



# HABITAT CONSERVATION FUND PROGRAM

Under the California Wildlife Protection Act of 1990  
(Proposition 117 Initiative)

## FREQUENTLY ASKED QUESTIONS

### GENERAL QUESTIONS

**Q. When is the application deadline?**

**A.** Each year, project applications must be submitted to the Office of Grants and Local Services on, or postmarked no later than, the first work day in October.

**Q. What is the program intent?**

**A.** As stated in the legislation: "To provide grants to local entities to protect fish, wildlife, and native plant resources, to acquire or develop wildlife corridors and trails, and to provide for nature interpretation programs and other programs which bring urban residents into park and wildlife areas."

**Q. How much is available, and what are the minimum and maximum amounts?**

**A.** Two million dollars is appropriated annually; the available amount may increase from year to year. There are no minimum or maximum grant request amounts.

**Q. Who can apply for these funds?**

**A.** Only the following are eligible applicants:

- Cities
- Counties
- Districts, as defined in the legislation, in any of the seven HCF Application Guides for the definition of "District", or below:

**DISTRICT** – any regional PARK or open-space district formed pursuant to Article 3 (commencing with Public Resources Code Section 5500) of Chapter 3 of Division 5 and any recreation and PARK district formed pursuant to Chapter 4 (commencing with Public Resources Code Section 5780) of Division 5. With respect to any community or unincorporated region (which is not included within a regional PARK or open-space district or a recreation and PARK district, and in which no city or county provides PARKS or recreational areas or facilities), "DISTRICT" also means any other district which is 1) authorized by statute to operate and manage PARKS or recreational areas or facilities, 2) employs a full-time PARK and recreation director, 3) offers year-round PARK and recreation services on lands and facilities owned by the district, and 4) allocates a substantial portion of its annual operating budget to PARKS or recreation areas or facilities.

- Q. What can these funds be used for?**
- A.** Funds can be used for the following:
- Wildlife Area Activities – An event or series of events intended to bring urban residents into areas with indigenous plants and animals (park and/or wildlife areas)
  - Acquisition of species habitats
  - Enhancement or restoration of species habitats
  - Enhancement, restoration, or development of trails
- Q. Is the \$2 million annual allocation for awarding all elements in the HCF Program?**
- A.** Yes, provided that sufficient well-qualified proposals exist. All projects from all seven funding categories compete for the annual allocation.
- Q. Can funds be used for both acquisition and enhancement, restoration, development, or Wildlife Area Activities projects?**
- A.** No. Funds can be used either for acquisition or for enhancement, or restoration, or development or for Wildlife Area Activities projects.
- Q. Is it advantageous to “bundle” applications in more than one category?**
- A.** No. Such a practice would not be appropriate. Applicants need to prioritize projects and apply one project or two at a time, keeping in mind each project stands alone competitively.
- Q. Can applicants submit applications for more than one project?**
- A.** Yes. However, each project must have its own application package.
- Q. Does OGALS list previously funded projects and amounts on its website?**
- A.** Yes. You may view the OGALS website at <http://www.parks.ca.gov/grants> and follow the links to Annual Programs and the HCF Program for the link to “HCF funded projects”.
- Q. Are grantees required to adhere to any specific contract labor compliance check requirements, such as Davis-Bacon?**
- A.** No. The HCF Program funds are state general funds; therefore, the funds are not subject to any federal labor compliance requirements.
- Q. If my project is selected for funding, how long would I have to complete the project?**
- A.** The performance period for each project is 5 years starting on July 1 of the fiscal year following the application. For example, projects applied for in October of 2011 would start on July 1, 2012 and would expire on June 30, 2017.
- Q. Will all applicants be notified of project selection?**
- A.** Yes. All applicants will receive either an award notification letter or a non-award notification letter at the end of the review process.

## **COSTS AND MATCH**

**Q. Can an acquisition project have eligible non-acquisition costs?**

**A.** No. Only costs associated with an acquisition are eligible, such as appraisals, escrow costs and title costs.

**Q. Are mitigation costs within a proposed project eligible?**

**A.** A project arising from a mitigation ruling affecting another location is not eligible. However, if the project is selected for funding and an event necessitating mitigation occurs on the project site, those costs could be eligible depending upon circumstances.

**Q. Is there a matching funding requirement, and are there any match limitations?**

**A.** Yes. The HCF grant program requires a dollar-for-dollar match of grant funds. The match must be spent on eligible costs. The match may not come from another state funding source. Indirect costs cannot be used as match.

**Q. Can grant and match amounts combined be considered for 25% pre-construction costs?**

**A.** Yes. The applicant/grantee can use up to 25% of the grant and match amounts combined for pre-construction costs.

**Q. When an agency submits a Grant Expenditure Form, should the match costs be separated from the costs associated with the grant funds?**

**A.** No. Agencies can submit warrant numbers for all eligible costs; there is no need to break out the match costs from the grant fund costs.

**Q. What benefits are included in “fringe benefits”, and how should grantees document these benefits?**

**A.** “Fringe benefits” include typical benefits associated with salaried employees, such as health, dental, or visual benefits. Fringe benefits do not include per diem costs, such as meals, incidentals, or miscellaneous costs. Agencies can break out fringe benefit costs on employees’ periodic salary records.

**Q. Are the costs to use either Conservation Corps or certified local Conservation Corps eligible?**

**A.** Yes.

**Q. Are restoration costs that involve yearly maintenance to establish plants eligible costs?**

**A.** No. Maintenance costs are not eligible costs.

**Q. Should an applicant describe a larger project in Grant Scope/Cost Estimate?**

**A.** Scope should only include project funded with grant funds and match.

**Q. Can revenue obtained from participant activity fees be used as match for Wildlife Area Activity projects?**

- A:** No. Match funds must be committed at the time of application. Fee revenue generated after project commencement does not constitute committed match at the time of application.
- Q. How do you properly document in-kind labor if the agency did not pay workers?**
- A:** The grantee must have a system by which each in-kind labor activity hour charged can be traced back to a specific person, doing a specific eligible grant activity, on a specific phase of the project, for a specific period of time. There is no need to log in-kind labor into an accounting system since there were no actual costs incurred.
- Q. Is it permissible to use electronic time cards?**
- A:** Yes. Electronic timekeeping is permissible as long there is a way to verify notations for grant specific work conducted each day. This may be by a specific job code or other authorization number given to each specific project. In addition, the employee's and supervisor's electronic signatures must be password protected so that they are secured from unauthorized changes.

## **APPLICATION CHECKLIST AND FORMS**

- Q. Are applicants required to have an appraisal on the property before acquisition?**
- A:** Yes. GRANTEES must provide an appraisal supporting the purchase price and a written concurrence from an independent third party appraiser. The cost is an eligible pre-acquisition cost.
- Q. Does the Application form only need the grant amount requested?**
- A:** No. The Application requires the applicant to identify the grant amount, the required match, and the total project cost. If there are additional costs for the project beyond the required match, the total project cost may reflect those additional costs.
- Q. Does the resolution require a roll call?**
- A:** Yes. All applicants are required to obtain a roll call vote as part of the board or council resolution process. Refer to the required resolution language in each applicable application guide.
- Q. Can I apply for a project for which CEQA is not complete?**
- A:** No. There is no allowance for a CEQA-pending contract; this project requires CEQA to be complete at the time of application.
- Q. What are recommended links for topographic maps?**
- A:** You may view the OGALS website at <http://www.parks.ca.gov/grants> and follow the links to Annual Programs and the HCF Program for the link to the free topographic maps.
- Q. What are the land tenure/site activity assurance requirements, if the applicant does not own the property in fee simple?**
- A:** On enhancement, restoration, or development projects, the applicant must provide an agreement, signed by the applicant and the land owner that guarantees the applicant's full rights to change and control the property at the project site. All less than fee

simple property agreements must have a renewal clause and can only be revocable by mutual consent or for cause. The terms of the property agreements require at least 10 or 20 years of public recreation operation, depending upon the amount of grant funds requested.

NOTE: For activity site assurance on Wildlife Area Activities projects, if the proposed project will be on public lands or lands normally open to the public, the applicant must provide a letter that certifies the proposed project sites will be appropriate for project activities.

If the proposed project will be on private lands or lands normally closed to the public, the applicant provide documentation that the APPLICANT has the land owner's permission to conduct the WILDLIFE AREA ACTIVITIES PROJECT activities.

**Q. Are deed restrictions required for Conservation Easements?**

**A.** Yes, a deed restriction is required. In the event that the grantee is not the landowner, both the landowner(s) and grantee must be shown on the deed restriction. A recorded deed restriction ensures that any property funded by the program is used for a purpose consistent with the grant scope for the length of the contract performance period.

**CRITERIA**

**Q. Is there anything I can do as an applicant to earn bonus points beyond the 100 points possible with the criteria responses?**

**A.** No. The maximum points possible are 100.

**Q. Is there an advantage to having a larger number of people/populations vs. a smaller number accessing the site?**

**A.** No. There are no hidden advantages. Competitive reviews are based on the criteria in each guide.

**RIPARIAN AND WETLANDS CATEGORIES**

**Q. In Criterion 6 of the Riparian Habitat Application Guide – can a long-term plan be established by another entity than the applicant?**

**A.** Yes; any other entity who has influence on the plan may establish the plan.

**Q. Referencing the Riparian Habitat and Wetlands Application Guides – how can I get assistance regarding special animals and species?**

**A.** You may view the OGALS website at <http://www.parks.ca.gov/grants> and follow the links to Annual Programs and the HCF Program for the link to the Department of Fish and Game.

**Q. What is a fen?**

**A.** Low, flat, swampy land sometimes referred to as a bog or marsh.

- Q. Referencing the Riparian Habitat and Wetlands Application Guides – would my project have an advantage if the project is located closer to the beginning of the waterway/river/dam?**
- A.** No. There are no hidden advantages. Competitive reviews are based on the criteria in each guide.
- Q. Referencing the Wetlands Application Guide – are partial parcels OK as a project site – e.g., what if the entire parcel is a wetland?**
- A.** Yes – if the applicant wishes to phase a project and request funding for a portion of the wetlands site, that project could be considered an eligible project.
- Q. In Criterion 2 of the Wetlands Application Guide – if my project site has limited access due to habitat protection, how would it score?**
- A.** Criteria 2 relates to site access. Applicants responding to items “a” through “e” may receive a higher score for the criterion. However, the words “is accessible” relate to what is appropriate for the site.
- Q. In Criterion 8 of the Riparian Habitat and Wetlands Habitat Guides – what if the water area has a setback requirement or an existing trail that would be in conflict with item (b) in the criterion?**
- A.** The applicant could respond to items (a), (c) and (d) in the criteria, with only a 3-point score loss.
- Q. In Criterion 8 of the Riparian Habitat and Wetlands Habitat Guides, could the applicant include a trail around or beside the water area?**
- A.** No. The applicant would need to submit a separate application for a trail.
- Q. In Criterion 9 of the Wetlands Application Guide – what if the master plan is adopted at a Board Meeting – is that a plan?**
- A.** Yes. The plan must be adopted by a governing board or entity.
- Q. Can “naturally functioning hydrology” include the influence of human-made mechanisms?**
- A.** Yes. Please note that the term “naturally functioning hydrology” has been modified to the term “necessary hydrological processes”. This term is now defined in the Definitions Section in each of the Application Guides and includes the influence of human-made mechanisms, such as dams or ladders.
- Q. Are rivers part of the “Wetlands” definition?**
- A.** No. Wetlands are generally considered to be “static” bodies of water with naturally occurring drying and inundating cycles.
- Q. Is uplands restoration considered to be an eligible project?**
- A.** Yes. See Wetlands Application Guide.

## **TRAILS AND WILDLIFE AREA ACTIVITIES CATEGORIES**

- Q. I noticed numerous references to the term ‘urban residents’ in the Trails and Wildlife Area Activities application guides. I did not see this term in the definitions section. Can you tell me what this term means?**
- A.** The word “urban” has different meanings in differing parts of the state, so the applicants may define the term in accordance with their own understanding of the word. The lack of definition allows all applicants the opportunity to apply for HCF funds.
- Q. Referencing the Trails Application Guide – does a trail plan have to be mentioned in a Transportation Improvement Program?**
- A.** No. The applicant needs to identify at least one adopted plan and that the project is mentioned as a high priority in that plan.
- Q. In the Trails Application Guide – are restored trails eligible?**
- A.** Yes – new, rehabilitated, and restored trails are all eligible.
- Q. In Criterion 6 of the Trails Application Guide – can my trail be nearby to neighborhoods, school sites, or employment locations as a connection?**
- A.** Yes. The trail may be nearby or connect to neighborhoods, school sites, and/or employment locations. The applicant will receive the maximum number of points if the trail connects to all three locations.
- Q. What is the goal of the Wildlife Area Activities project category?**
- A.** The legislation states that opportunities must be available for California’s constituents to experience nature interpretation programs and other programs which bring urban residents into park and/or wildlife areas. Applicants are encouraged via the criteria to design events that will identify the location and activities of the event(s), clarify applicants’ attempts to involve potential participants and partners in designing the events, and obtain through participant feedback the level of the events’ short and relatively long-term impact on the participants.
- Q. Referencing the Wildlife Area Activities Application Guide – would an urban garden be an eligible location for a project?**
- A.** No. The definition of “wildlife area” does not allow for such a setting.
- Q. Referencing the Wildlife Area Activities Application Guide – how are the events or series of events verified?**
- A.** Grantees will need to provide documents on a periodic basis that verify that the events or series of events took place (e.g., flyers or brochures advertising the events, participant sign-up sheets, photos, event evaluations, etc.). In addition, OGALS staff may conduct site inspections for verification.
- Q. Referencing the Wildlife Area Activities Application Guide – can stakeholders also be considered partners?**
- A.** Yes – stakeholders can also participate in the project as partners. See Criterion 3 in the Wildlife Area Activities Application Guide.

- Q. In Criterion 5 of the Wildlife Area Activities Application Guide – what long-term community impacts are expected?**
- A.** Via the events design and the participants’ pre-event and post-event information sharing and knowledge comparisons, OGALS expects that the participants will retain the information they received, and the enthusiasm for wildlife preservation and outdoor recreation enjoyment they received during the event, and will promote the concern for that preservation and share that enjoyment with their families and friends.
- Q. In Criteria 8 and 9 of the Wildlife Area Activities Application Guide – does the applicant need to include a copy of the actual evaluation tools as part of the application package?**
- A.** No. However, each successful Wildlife Area Activities grantee will need to have completed evaluation tools available when requesting reimbursements and for audit purposes.
- Q. In reference to the criterion that address either a “Conservation Plan” or a “Trail Plan”, does my proposed project have to be included any particular plan, such as a Regional Plan, County Plan, or Master Plan?**
- A.** No. The applicant needs to identify at least one adopted plan and that the project is mentioned as a high priority in that plan.

### **CONSERVATION CORPS**

- Q. In reference to the Conservation Corps Criterion, are applicants required to provide one form that documents responses from both the California Conservation Corps (C.C.C.) and the certified local conservation corps?**
- A.** No. The applicant may use the form provided in the application to obtain written feedback from both the C.C.C. and the certified local conservation corps.