conservancy staff will review the applications for eligibility and completeness, and develop an initial recommendation to the Proposition 1 Review Team on an allocation of funds among the Focus Areas based on the number, quality, and geographic distribution of applications, and the availability of funds from other sources.

Step 5: *Proposition 1 Review Team.* The Review Team, which will be composed of key agency, basin-wide stakeholder, and science organization representatives, will review and score the applications and develop funding recommendations based on the review scores and the distribution of funding within and among Focus Areas and geographic areas of the Basin. The Review Team may recommend partial awards or other adjustments to the submitted applications.

Step 7: *Conservancy Staff Recommendation.* Conservancy staff will prepare a recommendation to the Board based on its review of Proposition 1 requirements, the Conservancy's enabling legislation and Strategic Plan, the Review Team recommendations, and the availability of funding from Proposition 1 and other sources.

Step 8: *Conservancy Board Approval.* The Conservancy Board will consider the Review Team and Staff Recommendations, and authorize funding for the approved projects.

Evaluation Criteria and Scoring

Grant applications will be scored by the Proposition 1 Review Team based on the following evaluation criteria (up to 100 possible points):

Project Benefits/State Priorities. (up to 35 points)

- What are the tangible results of the project that further the purposes of the EIP and statewide priorities?

Readiness/Feasibility. (up to 20 points)

- How ready and feasible is the project and is the project schedule realistic and consistent with funding availability?

Leveraged funding. (up to 15 points)

- To what extent does the project leverage funding from private, federal, or local sources, including in-kind services to maximize public benefits and outcomes?

Innovation and Science. (up to 10 points)

- To what extent does the project employ new or innovative technology or practices, and/or apply best available science or provide opportunities for enhanced scientific understanding?

Organizational Capacity: (up to 10 points)

- Does the organization have the experience and capacity to deliver the project on time, on budget, and in accordance with grant requirements?

Public and Stakeholder Support. (up to 10 points)

- Does the project have strong interagency, community, and/or stakeholder support?

4. GRANT FUNDING AND ADMINISTRATION REQUIREMENTS

Following Board approval of Proposition 1 grants, Conservancy staff will develop a detailed grant agreement, including a project schedule, work plan, and budget describing the specific tasks to be performed and deliverables. The Conservancy's Grant Application Package includes a comprehensive set of application, funding, and administrative requirements.

In addition, the Conservancy Board may impose additional 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.

Funding provided by Conservancy grants is typically available for 2-5 years; however, the term of the grant agreement may be longer. For example, because the Conservancy requires a 20-year operations and maintenance commitment, the term of an Implementation Grant typically runs from the effective date through a period extending twenty years from the date of completion of construction of all improvements. This provision allows grantees to incorporate the 20-year Operations and Maintenance Plan into the agreement.

(end)

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">• Continue Restoration Efforts in the Tahoe Basin 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.• Restore Key Mountain Meadow Habitat 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.	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">• 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.• 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.	California Government Code 65041.1

Land Use Planning (continued)	<ul style="list-style-type: none"> 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"> ❖ Uses land efficiently. ❖ Is built adjacent to existing developed areas to protect, preserve, and enhance the state's most valuable natural resources as described above. ❖ Is located in an area appropriately planned for growth. ❖ Is served by adequate transportation and other essential utilities and services. ❖ Minimizes ongoing costs to taxpayers 	
Sustainable Communities	Under SB 375, 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. The Tahoe Region's Sustainable Communities Strategy (SCS) is a key element of the Regional Transportation Plan 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"> AB 32 Scoping Plan Assembly Bill 32 (AB32) required the California Air Resources Board (Board) to develop a Scoping Plan that describes the approach California will take to reduce greenhouse gases to achieve the goal of reducing emissions to 1990 levels by 2020. The Scoping Plan was first considered by the Board in 2008 and is updated every five years. The Board approved the First Update to the Climate Change Scoping Plan on May 22, 2014. Safeguarding California Plan 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. 	AB 32 Scoping Plan; Safeguarding California Plan

APPENDIX B

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

APPENDIX C

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.

ATTACHMENT 2

CALIFORNIA TAHOE CONSERVANCY

***PROPOSITION 1
DRAFT GRANT APPLICATION PACKAGE***



April 2015

Grants funded by the *Water Quality, Supply, and Infrastructure Improvement Act of 2014*
Direct all inquiries, correspondence, and grant applications to:

California Tahoe Conservancy
1061 Third Street
South Lake Tahoe, CA 96150

(530) 542-5580 phone
(530) 542-5567 fax

www.tahoe.ca.gov
Link to [California Water Code](#)

Introduction:

This **Grant Application Package** provides instructions for completing the required full proposal for a California Tahoe Conservancy (Conservancy) Proposition 1 Planning, Implementation, Acquisition, or Monitoring Grant. This package includes all necessary forms to complete an application. Before beginning the applications, applicants should read the Conservancy's Proposition 1 Grant Guidelines. In addition to providing necessary details about the grant categories and Focus Areas, the Guidelines contain critical information and requirements regarding eligible applicants, consultation, guiding documents, performance measures and application evaluation process and criteria. Grant applicants need the information found in the Grant Guidelines, together with this application package, in order to submit a funding proposal for consideration.

Grant Application Package Contents:

- Proposition 1 Grant Application Form
- Grant Funding and Administration Requirements
 - Exhibit 1. Acquisition Model Deed Language
 - Exhibit 2. Required Information for Reporting
 - Exhibit 3. Sample Operations and Maintenance Plan

Applying for California Tahoe Conservancy Proposition 1 Grant:

Prospective grant applicants are encouraged to review the Conservancy's Grant Guidelines and Grant Application Package before beginning their application. If applicants have questions that are not answered on the Conservancy's web page or in the project solicitation request, please contact Conservancy staff before submitting an application.

The **Grant Application Form** found in this package must be used by applicants in their submittal(s). Acquisition Grant applicants must also submit the **Acquisition Information Form**. Clear, concise, and responsive applications are appreciated.

Funding recommendation(s) will be scheduled for a Board meeting agenda as an action item. The Board will be provided with a list of all proposals received, along with a staff recommendation (or recommendations) for projects recommended for funding.

Grant Funding and Administration Requirements:

Grants awarded by the Conservancy are administered in accordance with the terms and conditions of the Conservancy's Board authorization, staff recommendation, grant agreement, Grant Administration and Funding requirements, Grant Application, and State requirements. The **Grant Funding and Administration Requirements** section of this package provides important information to grant applicants. Three exhibits supplement the grant requirements section of this package: Acquisition Model Deed Language; Required Information for Reporting; and Sample Operations and Maintenance Plan.

**CALIFORNIA TAHOE CONSERVANCY
PROPOSITION 1 GRANT APPLICATION FORM**

Refer to Conservancy Proposition 1 Grant Guidelines when completing this application. 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
- ☐ If a Grant Augmentation Request, CTA # <text box, 10 characters>

Primary Focus Area:

Is this project on the current 5-year EIP list? ☐ Yes ☐ No

If no, indicate your organization's strategy for adding it:

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, including Project Benefits and Consistency with Statewide Priorities and the Lake Tahoe Environmental Improvement Program (EIP): (Describe the project, highlighting the goals of the project and their consistency with Focus Area(s) and their applicable Guiding Documents. Describe the project's multiple benefits, within or across Focus Areas, including any climate change benefits, if applicable. Indicate how the project provides fisheries or ecosystem benefits or improvements that are greater than required applicable environmental mitigation measures or compliance obligations.)

Character limits will apply

Performance Measures. (Describe project-specific performance measures and indicate how project effectiveness will be assessed. Describe any data to be collected and evaluated.)

Character limits will apply

Innovation and Science. (Describe how the project applies the best available science to inform decisions regarding water resources; describe new or innovative technology or practices proposed for use, including decision support tools that support integrated resource management.)

Character limits will apply

Project Schedule and Readiness/Feasibility. (Indicate current status of the project and the readiness to proceed (e.g., permit status, data needs, easements, etc.); completion dates for major project milestones/work products and project completion date.)

Character limits will apply

Project Budget; Leveraged Funding. (Provide a detailed budget for the requested grant amount as well as the total project cost (including other funding sources). Support the amount of funding requested based upon estimates of eligible costs; identify other funding sources that have been secured, applied for, or are being considered; describe any in-kind assistance by the applicant.)

Character limits will apply

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.

Organizational Capacity. (Describe your organization's experience and capacity to plan and deliver the project within the schedule and budget.)

Character limits will apply

Public, Stakeholder, and Agency Support. (Describe the role of Environmental Improvement Program workgroup and support of and/or consultation with stakeholders; indicate public involvement efforts to date and anticipated, and summarize public response to the project.)

Character limits will apply

Project's Use of the California Conservation Corps (CCCs). (Project elements that the CCCs will complete. **Attach consultation letter.**)

Environmental Documentation Status, if applicable.

- ☐ Complete. Filed with State Clearinghouse? ☐ Yes ☐ No
☐ 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.

Governing Body Approval. Attach a resolution by the governing body or letter from an authorized 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: _____

ATTACHMENTS:

- ☐ Location Map (required)
- ☐ Map that identifies any Conservancy land located within the Project Area (required)
- ☐ Governing Body Resolution (required)
- ☐ Proof of CCC consultation (required)
- ☐ Support Letters (optional, no more than five)
- ☐ Site Control Documentation (if applicable)

ADDITIONAL REQUIREMENTS SPECIFIC TO ACQUISITION GRANTS:

- ☐ Attach completed environmental documentation that addresses the acquisition.
- ☐ Attach an *Acquisition Information Form* for each parcel.

Acquisition Information Form:

This form shall be submitted with the *Proposition 1 Grant Application Form* for grant requests to purchase land or an interest in land.

Nominal and Low-Value Acquisitions:

Grant applicants 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. Grant applicants 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.

Grant applicants shall indicate in their Grant Application which acquisition(s) they believe will be eligible for the streamlined valuation process. A final determination on which acquisitions are eligible for this process will be made in consultation with Conservancy staff, who will review and approve all title exceptions and 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.

A grantee 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 adjoining a right-of-way 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: _____

Is this a Nominal or Low Value Acquisition that you believe is eligible for the streamlined valuation process? Yes ☐ No ☐

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: _____

☐ fee ☐ easement

8. Existing improvements, if any: _____

9. Reason for acquisition: _____

10. a. Owner Contacts Made: (date) _____

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 parcel. If a creek or other drainage crosses the property, sketch its approximate location.

ADDITIONAL REQUIREMENTS SPECIFIC TO IMPLEMENTATION GRANTS:

- ☐ Attach completed environmental documentation that encompasses all aspects of the work to be performed.
- ☐ Attach engineer's estimate, if available.
- ☐ Provide monitoring and evaluation plan, if available.

**CALIFORNIA TAHOE CONSERVANCY
PROPOSITION 1 GRANT FUNDING
AND ADMINISTRATION REQUIREMENTS**

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 an approved overhead rate, may be reimbursed if these costs are reimbursable by the originator of the funds. Grant funds must be spent consistent with General Obligation Bond Law, Government Code section 16727.

Eligible activities and expenses may be incurred by the grantee after Conservancy Board approval and they 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 and consultation
- 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, and award
- 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)
- two-thirds of the costs of relocating water or sewer-related infrastructure owned by a publically owned utility for erosion control grant funds in accordance with Government Code 66907.7(d)
- 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

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

Grant Administration. Grants awarded by the Conservancy are administered in accordance with the terms and conditions of the Conservancy's Board authorization, staff recommendation, grant agreement, the Grant Administration and Funding Requirements 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 State and federal requirements (e.g., 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.

Signage Requirement. The grant agreement requires, to the extent practicable, onsite signage indicating that the project was funded by the *Water Quality, Supply, and Infrastructure Improvement Act of 2014*.

Tribal Consultation Requirement. Certain projects (e.g., project planning efforts and implementation activities) require Tribal Consultation.

Acquisition Grants. **Exhibit 1** contains model deed language that is required for acquisitions funded through this grants program.

Reports and Reporting.

Progress 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 contain information consistent with the forms found in **Exhibit 2**.

Operations and Maintenance Plan: Implementation and Acquisition grant recipients must submit an Operations and Maintenance Plan (**Exhibit 3**) 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.

Monitoring: If the project includes water quality monitoring data collection, it must be reported to the State Water Resources Control Board in a manner that is compatible and consistent with their surface monitoring data systems (i.e., California Environmental Data Exchange Network) or groundwater monitoring data systems (California Water Code [CWC] section 79404). If the project includes watershed monitoring data collection, it must be reported to the Department of

Conservation in a manner compatible and consistent with their statewide watershed program (CWC section 79404).

Site Visits. The Conservancy may conduct periodic site visits, including a final inspection for an implementation project, to determine if the work performed is in accordance with the terms of the grant agreement. Acquisitions will be inspected into perpetuity to ensure compliance with the purpose of acquisition.

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 or federal funding certifications and assurances when receiving grant awards from the Conservancy. Contracts with contractor or subcontractor must also contain the appropriate certifications and assurances.

EXHIBIT 1
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 (The Water Quality, Supply, and Infrastructure Improvement Act of 2014, Water Code Section 79700, 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).

EXHIBIT 2

REQUIRED INFORMATION FOR REPORTING

SEMI-ANNUAL REPORTING

- 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	% of total budget expended to date	Percent of task complete	Status

FINAL REPORTING

- Project Name, CTA#
- Date Submitted; Prepared by
- Brief summary of the objectives of the project and how these objectives were accomplished
- Findings, conclusions, or recommendations for follow-up or ongoing activities
- Project Financial Analysis (including other sources)
- 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
- Media coverage, as well as all promotional and educational materials produced
- Workplan work products, including public and agency meeting summaries (electronic)

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 electronic) of the completed project, with labels or annotations showing dates of photographs and briefly describing the subject of each picture.
- If applicable, water quality monitoring data 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 public and agency meeting summaries (electronic)
- Reports to 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.

EXHIBIT 3

SAMPLE OPERATIONS AND MAINTENANCE PLAN

Stormwater Quality or Land Acquisition Project Example:

Project Name, CTA #, Submitted by (Name/Title)

Implementation Grants require the grantee to operate and maintain the constructed improvements for 20 years after the completion of construction.

Real Property interests acquired using Conservancy funding must be held, operated and maintained in a manner consistent with the purpose of the acquisition into perpetuity.

Grantees are expected to operate and maintain improvements consistent with this plan. Should changes occur or be observed, grantee should provide the Conservancy with the changes to this plan and the justification for the need for the change for their review and approval.

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, parking lots, 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.)
- 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:
- Procedure for special repairs or maintenance needs:
- Estimated annual inspection and maintenance costs:
- Maintenance funded by:

Reporting:

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