

Grant Guidelines
California Tahoe Conservancy
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I. Background and Purpose

1. 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 (Basin). As the only State agency focused entirely on the Basin, the Conservancy works collaboratively with its federal, tribal, state, local, and private partners to achieve this mission. Since its establishment in 1985, the Conservancy has invested more than half a billion dollars in conservation and recreation programs and projects on the California side of the Basin. This includes substantial investment in the Lake Tahoe Environmental Improvement Program (EIP), a partnership established in 1997 to coordinate the funding and implementation of high priority restoration and protection projects. The Conservancy will continue to advance the EIP, which aligns closely with the Conservancy's recently updated Strategic Plan.

The Conservancy's Strategic Plan is available on [its website](https://tahoe.ca.gov) at <https://tahoe.ca.gov>. This document establishes five strategic goals that will advance statewide, Basinwide, and Sierra Nevada regional mandates and initiatives. The goals include:

1. Steward Conservancy Lands and Protect Basin Communities from Wildfire
2. Restore the Resilience of Basin Forests and Watersheds
3. Provide Public Access and Outdoor Recreation for All Communities
4. Foster Basinwide Climate Change Adaptation and Sustainable Communities
5. Strive for Organizational Learning and Excellence

The Strategic Plan provides a valuable source of information for understanding the programs, projects, and initiatives that the Conservancy will advance over the next five years.

2. Scope of these Guidelines

The Conservancy uses available funding to accomplish its mission and Strategic Plan through grants for land acquisition, planning, implementation, monitoring, and technical assistance.

These Grant Guidelines (Guidelines) provide foundational information as well as accountability to partners and the citizens of California. The Guidelines identify the Conservancy's grant funding priorities, and the considerations the Conservancy will use to evaluate whether to fund specific activities. Individual funding sources may require

additional guidance per statute. The Guidelines also provide basic information regarding all Conservancy grants and grant submittals.

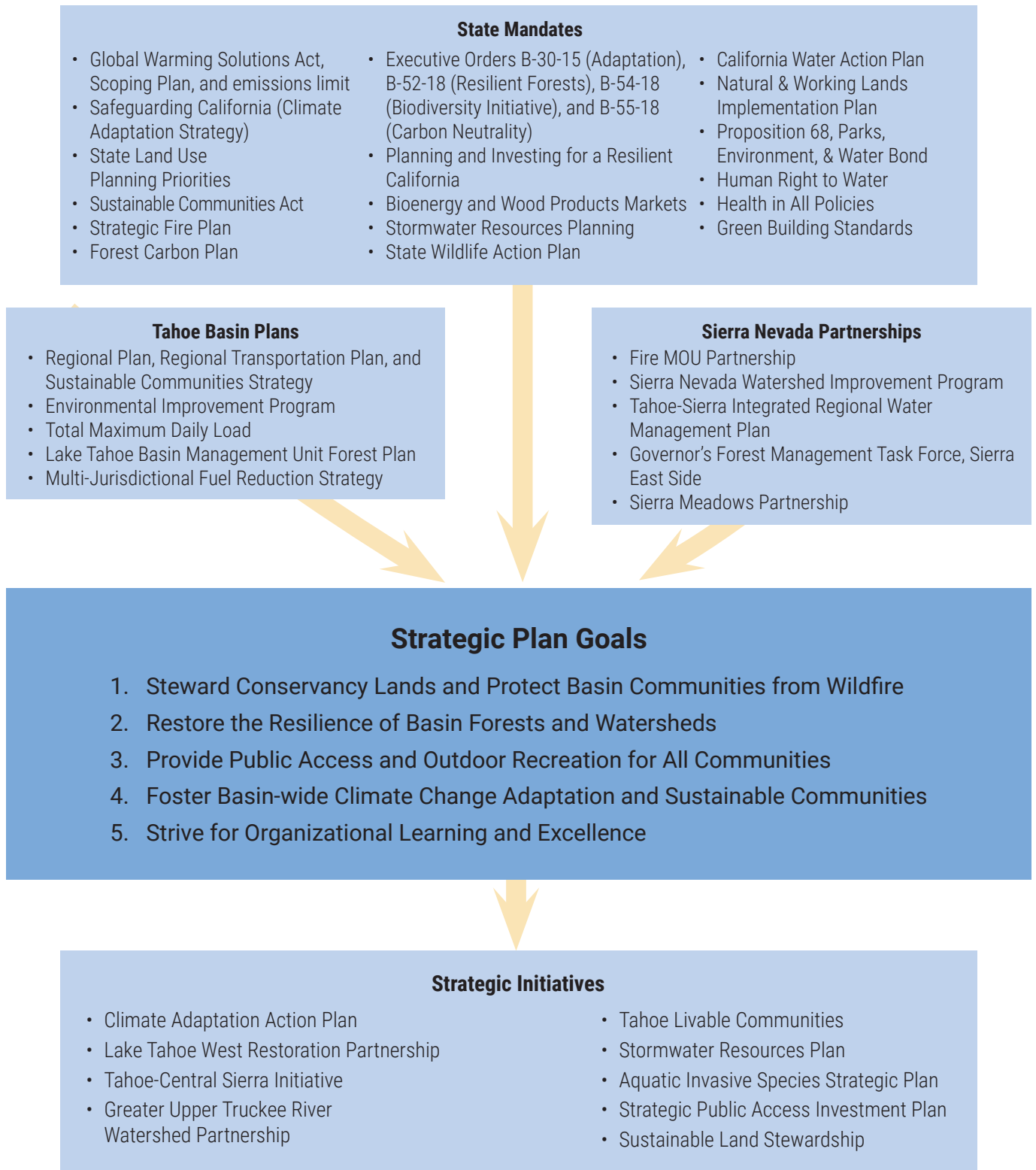
II. Funding Priorities

The Conservancy uses its funding to accomplish its mission and Strategic Plan, including projects the Conservancy undertakes directly. The Strategic Plan goals advance State priorities as set forth in legislation, executive orders, and guidance; and Basin priorities as set forth in the EIP and topic-specific plans, such as the Multi-jurisdictional Fuel Reduction and Wildfire Prevention Strategy (MJFS). (See Figure 1.)

As applicable, the Conservancy also advances directives tied to specific funding sources, such as Proposition 68 directives on diversity and inclusion. (See Funding-Specific Guidance.)

Any activities consistent with the Conservancy's mission and Strategic Plan are eligible for funding (subject to constraints specific to a given funding source).

Figure 1. Strategic Plan Context



Goal 1. Steward Conservancy Lands and Protect Basin Communities from Wildfire

The Conservancy has a primary responsibility to steward its lands, including environmentally-sensitive lands and open space, and to help protect Basin communities from wildfire.

Goal 2. Restore the Resilience of Basin Forests and Watersheds

The Conservancy is working with partners to restore the health and resilience of Basin forests and watersheds, both at the landscape scale and through high-priority, site-specific projects. As an integral part of this work, the Conservancy continues to promote lake clarity and native species through storm water, erosion control, aquatic invasive species, and nearshore protection projects.

Goal 3. Provide Public Access and Outdoor Recreation for All Communities

Providing equitable public access to open space and recreational facilities is a central part of the Conservancy's mission. This goal also has strong connections to Proposition 68 directives on diversity and inclusion, including serving the disadvantaged communities of South Lake Tahoe and Kings Beach.

Goal 4. Foster Basinwide Climate Change Adaptation and Sustainable Communities

Climate change has already impacted Conservancy lands, facilities, and restoration projects, and will continue to shape how the Conservancy implements its mission far into the future. In the past 15 years, the State has also issued directives on climate change associated with resilience, adaptation, wildfire, biodiversity, forest carbon, carbon neutrality, water supply, land use, and transportation.

In addition to adaptation, the Tahoe Livable Communities (TLC) program serves as the Conservancy's primary mechanism for reducing greenhouse gas emissions, while simultaneously restoring sensitive lands and revitalizing town centers.

For more background and details on each of the goals, see the [Conservancy's Strategic Plan online](https://tahoe.ca.gov/about-us/strategic-plan/) at <https://tahoe.ca.gov/about-us/strategic-plan/>.

III. Funding Considerations

Generally, the Conservancy considers the following topics when evaluating whether to make a grant. The Conservancy may identify additional items based on the funding source or other factors. Applicants should consider the following in their applications:

1. Multiple benefit creation

Maximizing the use of State funding by generating multiple benefits for Conservancy and/or Basin lands and resources.

2. Cost-sharing

Leveraging other financial contributions, whether public or private, to multiply the value of the Conservancy's investment, and expand the total resources available.

3. High-quality project design

- Providing compelling rationale, clear goals, a rigorous methodology, and explicit deliverables accompanied by a detailed work plan, timeline, and budget.
- Providing sufficient funding and staff for the high-quality and timely completion of tasks and deliverables.
- Designing monitoring to answer management questions, and be consistent with and complement existing Basin monitoring programs.

4. Consistency with existing plans and guidance

Consistency with relevant existing plans and guidance from State and Basin agencies. State documents include, but are not limited to, the Safeguarding California Plan, Adaptation Planning Guide, Planning and Investing for a Resilient California, and Defining Vulnerable Communities in the Context of Climate Adaptation. Basin documents include, but are not limited to, the Lake Tahoe Regional Plan and Sustainable Communities Strategy, area plans, Lake Tahoe Basin Management Unit Forest Plan, Lake Tahoe Basin Total Maximum Daily Load, and other conservation strategies and management plans, and MJFS.

5. Accounting for climate change in planning and investment

Applying the principles of Executive Order B-30-15, which directed State agencies to account for climate change in planning and investment. The State's guidebook,

Planning and Investing for a Resilient California, provides several principles to implement this mandate, including (1) prioritizing actions that build climate preparedness as well as reduce emissions; (2) prioritizing natural infrastructure solutions; (3) managing uncertainty by using flexible and adaptive approaches; and (4) protecting the State's most vulnerable populations.

6. Innovation and transformative change

- Pioneering new approaches to planning and implementation, including creating planning, permitting, operational, financial, or other efficiencies. This may involve, for example, revising analytical approaches, using emerging technologies, engaging communities in novel ways, or experimenting with new authorities.
- Promoting transformative change (i.e., change that manifests at a large geographic, ecological, financial, and/or demographic scale).

7. Use of California Conservations Corps services

Using California Conservation Corps (CCC) services when possible. Founded in 1976, the CCC provides young men and women ages 18 to 25 with a year of paid service to the State, during which they implement environmental projects and respond to disasters as part of their career development. Community conservations corps serve as locally-organized analogs to the CCC. The CCC's Tahoe Center provides a major contribution to the Basin's workforce, and partners with the Conservancy to implement forest fuels treatments on State lands.

8. Long-term sustainability

Planning for and describing how they will fund long-term operations, maintenance, and monitoring to ensure the long-term benefits intended by general obligation bonds, as applicable.

9. Professional qualifications and past performance

Demonstrating that they possess the requisite skills and expertise necessary to manage risks and successfully complete the work, and possess a track record of similar, high-quality work or equivalent experience.

10. Community, stakeholder, and/or political support

Demonstrating broad-based support because this increases the likelihood that the activities will create significant public benefit. Supporters may include, but are not limited to, community groups or homeowner associations; advocates, professionals, businesspersons, or investors that work on similar issues; and elected officials and public agency or tribal government leaders.

IV. Grant Information

This section provides basic information that applies to all Conservancy grants.

1. Grant Categories

The Conservancy awards grants in five categories:

Acquisition Grants for the purchase of land and interests in land. Acquisitions must be from willing sellers and at fair market value, as typically confirmed by a Department of General Services (DGS)-approved appraisal.

Planning Grants for planning that will lead to successful project implementation. Planning may involve project-specific activities such as preliminary design and environmental review, as well as supporting activities such as scientific studies, stakeholder processes, and program development and guidance. Planning grants are intended to support projects that are likely to qualify for future implementation funding.

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

Monitoring Grants to document, analyze, and assess the condition, changes, or use of natural resources, the built environment, and/or social and economic conditions. Monitoring should be consistent with and complement existing Basin monitoring programs, such as the EIP, Regional Stormwater Monitoring Program, or Lake Tahoe Interagency Monitoring Program.

Technical Assistance Grants to help partners conduct technical analyses that advance projects. This may include scientific, engineering, economic, or other

studies; grant application writing and facilitation as well as grant administration training.

2. Eligible Applicants

Unless the funding source specifies otherwise, eligible applicants include:

- Local public agencies including cities, counties, special districts, and joint powers authorities; state agencies; federal agencies; and the Tahoe Transportation District.
- Federally-recognized Native American tribes.
- Nonprofit organizations registered to do business in California and identified in section 66905.9 of the Government Code as “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.”

3. Ineligible Projects

Projects funded by bonds must be spent consistent with the General Obligation Bond Law, Government Code, section 16720 et seq. Additional factors may make some projects ineligible, including:

- Projects dictated by a legal settlement or mandated to address a violation of, or an order to comply with, a law or regulation.
- Projects that fund acquisitions of land by eminent domain.
- Projects that include acquisition of property that cannot be purchased at fair market value.
- Projects that will not be completed in the allotted timelines.
- Operations and maintenance of existing structures, including roads.
- Projects that are intended to correct problems caused by inadequate maintenance.
- Projects that are solely for the purpose of regulatory compliance.

4. Grant Proposal Submittals

Generally, the Conservancy solicits grant applications after extensive discussion with individual partners or interagency EIP work groups, which play a critical role in identifying high priority projects. (Work groups typically develop and maintain priority project lists.) In addition to the funding considerations mentioned above, the Conservancy carefully evaluates its funding to ensure an equitable distribution over time with regard to geography, local jurisdictions, and priorities.

Proposals should provide the following information:

- A. Project description and justification, including relevant background and goals, and alignment with the Conservancy's Strategic Plan.
- B. Work plan, including a list of tasks, corresponding descriptions and deliverables, schedule, and location. This also includes necessary project graphics, including maps and design plans.
- C. Budget and justification, including (if applicable) indirect/administrative costs, and/or contingencies.
 - The budget should include a line item for each task identified in the work plan, including total cost, amount requested from the Conservancy, and the amount that will be provided by other funding sources.
 - Please show any State of California matching funds separately from other matching funds. In-kind contributions of staff time and/or bargain sales may be included.
 - For other matching funds, please include the total amount by source. If other grants are expected, please indicate the expected date of award.
- D. Operations and maintenance plan including funding source, (if applicable) a schedule for monitoring of effectiveness of associated infrastructure, and reporting thereof.
- E. Monitoring plan, including performance measures, and reporting thereof.
- F. Organizational capacity and staffing.
- G. Community, stakeholder, and/or public support.

Proposals subject to Conservancy Board approval must meet Assembly Bill (AB) 434 State web accessibility requirements. For more information see the [California Department of Rehabilitation website](https://www.dor.ca.gov/Home/AB434) at <https://www.dor.ca.gov/Home/AB434>.

5. California Environmental Quality Act Compliance

Grantees are responsible for complying with all laws and regulations applicable to their projects, including the California Environmental Quality Act (CEQA). If the grant is subject to CEQA, the Conservancy Board must consider the environmental document prior to approval of the grant. Applicants should consult with Conservancy staff as early as possible because CEQA compliance will vary significantly depending upon the proposed project activities and potential environmental impacts.

AB 52 promotes involvement of California Native American Tribes in the CEQA environmental review and decision-making process. AB 52 requires consideration of a project's potential to significantly impact a tribal cultural resource and requires early notice of projects and, if requested by a Tribe, consultation with the requesting Tribe to inform the CEQA process. Applicants must meet all AB 52 requirements.

Applicants should visit the [California Natural Resources Agency website](http://resources.ca.gov/ceqa/) at <http://resources.ca.gov/ceqa/> for information on CEQA compliance and the [Native American Heritage Commission website](http://nahc.ca.gov/2015/06/implementation-of-ab-52-ceqa-tribal-consultation-information/) at <http://nahc.ca.gov/2015/06/implementation-of-ab-52-ceqa-tribal-consultation-information/> for information on AB 52.

6. Land Acquisition Instructions

With regard to acquisition grants, applications must typically meet the following requirements.

Estimated fair market value of land and improvements: DGS must approve the appraised fair market value of the proposed acquisition. State funding is limited to the value approved by DGS.

Willing seller: Applicants must provide evidence that the landowner is a willing participant in any proposed real property transaction.

Relocation costs: Applicants must provide a parcel-by-parcel analysis of the extent of any relocation assistance required by the State Relocation Act Requirements (Government Code, § 7260 et seq.).

Land tenure: Applicants must certify that they have adequate control of, and tenure to, properties to be improved. Adequate control includes, but is not limited to, ownership,

lease, easement, joint-powers agreement, or other long-term interest in the property, or have a satisfactory agreement with the legal owner/administering agency. The Conservancy recognizes that specific activities may change over time; however, the property must remain available for compatible public use. Generally, the grantee and/or landowner will be expected to:

1. Maintain and operate the property funded for a period of at least 20 years (from the completion of construction, as applicable).
2. Use the property in perpetuity only for the purpose for which the grant was made, and make no other use or sale or disposition of the property. With Conservancy approval, the grantee or grantee's successor may transfer the responsibility to maintain and operate the property in accordance with the grant agreement. A lease or other short-term agreement cannot be revocable at will by the lessor.

7. Eligible and Ineligible Costs

For costs to be eligible for reimbursement, the costs must be within the scope of the project, supported by appropriate documentation, and completed by the required deadline as identified in the grant agreement. Costs related to project-specific performance measures and project reporting are eligible, and if requested, must be included in the project budget.

Eligible project costs may include but are not limited to the following:

1. Preliminary costs incurred after an agreement has been fully executed. For example, costs associated with CEQA/National Environmental Policy Act compliance, construction plans, permits/appraisals, and acquisition documents.
2. Personnel or employee services. For example, wages and benefits, or work performed by another section/department in the organization.
3. Consultant services.
4. Construction activities and management. For example, site preparation, oversight, and inspections.
5. Construction equipment, including rented, leased, or purchased.
6. Fixed equipment. For example, bollards or benches.
7. Construction tools, supplies, and materials.
8. Relocation costs (Government Code, § 7260 et seq.).
9. Acquisition costs. For example, appraisals/purchase price, title/escrow fees, or surveying.
10. Reasonable administrative indirect/overhead costs.

11. Restoration/rehabilitation costs. For example, removal of invasive species, soil improvements, or vegetation removal.
12. Best management practices. For example, erosion control measures.
13. Education infrastructure. For example, signs, interpretive aids, or kiosks.
14. Communications expenses.

In the event of an audit, projects with budgets that include administrative costs must be able to document the appropriateness of these expenses through formal accounting plans that calculate and document the method for recovering overhead costs.

Ineligible project costs typically include, but are not limited to, the following:

1. Operations and maintenance costs.
2. Publicity and marketing expenses.
3. Food and beverages.
4. Ineligible travel.
5. Lobbying or fundraising.
6. Eminent domain actions.
7. Property acquisition costs in excess of fair market value.

Questions associated with eligible or ineligible costs should be directed to the Conservancy staff prior to submittal of an application or budget.

8. Funding, Legal, Administrative, and Accounting Requirements

Following Conservancy Board authorization of a grant, Conservancy staff will prepare a detailed grant agreement, including funding, legal, administrative, and accounting requirements. The Board may impose additional requirements. All grant activities shall be implemented in accordance with the requirements of the Board authorization and staff recommendation, and the terms and conditions of the grant agreement.

Funding is typically available for two to five years. However, in some cases the Conservancy requires grantee commitment to operations and maintenance for the useful life of the project. The term of an implementation grant agreement may therefore extend from the completion of construction through the useful life period.

9. Withholding

Conservancy grants are distributed on a reimbursement basis, with a standard five percent withheld from each payment for grants to nonprofit organizations. Large construction grants and contracts may have up to 10 percent withheld. The full withholding is released upon satisfactory completion of the grant project.

10. Audit

Projects are subject to audit by the State for three years following the most recent payment including the final payment of grant funds. The purpose of the audit is to verify that project expenditures were made in accordance with the respective bond act(s) and grant agreement, and were properly documented. Grantees should maintain an accounting system that provides standard information necessary for audits.

If a project is selected for audit, the grantee will be contacted at least 30 days in advance. The audit will include all books, papers, accounts, documents, or other records of the grantee, as related to the project for which Conservancy funds were granted. The grantee must make the project records, including the source documents and cancelled warrants, readily available to the State. The grantee must also provide an employee having knowledge of the project and the accounting procedure or system to assist the State's auditor. All project records must be retained for at least five years following an audit or final disputed audit findings.

11. Project Monitoring and Reporting

Typically, implementation grant applications must include a monitoring and reporting component that explains how the implementation and effectiveness of the project will be measured and reported. The Conservancy can help grantees to develop appropriate monitoring and reporting templates and procedures following an award.

Monitoring should be consistent with existing Basin monitoring programs, such as the EIP, Regional Stormwater Monitoring Program, or Lake Tahoe Interagency Monitoring Program. Detailed information on EIP performance measures can be found [on the EIP website](https://eip.laketahoeinfo.org/EIPPerformanceMeasure/Index) at <https://eip.laketahoeinfo.org/EIPPerformanceMeasure/Index>.

Generally, grantees are required to submit regular progress reports on an active project per the schedule specified in the grant agreement.

12. Insurance

Grantees are required to maintain insurance against claims for injuries to persons and damage to property that may arise from or in connection with project-related activities of the grantees or its agents. The grantee shall maintain all required insurance from the effective date through the completion date.

Insurance requirements vary according to a project's purpose and needs. Typically, the grantee shall maintain coverage limits no less than:

- A. General liability (including operations, products, and completed operations, as applicable): \$2,000,000 per occurrence for bodily injury, personal injury, and property damage. If commercial general liability insurance or other form with a general aggregate limit is used, either the general aggregate limit shall apply separately to the activities under this agreement, or the general aggregate limit shall be twice the required occurrence limit.
- B. Automobile liability: \$1,000,000 per accident for bodily injury and property damage.
- C. Course of construction: Completed value of the project with no coinsurance penalty provisions.
- D. Property insurance: 90 percent of full replacement cost of the facilities or structures.

13. Acknowledgment and Signage

All grantees are required to acknowledge Conservancy support, typically through a sign and social media. Grant agreements provide general signage and acknowledgement requirements, and logo use information. Costs to implement the acknowledgment plan can be included in the grant budget.

V. Funding-Specific Guidance

In addition to the Conservancy's Strategic Plan, several documents provide additional guidance for Conservancy funding. These include, but are not limited to, relevant statutes and regulations, the State Administrative Manual, the State Contracting Manual, the EIP, and requirements specific to a funding source.

1. Proposition 68 Directives

California voters approved Proposition 68, the Parks, Environment, and Water Bond, on June 5, 2018. The measure authorizes \$4 billion in general obligation bonds to finance a drought, water, parks, climate, coastal protection, and outdoor access for all program. Per Public Resources Code section 80110, subdivision (b), the bond allocates \$27 million to the Conservancy for the purposes set forth in the Conservancy's governing statutes.

The Conservancy adheres to the various funding source directives. In particular, Proposition 68 encourages conservancies to partner with cities, counties, nonprofit organizations, joint-powers authorities, and nongovernmental organizations to acquire open space and create urban greenway corridors. Additionally, public agencies that receive funds must consider a range of project actions that, to the extent possible, increase the diversity and inclusion of communities that benefit from the bond funding. These include, but are not limited to, the following:

- A. Conducting active outreach to diverse populations, particularly minority, low-income, and disabled populations and tribal communities, to increase awareness within those communities and the public generally about specific programs and opportunities.
- B. Mentoring new environmental, outdoor recreation, and conservation leaders to increase diverse representation across these areas.
- C. Creating new partnerships with state, local, tribal, private, and nonprofit organizations to expand access for diverse populations.
- D. Identifying and implementing improvements to existing programs to increase visitation and access by diverse populations, particularly minority, low-income, and disabled populations and tribal communities.
- E. Expanding the use of multilingual and culturally appropriate materials in public communications and educational strategies, including through social media strategies, as appropriate, that target diverse populations.
- F. Developing or expanding coordinated efforts to promote youth engagement and empowerment, including fostering new partnerships with diversity-serving and youth-serving organizations, urban areas, and programs.
- G. Identifying possible staff liaisons to diverse populations.

Finally, applicants that receive funding will, to the extent possible, provide workforce education and training, contractor, and job opportunities for disadvantaged communities.

The services of the CCC or local conservation corps certified by the CCC shall be used whenever feasible (Public Resources Code, § 80016.). With regard to grant-making, Proposition 68 requires giving preference to projects that involve the CCC or community conservation corps services. Applicants should consult with representatives of either the CCC or community conservation corps prior to application submission to determine the feasibility of their participation.

Projects that would be used to fulfill mitigation requirements imposed by law are not eligible for Proposition 68 funding. (Public Resources Code, § 80020.).

2. Proposition 1 Grant Guidelines

The Water Quality, Supply, and Infrastructure Improvement Act of 2014 (Proposition 1) authorizes \$7.545 billion in general obligation bonds to fund ecosystems and watershed protection and restoration, water supply infrastructure projects, including surface and groundwater storage, and drinking water protection.

The Conservancy prepared grant guidelines specific to Proposition 1. The guidelines are available [on the Conservancy website](https://tahoe.ca.gov/conservancys-proposition-1-grant-program/) at <https://tahoe.ca.gov/conservancys-proposition-1-grant-program/>.