A P P L I C A T I O N G U I D E

HCF

Habitat Conservation Fund Program

ANADROMOUS SALMONIDS AND TROUT HABITAT

Final Draft

July 1, 2011

State of California
The Natural Resources Agency
Department of Parks and Recreation

"Creating Community through People, Parks, and Programs"

California State Parks Mission

The mission of California State Parks is to provide for the health, inspiration, and education of the people of California by helping to preserve the state's extraordinary biological diversity, protecting its most valued natural and cultural resources, and creating opportunities for high-quality outdoor recreation.

The Office of Grants and Local Services (OGALS) Mission Statement

The mission of the Office of Grants and Local Services is to address California's diverse recreational, cultural, and historical resource needs by developing grant programs, administering funds, offering technical assistance, building partnerships and providing leadership through quality customer service.

OGALS VISION GOALS

- Proactive in meeting California's park and recreation needs through innovative grant programs and customer service.
- Committed to providing quality customer service in every interaction and transaction as honest, knowledgeable, and experienced grant administrators.
- Sensitive to local concerns while mindful of prevailing laws, rules and regulations.
- Responsive to the needs of applicants, grantees, nonprofit organizations, local governments, and legislative members, who are our partners working to improve the quality of life for all Californians by creating new parks and recreation opportunities.

HABITAT CONSERVATION FUND (HCF) GRANT ADMINISTRATION

The HCF is a local assistance program of the State of California, Department of Parks and Recreation (DPR). Within DPR, OGALS is authorized to administer the program.

Send Applications and Correspondence to:

Street Address for Overnight Mail:

Calif. Dept. of Parks and Recreation
Office of Grants and Local Services
1416 Ninth Street, Room 918
Sacramento, CA. 95814

Mailing Address:

Calif. Dept. of Parks and Recreation
Office of Grants and Local Services
P.O. Box 942896
Sacramento, CA 94296-0001

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Website: www.parks.ca.gov/grants

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I. HCF CATEGORY CHART

UNIQUE FEATURES	DEER & LION HABITAT	RARE, ENDANGERED, THREATENED, OR FULLY PROTECTED HABITAT	ANADROMOUS SALMONIDS & TROUT HABITAT
Funding types	Land acquisition	Land acquisition	Land acquisition, enhancement, or restoration
Cost types	Capital outlay	Capital outlay	Capital outlay
Species impact	Any Deer & Mountain Lions	Any rare, endangered, threatened, or fully protected animal and/or plant	Anadromous Salmon Trout
Project Examples	Purchase land	Purchase land	Build access points Create spawning areas Remove barriers, invasives Re-plant areas Re-populate species

UNIQUE FEATURES	RIPARIAN HABITAT	WETLANDS	TRAILS	WILDLIFE AREA ACTIVITIES
Funding types	Land acquisition, enhancement, or restoration	Land acquisition, enhancement, or restoration	Land acquisition or trail development	Educational or interpretational activities
Cost Types	Capital outlay	Capital outlay	Capital outlay	Non-Capital outlay
Species impact	Animals or plants growing close to or in a moving fresh water source (e.g., river, stream, creek)	Animals or plants growing in or near a relatively enclosed fresh water, salt water, or brackish water source	A path or track that brings people to a park and/or wildlife environment	No direct species impact
Project Examples (in alpha. order)	Build bridges Clear channels Replant under- and over-stories Re-populate species	Build access points Fence sensitive areas Remove invasives Revegetate surrounding lands	Create and/or install interpretive elements Create or install seating or lighting Develop new trails Rehabilitate existing trails	Conduct multi-day activities Pre and post-activity evaluations Rent/purchase equipment or transportation

II. HABITAT CONSERVATION FUND PROGRAM EXECUTIVE SUMMARY

Competitive Program Intent
Protecting, restoring, and enhancing wildlife habitat and fisheries are vital to maintain California's quality of life. The impacts of the increase in the state's human population results in an urgent need to fund projects that protect rapidly disappearing wildlife habitats that support California's unique and varied wildlife resources.

In response to this need, the people of California voted to enact the California Wildlife Protection Act of 1990, Chapter 9, Fish and Game Code (FGC) § 2780 through 2799.6, which largely defines the Habitat Conservation Fund (HCF) Program. Other legislation that impacts the program includes Fish and Game Code § 2720 – 2729, Government Code § 7550 – 7550.6 and 13340, and Public Resources Code § 5900 through 5903, 5096.310, 21000, and 33216.

The underlying concepts for the program are derived, in part, from the applicable sections of Proposition 117 as enacted in the following Fish and Game Code (FGC) sections:

<u>FGC § 2786 (a) through (f):</u>
"…the money in the Habitat Conservation Fund, which is hereby created, shall be used for the following purposes:

(a) The acquisition of habitat, including native oak woodlands, necessary to protect deer and mountain lions.

(b) The acquisition of habitat to protect rare, endangered, threatened, or fully protected species.

(c) The acquisition of habitat to further implement the Habitat Conservation Program pursuant to Article 2 (commencing with Section 2721) excepting Section 2722 and subdivision (a) of Section 2723, and § 2724 and 2729

(d) The acquisition, enhancement, or restoration of wetlands.

(e) The acquisition, restoration, or enhancement of aquatic habitat for spawning and rearing of anadromous salmonids and trout resources.

(f) The acquisition, restoration, or enhancement of riparian habitat.

<u>FGC Section 2787 (a)(3)</u>
"Two million dollars for 50 percent matching grants to local agencies…for the acquisition of wildlife corridors and urban trails, nature interpretation program, and other programs which bring urban residents into park and wildlife areas…"

Annual Allocation
The HCF Program allocates approximately **$2 million** per year to the California Department of Parks and Recreation.

Application Filing Deadline
The application must be either delivered or postmarked by no later than 5:00 PM on the application due date, which will be announced annually on the OGALS website, www.parks.ca.gov/grants.

OGALS has the authority to award any excess funds via additional funding cycles, which would be announced as needed on the OGALS website, www.parks.ca.gov/grants.

Grant Performance Period
The grant performance period for each PROJECT is 5 years starting on July 1 of the fiscal year following the application due date, based on final enactment of the state budget. A GRANTEE will have up to three years to encumber the contract, and an additional two to complete the PROJECT.

Maximum and Minimum Grant Request Amounts
OGALS recommends that grant requests generally do not exceed $200,000. However, there are no maximum or minimum grant amounts. OGALS will make an effort to provide equitable geographic distribution of funds, provided that sufficient well-qualified proposals exist.

Required Match
There is a required non-state dollar-for-dollar match. See page 17 for more information.

PROJECT Categories
- There are seven eligible PROJECT categories: habitats for deer/mountain lions, rare, endangered, threatened, or fully protected species, wetlands, anadromous salmonids and trout, and riparian, trails, and wildlife area activities.
- All categories are eligible for funding in each annual funding cycle.
- There is a separate application guide for each category.

This is the "Anadromous Salmonids and Trout Habitat" Application Guide.

The meanings of words and terms shown in SMALL CAPS are in the Definitions Section, beginning on page 45.

III. HCF PROGRAM INFORMATION

Eligible APPLICANTS
Cities, counties, the City and County of San Francisco, or DISTRICTS. The State may request documentation of eligibility for DISTRICTS (see page 45 for definitions).

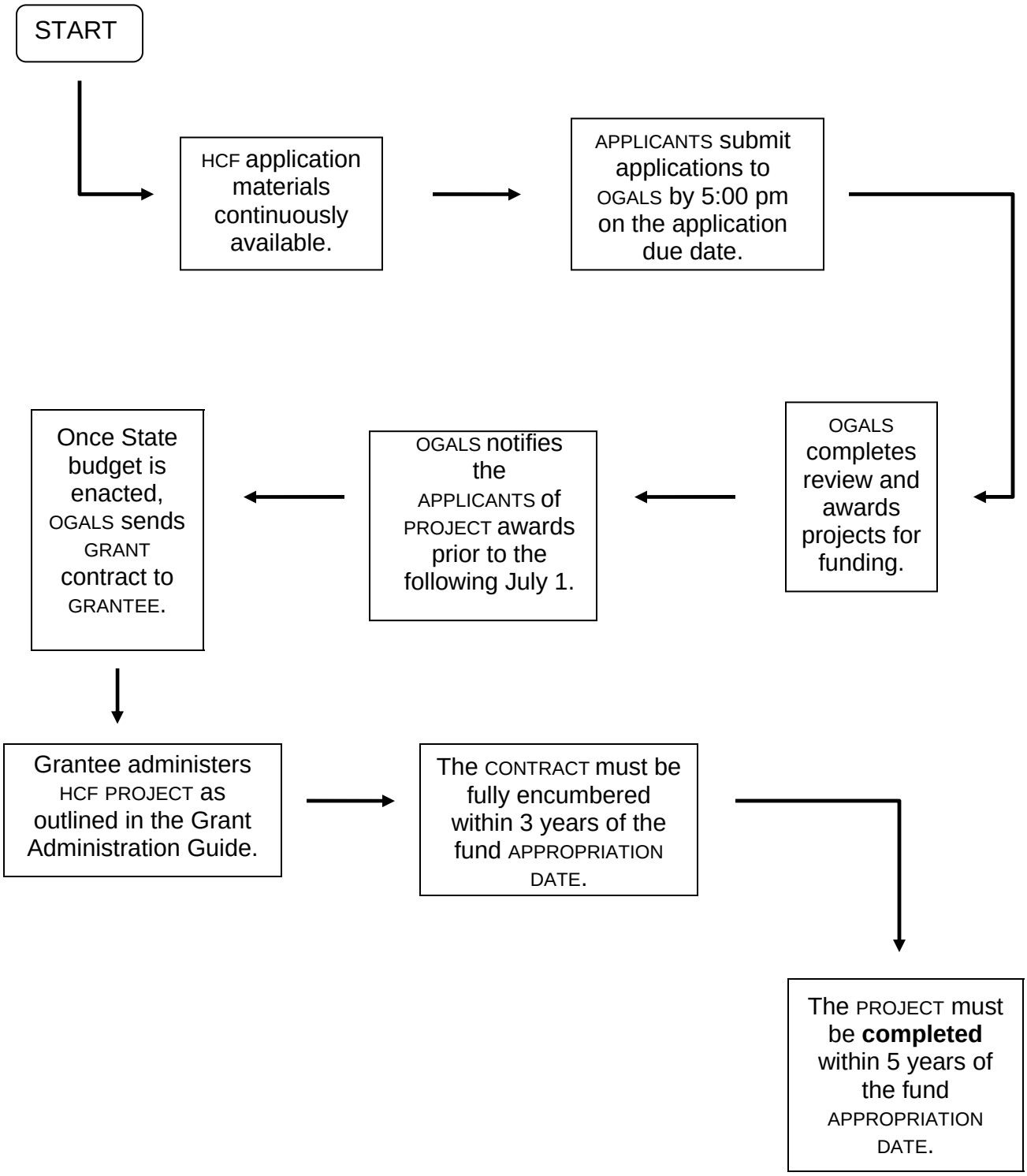
Eligible PROJECTS
ANADROMOUS Salmonids and Trout HABITAT - The ACQUISITION, or ENHANCEMENT, or RESTORATION of aquatic HABITAT for spawning and rearing of ANADROMOUS Salmonids and Trout (fish which spend most of their adult lives in salt water, and migrate to freshwater rivers and lakes to reproduce).

Ineligible PROJECTS
The following is a partial list of ineligible PROJECTS or costs in the HCF Program:

1. ACQUISITION which involves condemnation (eminent domain) or any kind of interest in property or PROJECTS without documentation of a willing seller.
2. PROJECTS arising from a mitigation ruling affecting another location.
3. PROJECTS combining ACQUISITION, or ENHANCEMENT, or RESTORATION PROJECTS with any other HCF category.
4. ENHANCEMENT or RESTORATION PROJECTS without land tenure.
5. PROJECTS that do not clearly speak to enhancing or restoring the species' environment.
6. PROJECTS that do not comply with all applicable current laws and regulations affecting ACQUISITION, or ENHANCEMENT, or RESTORATION PROJECTS, including, but not limited to, legal requirements for construction contracts, building codes, health and safety codes, and laws and codes pertaining to individuals with disabilities.
7. PROJECTS that are not consistent with the APPLICANT's general plan or equivalent planning document.
8. PROJECTS that focus on plants or animals that are not in the Department of Fish and Game's Special Animal or Plant lists. See the OGALS website at www.parks.ca.gov/grants, and follow the links to the Annual Programs and HCF Program for DFG links.
9. PROJECTS outside the State of California's boundaries.
10. PROJECT costs for normal, routine or reoccurring maintenance.

HCF Program Process
The complete HCF program process is on the following page.

The HABITAT CONSERVATION FUND Program Process



IV. APPLICATION PROCESS

Instructions for submitting the APPLICATION PACKET

- Each PROJECT must have its own application.
- APPLICANTS may apply for more than one PROJECT.
- All APPLICANTS are required to submit **one, unbound**, **original** APPLICATION PACKET.
- Application items should be provided in the order shown in the checklist on the next page.
- Each application **must** include a Table of Contents based on the checklist.
- All pages must be numbered.
- **If an item is not applicable to the PROJECT, the APPLICANT shall respond with "N/A" (not applicable), with an explanation as to why.**
- Send only the items on the checklist. Power point presentations, videos, CDs, or letters of support should not be submitted.
- Directions and forms for each checklist item can be found on the following pages.

APPLICATION PACKET Checklist

1. . ☐ Application Form.....Page 11

2. ☐ Authorizing Resolution.....Page 13

3. ☐ GRANT SCOPE/Cost Estimate Form, MATCH Instruction.....Page 15

4. ☐ Land Tenure .....Page 20

5. . ☐ California Environmental Quality Act (CEQA).....Page 23

6. ☐ PROJECT COMPLETION Schedule .....Page 25

7. ☐ Site Plan .....Page 25

8. ☐ Topographic Map.....Page 25

9. ☐ PROJECT Location Map .....Page 25

10. ☐ ACQUISITION Schedule .....Page 25

11. ☐ County Assessor's Parcel Map and Willing Seller Letter .....Page 27

12. ☐ PROJECT Summary .....Page 27

13. ☐ PROJECT Proposal .....Page 27

14. ☐ Leases or Agreements.....Page 27

15. ☐ Required Regulatory Permits.....Page 27

16. ☐ Land Management Plan (for PROJECT lands previously acquired with HCF funds).....Page 27

17. ☐ Photos of the PROJECT site.....Page 28

18. ☐ Conservation Corps involvement, instructions, and form.....Page 28

Application Instructions and Form

The application form must be completed and signed by the APPLICANT'S AUTHORIZED REPRESENTATIVE.

In the ACQUISITION, or ENHANCEMENT, or RESTORATION PROJECT section, indicate the approximate number of acres of the PROJECT SITE.

Any RECREATION FEATURE or MAJOR SUPPORT AMENITY should appear in the GRANT SCOPE/Cost Estimate form, the topographic map, and the site plan, and should be encompassed by the CEQA document(s).

CALIFORNIA WILDLIFE PROTECTION ACT OF 1990
HABITAT CONSERVATION FUND GRANT PROGRAM
PROJECT APPLICATION FORM

ANADROMOUS SALMONIDS AND TROUT HABITAT CATEGORY

PROJECT NAME	Grant Request Amount $_____ Required Match Amount $_____ TOTAL PROJECT COST $_____
GRANT APPLICANT (agency and address, include zip code)	COUNTY PROJECT ADDRESS (OR NEAREST CITY) NEAREST CROSS STREET

APPLICATION CONTACT PERSON

_____

Name (typed or printed) and Title | Email Address | Phone | Fax

PERSON WITH DAY-TO-DAY RESPONSIBLITIES FOR PROJECT IF DIFFERENT FROM AUTHORIZED REPRESENTATIVE

_____

Name (typed or printed) and Title | Email Address | Phone | Fax

GRANT APPLICANT'S REPRESENTATIVE AUTHORIZED IN RESOLUTION

_____

Name (typed or printed) and Title | Email Address | Phone | Fax

For acquisition projects, project land will be _____ Acres to be acquired in fee simple by applicant. _____ Acres to be acquired as permanent easement (explain): _____ _____	For enhancement or restoration projects, land tenure is: _____ Acres owned in fee simple by applicant. _____ Recordation number(s) (attach additional sheet if necessary) _____ _____ Acres available under a _____ year lease. _____ Acres other interest (explain): _____

GRANT SCOPE: I represent and warrant that this APPLICATION PACKET describes the intended use of the requested GRANT to complete the RECREATION FEATURES and MAJOR SUPPORT AMENITIES listed in the attached GRANT SCOPE/Cost Estimate Form. I declare under penalty of perjury, under the laws of the State of California, that the information contained in this APPLICATION PACKET, including required attachments, is accurate.

SIGNED		DATE
	Grant Applicant's Authorized Representative as shown in Resolution	
NAME		

Resolution Instructions and Form

OGALS requires a resolution to ensure that the APPLICANT has reviewed the GRANT application and GRANT CONTRACT and agrees to all language within both documents.

1. The APPLICANT may reformat the resolution as long as the text is unchanged. Additional language may be added to the resolution as long as it does not change the required language. Resolutions with content that differs from the required language will be sent to Departmental legal counsel for review, which may cause a delay in evaluating the application. The resolution may have to be returned to the APPLICANT for changes.

2. The resolution must identify position(s) as the AUTHORIZED REPRESENTATIVE(s). Do not put name(s) in the resolution.

3. The person holding the position named as the AUTHORIZED REPRESENTATIVE in the resolution may delegate that authority by sending a letter to OGALS. A separate letter is required for each CONTRACT.

Resolution Form

Resolution No: _____

RESOLUTION OF THE (Title of Governing Body/City Council, Board of Supervisors) OF (City, County, District Applicant) APPROVING THE APPLICATION FOR GRANT FUNDS FROM THE HABITAT CONSERVATION FUND PROGRAM

WHEREAS, the people of the State of California have enacted the California Wildlife Protection Act of 1990, which provides funds to the State of California for grants to local agencies to acquire, enhance, restore or develop facilities for public recreation and fish and wildlife habitat protection purposes; and

WHEREAS, the State Department of Parks and Recreation has been delegated the responsibility for the administration of the HCF Program, setting up necessary procedures governing project application under the HCF Program; and

WHEREAS, said procedures established by the State Department of Parks and Recreation require the Applicant to certify by resolution the approval of application(s) before submission of said application(s) to the State; and

WHEREAS, the Applicant will enter into a Contract with the State of California to complete the project(s);

NOW, THEREFORE, BE IT RESOLVED that the (Applicant's Governing Body) hereby:

1. Approves the filing of an application for the Habitat Conservation Fund Program; and

2. Certifies that said applicant has or will have available, prior to commencement of any work on the project included in this application, the required match and sufficient funds to complete the project; and

3. Certifies that the applicant has or will have sufficient funds to operate and maintain the project(s), and

4. Certifies that the applicant has reviewed, understands, and agrees to the provisions contained in the contract shown in the grant administration guide; and

5. Delegates the authority to (designated position) to conduct all negotiations, execute and submit all documents, including, but not limited to applications, agreements, amendments, payment requests and so on, which may be necessary for the completion of the project.

6. Agrees to comply with all applicable federal, state and local laws, ordinances, rules, regulations and guidelines.

Approved and Adopted the _____day of _____, 20_____.

I, the undersigned, hereby certify that the foregoing resolution number_____was duly adopted by the (Grantee's Governing Body) following a roll call vote:

Ayes:
Noes:
Absent:
Clerk _____

GRANT SCOPE/Cost Estimate Form, MATCH Instructions

The GRANT SCOPE/Cost Estimate Form on page 19 has three uses:

1. Establishing the GRANT SCOPE
2. Providing a concept-level cost estimate
3. Providing required MATCH information

1. Establishing the GRANT SCOPE:

The APPLICANT will use the GRANT SCOPE/Cost Estimate Form to establish the expected GRANT deliverables for PROJECT COMPLETION. The APPLICANT must identify on the GRANT SCOPE/Cost Estimate Form the RECREATION FEATURES and MAJOR SUPPORT AMENITIES that will be paid for with GRANT funds.

The APPLICANT will use the GRANT SCOPE/Cost Estimate Form to describe only the RECREATION FEATURES and MAJOR SUPPORT AMENITIES that will be completed before the end of the GRANT PERFORMANCE PERIOD. All of the RECREATION FEATURES and MAJOR SUPPORT AMENITIES listed on the form must be completed before a final GRANT payment can be approved, or 20% of the grant will be retained in the CONTRACT

Directions for establishing the GRANT SCOPE

1. Use one of the following phrases to describe the type of work for each RECREATION FEATURE and MAJOR SUPPORT AMENITY that will be funded by the GRANT. Modify the language as appropriate:

- "Acquire approximately *** acres…" (provide the approximate number of acres that will be acquired). See the definition of ACQUISITION on page 45.

- "Enhance the salmon bedding area in approximately *** feet of *** River" (provide the approximate number of feet or miles that will be enhanced, as well as the body of water's location, as per the GRANT SCOPE). See the definition of ENHANCEMENT on page 46.

- "Restore steelhead trout and Chinook salmon habitat along approximately *** ft. of *** Creek" (provide the approximate number of feet or miles that will be restored, as well as the body of water's location, as per the GRANT SCOPE). See the definition of RESTORATION on page 48.

Describe the RECREATION FEATURES in the GRANT SCOPE/Cost Estimate Form:

a) Describe the ACQUISITION, ENHANCEMENT, or RESTORATION of a RECREATION FEATURE in the GRANT SCOPE/Cost Estimate Form regardless of its estimated cost at the time of application.

Describe the MAJOR SUPPORT AMENITIES in the GRANT SCOPE/Cost Estimate Form:

b) Include a permanently-fixed, stand-alone item of work to improve the appearance or use of the general PROJECT SITE on the GRANT SCOPE/Cost Estimate Form only if its estimated cost at the time of application is $30,000 or more.

Examples of how (a) would be included in the GRANT SCOPE/Cost Estimate Form:

- A bridge would be an expected GRANT SCOPE deliverable only if the bridge is estimated to cost $30,000 or more, OR if the GRANT SCOPE deliverable is the only element that GRANT funds would pay for.
- Planting native vegetation would be an expected GRANT SCOPE deliverable only if the vegetation is estimated to cost $30,000 or more, OR if the GRANT SCOPE deliverable is the only element that GRANT funds would pay for.
- Creating RIFFLES, RUNS and POOLS would be an expected GRANT SCOPE deliverable only if the elements are estimated to cost $30,000 or more, OR if the GRANT SCOPE deliverable is the only element that GRANT funds would pay for.

Do NOT include MINOR SUPPORT AMENITIES in the GRANT SCOPE/Cost Estimate Form.

- Example: GRANT SCOPE is the "RESTORATION of approximately 1,000 feet of creek".
- The GRANTEE will have the flexibility to add a MINOR SUPPORT AMENITY for the creek restoration, such as install a bench near the creek.
- If the cost of installing a bench is less than $30,000, it is a MINOR SUPPORT AMENITY, and would be excluded on the GRANT SCOPE/Cost Estimate Form as an expected GRANT deliverable.
- The APPLICANT would fold the cost of a MINOR SUPPORT AMENITY into the cost of the RECREATION FEATURE.
- The $30,000 level is based on the estimated cost for each stand-alone MINOR SUPPORT AMENITY and is not based on a cumulative cost of multiple MINOR SUPPORT AMENITIES.

2. Providing a concept-level cost estimate on the GRANT SCOPE/Cost Estimate Form

- Use the form on page 19 to provide the concept-level cost estimate for each RECREATION FEATURE and MAJOR SUPPORT AMENITY described in the GRANT SCOPE/Cost Estimate Form.

- Do not show contingency costs as a stand-alone item. Contingency costs should be included within RECREATION FEATURE and MAJOR SUPPORT AMENITY cost items.

- The estimated TOTAL PROJECT COST on the GRANT SCOPE/Cost Estimate Form must equal the estimated TOTAL PROJECT COST listed on the application form.

- Although an APPLICANT may wish to utilize additional funding beyond HCF GRANT funds and required MATCH to complete the PROJECT, such additional funding should not be included on the GRANT SCOPE/cost estimate form. OGALS does not provide oversight for such funding.

- If interpretive signage will be part of the GRANT SCOPE, it must be included on the GRANT SCOPE/Cost Estimate Form, regardless of cost.

- If the estimated costs change during the course of the PROJECT, a revised GRANT SCOPE/Cost Estimate Form is not required, UNLESS the GRANT SCOPE item's estimated cost is more than $30,000.

- The GRANTEE may only claim those costs directly related to the GRANT SCOPE.

- Refer to the ELIGIBLE COSTS Chart (see page 41) when formulating a cost estimate.

OGALS recommends that the GRANT SCOPE/Cost Estimate Form includes allowances for compliance with the Americans with Disabilities Act of 1990 (42 U.S.C. Sections 12101 et. seq.)

Each RECREATION FEATURE and MAJOR SUPPORT AMENITY listed in the GRANT SCOPE and their related paths of travel from parking lots and/or roadsides, must be designed to accommodate persons with disabilities.

3. MATCH Requirement

- The HCF MATCH amount is based on the cost of the amount of HCF funds.

- The APPLICANT is responsible for providing a MATCH amount that is a **dollar-for-dollar** match of the amount of HCF funds.

- List required MATCH funds, sources, and the amount of HCF funds to be used on the GRANT PROJECT on the GRANT SCOPE/Cost Estimate Form.

- HCF GRANTS may be combined with other eligible grants to fund a PROJECT. To meet the HCF GRANT MATCH requirements, other eligible grant(s) must have adequate costs to be incurred that are the same as the HCF GRANT SCOPE.

- The MATCH funds **must** be committed at the time of application.

Eligible MATCH Sources

- Local funds, including local general funds and local bond funds.
- Private funds.

- Donated materials and services. (e.g., IN-KIND services, FORCE-ACCOUNT LABOR)
- Value of donated land (for ACQUISITION PROJECTS only).
- Federal funds.

Ineligible MATCH Source
- State funds

Rules regarding MATCH
- MATCH can only be spent on ELIGIBLE COSTS.
- INDIRECT COSTS cannot be used as MATCH.
- The GRANT and the required MATCH amounts **combined** cannot pay for more than 25% of pre-construction costs (See ELIGIBLE COSTS chart on page 41) of the total HCF PROJECT.

Important Amounts to Know

GRANT Request Amount (Cannot exceed 50% of TOTAL PROJECT COST)		$_____
	+	
Required MATCH Amount (Must be a minimum of 100% of GRANT amount)		$_____
	=	
Total HCF PROJECT Cost (GRANT + Required MATCH = HCF PROJECT)		$_____

How to calculate GRANT amount and MATCH amount based on the TOTAL PROJECT COST

Multiply the total cost of the PROJECT by .50 to obtain the maximum GRANT amount and minimum required MATCH amount

Example:
Cost of total PROJECT is $120,000
Multiply by .50 = $60,000. This is the maximum GRANT amount and minimum MATCH amount.

GRANT SCOPE/Cost Estimate Form

GRANT SCOPE:

GRANT SCOPE items – PRE-CONSTRUCTION costs	HCF Grant	Required Match	Total
	Subtotal: $	$	
GRANT SCOPE items – ACQUISITION or CONSTRUCTION costs	**HCF Grant**	**Required Match**	**Total**
	Subtotal: $	$	
	Total: $	$	
TOTAL PROJECT COST			$

APPLICANT'S MATCH Sources (by name and date committed)	Total
Total of MATCH Sources	

Notes:

- This form will be used to establish the expected GRANT deliverables
- All of the RECREATION FEATURES and MAJOR SUPPORT AMENITIES listed on this form must be completed and open to the public before final grant payment is approved.
- Match **must** be committed at the time of application.

Land Tenure Requirements and Form

The APPLICANT must satisfy one of the following land tenure requirements for the HCF Program at the time of application. The land tenure requirements below do not apply to ACQUISITION PROJECTS.

Fee-Simple Ownership

If the PROJECT site is owned in fee simple by the APPLICANT, the APPLICANT provides one of the following, indicating that the APPLICANT is the land owner:

- A copy of relevant ownership documents, (Grant Deed, Quitclaim Deed, etc.), indicating the APPLICANT has title to the property.

OR

- Deed recordation number(s) on the application form or on a separate sheet attached to the application form. The recordation numbers are found on the ownership deeds, or may be obtained through the applicable county recorder's office.

Non-Ownership

If the APPLICANT does not own the PROJECT site in fee simple, the APPLICANT must provide the following:

- A land tenure document (lease, agreement, Memorandum of Understanding, etc) that, at a minimum, addresses all the elements of the Land Tenure Form (see page 22)
- A completed Land Tenure Form (see page 22)

Alternate Requirements

If the land tenure agreement is an unsigned **draft** at the time of application, the APPLICANT must provide the following:

- A complete Land Tenure Form on page 22
- A copy of the draft land tenure document
- A letter from the APPLICANT which confirms the APPLICANT's intention to sign the proposed land tenure agreement should the GRANT be awarded.
- A corresponding letter from the landowner which confirms an intention to sign the proposed land tenure agreement should the GRANT be awarded.

If a GRANT is awarded, the APPLICANT must send a signed land tenure agreement to OGALS before OGALS can sign the GRANT CONTRACT.

If the APPLICANT cannot meet the 10 or 20 year-term requirement at the time the application is submitted, the APPLICANT must provide the following:

- A letter from the land owner which:
  - States the land owner's policy prohibiting long-term land tenure documents, if applicable
  - Describes the history of the APPLICANT's use of the property.

- o States a commitment to continue to renew the land tenure document with the APPLICANT in incremental periods to satisfy the 10 or 20 year land tenure requirement, absent any unforeseen circumstances.

- A letter from the APPLICANT, signed by the AUTHORIZED REPRESENTATIVE, which states the APPLICANT's intention to renew the land tenure document with the land owner in incremental periods to satisfy the 10 or 20 year land tenure term requirement.

NOTE: For all land tenure documents, if the land owner does not renew the document, and the GRANTEE cannot comply with the time period stated in the CONTRACT, OGALS may hold the GRANTEE in breach of CONTRACT. This is covered in the Use of Facilities section reproduced below. The entire CONTRACT, including all provisions, can be found in the GRANT Administration Guide.

Use of Facilities

- The GRANTEE agrees that the GRANTEE shall use any property acquired, enhanced, restored, or developed with GRANT monies under this agreement only for the purposes of the GRANT and no other use, sale, or other disposition shall be permitted except as authorized by a specific act of the legislature in which event the property shall be replaced by the GRANTEE with property of equivalent value and usefulness as determined by the state.

- The property acquired, enhanced, restored, or developed may be transferred to another eligible entity only if the successor entity assumes the obligations imposed under this agreement and with written approval of the state.

Land Tenure Form

This form is required for enhancement or restoration projects. In addition, the applicant must attach a copy of the land tenure document(s).

☐ **Type of Agreement** _____

- Identify the type of agreement, e.g., agreement, lease, joint powers agreement, easement, memorandum of understanding, etc.

☐ **Parties to the Signed Agreement**.....Page ____

- Highlight the sections which identify the parties to the agreement.
- The agreement must be signed by all parties.

☐ **Term of the Agreement**.....Page ____

- All grant amounts up to and including $100,000 require at least 10 years of land tenure.
- All grant amounts greater than $100,000 require at least 20 years of land tenure.
- OGALS will start counting the 10 or 20 year land tenure requirement from the date of appropriation.

☐ **Renewal Clause**.....Page ____

- The renewal clause must include an option, which can be non-binding, for the applicant/grantee to renew the agreement beyond the original 10 or 20 year term requirement.

☐ **Termination (Revocability)** .....Page ____

Any of the following is acceptable:

- No termination clause - the agreement is non-revocable.
- The termination clause may specify that the agreement is revocable:
  - For breach of the contract provisions, that is, for cause.
  - By mutual consent.

The following is not acceptable: A termination clause that allows the land owner to revoke the agreement without cause (at will).

☐ **Site Control Roles and Responsibilities** .....Page ____

- The applicant must have the authority to construct, operate, and maintain the project in accordance with the contract provisions.

☐ **Roles and Responsibilities**.....Page ____

- The agreement must authorize the applicant to proceed with the construction project. The applicant may delegate construction to other entities.
- The agreement gives the applicant permission to operate and maintain the project site. The applicant may delegate these roles to other entities.

CEQA Instructions and Form

The APPLICANT is required to comply with CEQA. The APPLICANT must check with the local city or county planning agency for more information, prior to submitting the APPLICATION PACKET.

ACQUISITION, or ENHANCEMENT, or RESTORATION PROJECTS

The APPLICANT may demonstrate compliance with CEQA by providing a CEQA Certification Form, signed by the AUTHORIZED REPRESENTATIVE, and either:

- a copy of the Notice of Exemption
- a copy of the Notice of Determination
- other documentation of CEQA PROJECT approval by the Lead Agency as appropriate.

California Environmental Quality Act (CEQA)
CEQA Compliance Certification Form

Grantee: _____ **Project Name:** _____

Project Address: _____

_____

When was CEQA analysis completed for this project? Date: _____

What document(s) were filed for this Project's CEQA compliance: (check all that apply)

☐Initial Study ☐Notice of Exemption ☐Negative Declaration ☐Mitigated Negative Declaration
☐Environmental Impact Report ☐Notice of Determination ☐Other (letter, etc.):

Note: If a Master Environmental Impact Report was used to comply with CEQA you are certifying that the project is covered in adequate detail to allow the project's construction or acquisition.

Attach the Notice of Exemption or the Notice of Determination as appropriate. If these forms were not completed, attach a letter from the lead agency explaining why.

Lead Agency Contact Information:

Lead Agency Name:_____ Contact Person: _____

Mailing Address: _____

Phone: (____) _____ Email: _____

Certification:
I hereby certify that the lead agency listed above has determined that it has complied with the California Environmental Quality Act (CEQA) for the project identified above and that the project is described in adequate and sufficient detail to allow the project's construction or acquisition.

I represent and warrant that I have full authority to execute this CEQA Compliance Certification on behalf of the lead agency. I declare under penalty of perjury that the foregoing certification of CEQA Compliance for the above named project is true and correct.

_____	_____	_____
Authorized Representative (Signature)	Date	Authorized Representative (Printed Name and Title)

PROJECT COMPLETION Schedule

Provide a PROJECT COMPLETION schedule that includes the proposed PROJECT's key milestones, including the following (as applicable):

- Partner agreements
- Non land-tenure leases or agreements
- Permits
- Construction beginning and end dates

Site Plan

Provide a drawing or depiction indicating scale, PROJECT orientation (north-south), what improvements the GRANTEE will make, where the improvements will be, and the approximate square footage of any buildings that are part of the GRANT SCOPE. The plan should also indicate access points to the site and the location of any interpretive signs.

Topographic Map

Submit a topographic map (APPLICANT to specify scale) that is detailed enough to identify the PROJECT elements as described in the GRANT SCOPE and include all parcels (owned or leased) that are part of the PROJECT site. As applicable, depict the PROJECT in relation to WILDLIFE resources such as vegetated areas, creeks, and other features including archeological sites, existing roads, and TRAILS. See www.parks.ca.gov/grants, and follow the links to the Annual Programs and HCF Program for the link for free topographic maps.

NOTE: An APPLICANT may combine the site plan and topographic map into one document, as long as all the elements mentioned in both the site plan and topographic map instructions above are present on the document.

PROJECT Location Map

Provide a map (city or county) showing highway and street access to the PROJECT site, and with enough detail to allow a person unfamiliar with the area to locate the PROJECT.

Acquisition Schedule

For ACQUISITION PROJECTS, provide an ACQUISITION schedule outlining the acreage and parcel number(s) to be acquired, estimated ACQUISITION date and estimated value of each parcel to be acquired (see sample on the following page). If applicable, include the estimated relocation costs.

Acquisition Schedule Form

(To be submitted with the application)

Assessor's Parcel No.	Acreage	Estimated Date of Acquisition	Estimated Value of Land to be Acquired (b)	Estimated Value of Improvements to be Acquired (c)	Estimated Cost of Relocation	Total Estimated Cost (d)
(a)						
Total acres:					Total Estimated Cost:	
					Costs other than land (e):	$
					Grand Total:	$

a) Use additional rows if ACQUISITION involves more than one parcel.

b) "Estimated value of land to be acquired". APPLICANTS should obtain an appraisal of real property before the initiation of negotiations. OGALS cannot pay more for an ACQUISITION than the appraised value. OGALS cannot participate in transactions where property is being purchased at a price that exceeds the appraised value, even when OGALS is only contributing an amount equal to or less than the appraised value (the value of a property as determined by an appraisal that includes a written concurrence from an independent third party appraiser.) Prior to GRANT payment, GRANTEES must provide an appraisal supporting the purchase price and a written concurrence from an independent third party appraiser.

c) "Estimated value of improvements to be acquired" refers to buildings or other structures on the land being acquired.

d) "Total estimated cost" refers to the total estimated value of the land, the estimated relocation costs, and the estimated value of improvements to be acquired.

e) From GRANT SCOPE/Cost Estimate Form. For ACQUISITION PROJECTS, this cannot exceed more than 25% of the GRANT amount.

County Assessor's Parcel Map and Willing Seller Letter

- Provide a county assessor's parcel map showing the parcel(s) to be acquired. The parcel numbers shown on the parcel map must match those on the ACQUISITION schedule, and
- Provide a letter from the land owner(s) indicating the intent to sell the property or to negotiate. The letter does not need to include legally binding language.

OR

- For permanent easements, provide a county assessor's parcel map showing the parcel(s) to be acquired. The parcel numbers shown on the parcel map must match those on the ACQUISITION schedule, and

- Submit a copy of the proposed easement language. Permanent easement agreements must guarantee the authority to use the property for the purposes specified in the application form.

PROJECT Summary

Provide a synopsis (one-page maximum) in narrative format that explains the PROJECT, including any CAPITAL IMPROVEMENTS to be made to the PROJECT site. If appropriate, describe how the proposed PROJECT will be part of a larger project. The summary will not be scored.

PROJECT Proposal

Provide a written proposal which answers each question or responds to each statement in the PROJECT proposal portion of the APPLICATION Guide as it pertains to the PROJECT (see page 30).

Leases or Agreements

Provide a list of all other leases, agreements, memoranda of understanding, etc., affecting PROJECT lands or the operation and maintenance thereof, excluding those relevant to land tenure (if applicable).

Required Regulatory Permits

Provide a list of existing and additional required permits, the status of each, and indicate when permit approval is expected. Examples include:

- State Lands Commission
- San Francisco Bay Conservation and Development Commission
- Fish and Game Permits
- Army Corps of Engineers

Land Management Plan for PROJECT lands previously acquired with HCF funds

If the APPLICANT proposes a PROJECT on land that was previously acquired with HCF funds, describe the management plan for those PROJECT lands. The plan should include efforts to reasonably reduce possible conflicts with neighboring land use and landowners, including agriculturists.

Photos of PROJECT Site
Submit up to four 8½" x 11" pages of photos of the PROJECT site sufficient to show the area(s) to be acquired, or enhanced, or restored, with a caption to describe and identify the photo.

Conservation Corps Involvement instructions and form

- To the extent practicable, the APPLICANT is required to utilize the services of the C.C.C. and the CERT. CORPS.
- The APPLICANT is required to contact **both** the C.C.C. and the CERT. CORPS to obtain feedback on whether either can participate in the PROJECT.
- The participation of both the C.C.C. and the CERT. CORPS is not required to receive maximum points in Criterion 10 (see page 40).
- The APPLICANT should use two copies of this form to obtain written feedback from both the C.C.C. and the CERT. CORPS simultaneously.
- The copies must be included in the APPLICATION PACKET.

OFFICE OF GRANTS AND LOCAL SERVICES
HABITAT CONSERVATION FUND (HCF) PROGRAM
Documented Contact with CCC and Certified Local Conservation Corps
Required for HCF Applications
Applicants complete the upper portion - Corps complete the bottom portion

Project Title: _____**SEE ATTACHED HCF APPLICATION FORM**

PROJECT TYPE (check one below)

☐ Riparian ☐ Anadromous Salmonids and Trout ☐ Wetlands ☐ Trails

HCF APPLICANT (agency, address, phone, and fax)	Grant Request Amount $ _____

HCF APPLICANT CONTACT PERSON (address, phone, email and fax)

Conservation Corps Contacts
For Habitat Conservation Fund Projects

AGENCY	CCC CONTACT TITLE	EMAIL ADDRESS
California Conservation Corps	Chief of Field Operations	www.parks.ca.gov/grants follow links to Annual Programs and HCF Program to obtain contact information
California Association of Local Conservation Corps	Association Manager	www.parks.ca.gov/grants follow links to Annual Programs and HCF Program to obtain contact information

☐ A Corps can participate on the following items of work:

Name of Corps: _____ Corps Contact _____
(Name)

_____ _____
(Phone number) Signature

☐ A Corps cannot participate on the project for the following reasons:

- ☐ Tasks/Scope of Work outside the skill set of the Corps
- ☐ Project Distance/Logistics
- ☐ Financial/Budgetary Reasons
- ☐ Grant scope too limited
- ☐ Other _____

Name of Corps: _____ Corps Contact _____
(Name)

_____ _____
(Phone number) Signature

V. PROJECT SELECTION CRITERIA

PROJECT Proposal Instructions

The APPLICANT must:

- Respond to the criteria in the order listed in this APPLICATION Guide.

- Provide a written response to each question or statement as it pertains to the PROJECT. If a particular question or statement does not apply to the PROJECT, indicate as such with "N/A" (not applicable), and provide a brief explanation as to its inapplicability.

- Limit the PROJECT Proposal to no more than 15 pages, 8 ½" x 11" paper, single-sided, double-spaced, with 12-point font. It is not necessary to include the questions in your responses. Attachments do not count as part of the 15 pages. Margins should be sufficient for OGALS to easily read the proposal.

- Cite studies, reports or other data that support the responses, where appropriate.

PROJECT Proposal

Introduction

The information provided in the PROJECT proposal will allow OGALS to evaluate the competing GRANT applications. In addition to striving for objectivity and uniformity in evaluating proposals, OGALS will make an effort to provide equitable geographic spread of funds, provided that sufficient well-qualified proposals exist.

All PROJECTS from all seven funding categories compete for the approximately $2 million dollars available annually.

There are a total of **100 points** possible for each PROJECT proposal.

Overview of Criteria and Point Values

1. Threat (15 points)
2. Site Access (10 points)
3. Stakeholders (10 points)
4. APPLICANT Capacity (15 points)
5. Species Presence (10 points)
6. Invasive Plant Species (15 points/10 points)
7. Site Elements (10 points)
8. RIPARIAN Conditions (10 points)
9. Conservation Plan (5 points)
10. Conservation Corps Involvement (5 points)

1. <u>Threat</u> (15 points)

Describe any existing or potential harm or danger to the PROJECT site and/or targeted species, and the overall consequences if the proposed ACQUISITION, ENHANCEMENT, or RESTORATION cannot occur.

The maximum number of points will be awarded to PROJECTS where a significant threat to the PROJECT site and/or targeted species exists.

There is a **significant** threat	15-11 points
There is a **moderate** threat	10-6 points
There is a **minimum** threat	5-1 points
The APPLICANT did not respond	0 points

2. <u>Site Access</u> (10 points)

Per the HCF Program legislation, the public should have access to the PROJECT sites except when that access may interfere with HABITAT protection.

Describe the plans for future access that will occur as a result of PROJECT COMPLETION, providing details on the five items below.

a) Reasonable entrance, parking, membership, or activity fees, or no fees
b) Onsite or close-by parking
c) Easily available public transportation, bike lanes, or TRAILS
d) Flexible hours (hours that accommodate participants)
e) Solutions to any physical, financial, and/or cultural barriers/obstacles to PROJECT site

For ACQUISITION PROJECTS, the APPLICANT's score will be based on a description of the APPLICANT's plans for future access that will occur after ACQUISITION. If the APPLICANT anticipates a time delay between PROJECT COMPLETION and providing access, address this issue.

The maximum number of points will be given to PROJECT site(s) that are accessible via all five of the items above.

The PROJECT site is accessible via **all five** of the items above	10 points
The PROJECT site is accessible via **four of the five** items above	8 points
The PROJECT site is accessible via **three of the five** items above	6 points
The PROJECT site is accessible via **two of the five** items above	4 points
The PROJECT site is accessible via **one of the five** items above	2 points
The APPLICANT did not respond	0 points

3. <u>Stakeholders</u> (10 points)

The APPLICANT should focus the response to this criterion on efforts to solicit input, not on the number of interested parties solicited.

Describe the efforts to involve interested parties (community-based stakeholders, potential users, public agency partners, and/or community-based non-profit partners) in PROJECT planning and/or implementation. A concerted effort would include the following descriptions:

a) Methods used to notify interested parties of the input opportunity
b) Methods used to obtain the interested parties' ideas
c) How the interested parties' ideas were incorporated in PROJECT design and/or implementation

The maximum number of points will be awarded to APPLICANTS which, ***within the last two years prior to the application due date****, made a* ***concerted*** *effort to involve the broadest representation of interested parties in the PROJECT planning and implementation process.*

The APPLICANT made a **concerted** effort to involve interested parties..... 10-8 points
The APPLICANT made a **moderate** effort to involve interested parties.....7-5 points
The APPLICANT made a **limited** effort to involve interested parties .....4-1 points
The APPLICANT made **no** effort to involve interested parties, or the APPLICANT did not respond.....0 points

4. APPLICANT Capacity (15 points)

In addition to the information provided in this criterion, OGALS will consider the APPLICANT's performance history with OGALS as part of the PROJECT selection process. This includes, but is not limited to, a review of the APPLICANT's ability to:

- Complete previous GRANT-funded PROJECTS within the GRANT PERFORMANCE PERIOD
- Meet all post-award requirements including timely submission of PROJECT STATUS REPORTS and payment requests
- Operate and maintain GRANT-funded sites

For ACQUISITION PROJECTS
Describe the APPLICANT's ability to complete an ACQUISITION, based on the APPLICANT's knowledge and/or experience of the process to:

a) Identify the appropriate and available property(ies)
b) Negotiate terms of sale with the land owner(s)
c) Secure the appropriate agency/agent(s) to facilitate escrow transactions

OR

For ENHANCEMENT or RESTORATION PROJECTS
Describe the APPLICANT's ability to complete the PROJECT, based on a comprehensive management process. The APPLICANT will discuss its ability as pertaining to items a – c below:

a) Design the project to maximize sustainability
b) Manage PROJECT COMPLETION schedule to ensure the timely completion of milestones
c) Monitor PROJECT outcomes to ensure they remain at intended standards

The maximum number of points will be awarded to APPLICANTS that demonstrate significant capacity to complete the PROJECT by addressing items a-c above.

The APPLICANT demonstrates **significant** capacity.....15-11 points
The APPLICANT demonstrates **moderate** capacity .....10-6 points
The APPLICANT demonstrates **limited** capacity.....5-1 points
The APPLICANT demonstrates **no** capacity, or the APPLICANT did not respond.....0 points

5. <u>Species Presence</u> (10 points)

The ideal ANADROMOUS Salmonids and/or Trout HABITAT PROJECT would include a variety of ANADROMOUS Salmonids **and** Trout species that currently occupy the proposed PROJECT site. See italicized information for specifics.

Describe the presence and variety of ANADROMOUS Salmonids and/or Trout species that presently exist on or near the PROJECT site.

The maximum number of points will be awarded to PROJECTS which identify at least two or more native species of ANADROMOUS Salmonids and Trout that presently exist on or near the PROJECT site.

Two or more native ANADROMOUS Salmonids **AND** Trout species presently exist on or near the PROJECT site.....10 points

Either one native ANADROMOUS Salmonid **OR** Trout species presently exist on or near the PROJECT site.....5 points

No occurrence on or near PROJECT site, or the APPLICANT did not respond.....0 points

6. <u>Invasive Plant Species</u> (15 points/10 points)

For APPLICANTS addressing current PROJECT status, the ideal ANADROMOUS Salmonids and/or Trout HABITAT PROJECT site would have thriving native vegetation stands with minimal invasive non-native plant species.

For ACQUISITION PROJECTS (15 points)
Describe the degree to which the invasive plant species impact the PROJECT site.

The maximum number of points will be awarded to PROJECT sites which are dominated by native plant species.

PROJECT site is dominated by native plant species and adjacent lands/waters have few or no invasive plant species	15 points
No invasive non-native plant species on PROJECT site, but adjacent lands/waters have significant presence of invasive plant species	10 points
PROJECT site has significant presence of invasive plant species	5 points
The APPLICANT did not respond	0 points

OR

For ENHANCEMENT or RESTORATION PROJECTS (10 points)

Describe how the following activities will be implemented:
a) Establishment of a local long-term action plan with local funding to continue prevention and/or control activities
b) Effective initial containment efforts of the invading invasive non-native plant species
c) Evaluation of treatment effectiveness, including evaluation of the next year's growing season

The maximum number of points will be awarded to APPLICANTS which implement all three activities.

The APPLICANT will implement **all three** activities	10 points
The APPLICANT will implement **two** activities	7 points
The APPLICANT will implement **one** activity	3 points
The APPLICANT has not, nor will not, implement any activities, or did not respond	0 points

7. <u>Site Elements</u> (10 points)

The ideal ANADROMOUS Salmonids and/or Trout HABITAT PROJECT would include the NECESSARY HYDROLOGICAL PROCESSES, including a wide variety of elements in and around the proposed PROJECT site.

Describe how the PROJECT site currently has, or by PROJECT COMPLETION will have, the following elements:

a) Water quality characteristics (temperature, dissolved oxygen, pH, etc.) within or greater than suitable range for ANADROMOUS species occurring in water course
b) Levels of drainage impacts and changes (from municipal to agricultural discharges) that maximize water quality.
c) Regulated use and importation of non-NATIVE FISH predation and minimizing or eliminating non-NATIVE FISH competition.
d) Unrestricted fish passage both upstream and downstream for all life-stages of species present or anticipated to re-inhabit area.
e) RIFFLES, RUNS, POOLS, and in-stream woody debris/boulders
f) Levels of monitoring and enforcement that minimize point source pollution and illegal water diversion.

The maximum number of points will be awarded to PROJECT sites which currently, or will at PROJECT COMPLETION, have all six elements.

PROJECT site currently has, or will at PROJECT COMPLETION, have **all six** elements.....10 points

PROJECT site currently has, or will at PROJECT COMPLETION, have **five** elements .....8 points

PROJECT site currently has, or will at PROJECT COMPLETION, have **four** elements.....6 points

PROJECT site currently has, or will at PROJECT COMPLETION, have **three** elements ....4 points

PROJECT site currently has, or will at PROJECT COMPLETION, have **two** elements .....2 points

PROJECT site currently has, or will at PROJECT COMPLETION, have **one** element……..1 point

PROJECT site currently has, or will at PROJECT COMPLETION, have **no** elements, or the APPLICANT did not respond .....0 points

8. RIPARIAN Conditions (10 points)

The ideal ANADROMOUS Salmonids and/or Trout HABITAT PROJECT would include an optimal site environment on both sides of the stream channel, including an appropriate composition and multi-storied HABITAT.

Describe the current conditions on each side of the stream channel at the PROJECT site. An optimal PROJECT site environment would include the following:

a) RIPARIAN community composition appropriate for stream course and watershed
b) HABITAT that extends at least 45 feet on each side of the watercourse
c) Multi-storied HABITAT (UNDERSTORY to CANOPY)
d) Adjacent land uses that minimize the risks to the PROJECT site

The maximum number of points will be awarded to PROJECT sites which either currently have all four of the elements above, or will at PROJECT COMPLETION.

The PROJECT site currently has, or will at PROJECT COMPLETION, have **all four** elements ..... 10 points

The PROJECT site currently has, or will at PROJECT COMPLETION, have **three** elements ..... 7 points

The PROJECT site currently has, or will at PROJECT COMPLETION, have **two** elements ..... 5 points

The PROJECT site currently has, or will at PROJECT COMPLETION, have **one** element ..... 3 points

The PROJECT site currently has, or will at PROJECT COMPLETION, have **no** elements, or the APPLICANT did not respond ..... 0 points

9. <u>Conservation Plan</u> (5 points)

Name the adopted applicable plan(s), and describe the PROJECT's priority in the plan(s) (e.g., NCCP/HCP, Riparian Bird Conservation Plan, watershed plan, Bay-Delta Ecosystem Restoration Program Plan, etc.).

The maximum number of points will be awarded to PROJECTS which satisfy a high priority need, and are discussed in detail in one or more plan(s).

PROJECT satisfies a high priority need, and is discussed in detail in one or more plan(s)	5 points
PROJECT is not mentioned in any plan, or the APPLICANT did not respond	0 points

10. <u>Conservation Corps Involvement</u> (5 points)

FOR ENHANCEMENT OR RESTORATION PROJECTS ONLY

The APPLICANT must contact the CALIFORNIA CONSERVATION CORPS (C.C.C.) and the CERTIFIED CONSERVATION CORPS (CERT. CORPS) and document the practicability of the C.C.C. and CERT. CORPS' involvement with the PROJECT.

Use the form on page 29 to document the above contacts. Include the responses from both the C.C.C. and the CERT. CORPS in the APPLICATION PACKET.

Describe the outcomes of the APPLICANT'S efforts to obtain C.C.C. and the CERT. CORPS' assistance with the PROJECT. In addition to notations made on the form (page 29), explain why this assistance can or cannot occur. If the C.C.C. and/or the CERT. CORPS offers to assist, and the APPLICANT denies this assistance, the APPLICANT must provide justification explaining the denial.

The maximum number of points will be awarded to an APPLICANT which provides completed forms, including contact information and signatures from both the C.C.C. and the CERT. CORPS, and the contact results in Conservation Corps participation.

The APPLICANT contacted the Conservation Corps and provided completed forms, and the contact will result in Conservation Corps participation.....5 points

The APPLICANT contacted the Conservation Corps and provided partially completed forms, but the contact will not result in Conservation Corps participation.....4 points

The APPLICANT contacted the Conservation Corps and provided partially completed forms, with its own agency information and signature only..... 1 point

The APPLICANT did not contact the Conservation Corps or provide forms, or the APPLICANT did not respond.....0 points

VI. ELIGIBLE COSTS

This section provides rules and examples of ACQUISITION COSTS, PRE-CONSTRUCTION COSTS, and CONSTRUCTION COSTS for ENHANCEMENT or RESTORATION PROJECTS. Only direct costs are eligible in the HCF Program.

ACQUISITION COSTS

The following provide examples of ELIGIBLE COSTS for ACQUISITION.

ACQUISITION COSTS (Up to 100% of GRANT and MATCH amounts)	**EXAMPLES**
Purchase price of the property and other activities necessary to complete the ACQUISITION.	• **Appraisals, surveys** • **Preliminary title reports** • **Title Insurance fees** • **Escrow fees and purchase price** • **Relocation costs:** costs resulting in displacement of tenants (not willing sellers or GRANTEES) pursuant to Government Code §§7260 – 7277. • **PROJECT/GRANT administration and accounting** • **Deed Restriction**: costs related to creating and recording the Deed Restriction. For ENHANCEMENT, RESTORATION, or DEVELOPMENT PROJECTS where the PROJECT site is owned in fee simple by the GRANTEE, **the Deed Restriction is required <u>before</u> any payment is approved for construction costs (see GRANT Administration Guide).**

Pre-Construction Costs

Pre-construction is the phase that includes planning, design, construction documents, and permits necessary before construction can begin. No more than 25% of the GRANT and MATCH amounts combined may be spent on pre-construction costs.

For the purpose of the GRANT, pre-construction costs:

- occur during the planning, design, and permit phase of the PROJECT, before construction can begin, and
- end when ground-breaking construction activities such as site preparation, grading, or gutting begins.

PRE-CONSTRUCTION COSTS (Maximum 25% of GRANT and MATCH amounts)	**EXAMPLES**
Costs incurred during the planning, design, and permit phase of the project, before construction begins.	• **Public meetings/focus groups/design workshop costs** • **Plans, specifications, construction documents, and cost estimates** • **Permits** • **Insurance:** Premiums on hazard and liability insurance to cover personnel or property • **Bid packages** • **PROJECT/GRANT administration** (excluding grant writing) and accounting. • **Conservation Corps costs**

CONSTRUCTION COSTS – ENHANCEMENT or RESTORATION PROJECTS

Construction costs start when:

- ground-breaking construction activities such as site preparation, grading, or gutting begins after the necessary pre-construction phase has concluded.

CONSTRUCTION COSTS	EXAMPLES
Costs incurred during the construction phase of the PROJECT when ground-breaking construction activities such as site preparation, grading, or gutting begins.	• **Site preparation, grading, gutting** • **Foundation work** • **Purchase and installation of permanent equipment: benches, signs, display boards, etc.** • **Construction supplies and materials**: may be drawn from central stock if claimed costs are no higher than supplies or materials purchased elsewhere. • **Equipment (the cost of equipment or vehicle(s) currently owned by the GRANTEE)**: such equipment or vehicle(s) may be charged to the GRANT for each use. APPLICANT or GRANTEE shall provide a log that describes the activities conducted and the time that the equipment or vehicle is used, as related to the GRANT SCOPE. The log must be signed by the operator or supervisor. APPLICANT or GRANTEE shall provide this log as part of the documentation for a reimbursement payment request. • APPLICANT or GRANTEE may also rent or purchase the equipment or vehicle(s), **whichever is the most economical use of GRANT funds.** • **Purchased equipment or vehicle(s)**: if the equipment is purchased, its residual market value shall be credited to the PROJECT costs upon completion. • **Residual market value determination**: to determine residual market value, APPLICANT or GRANTEE may consult recognized industry guides for used vehicles such as the "Kelly Blue Book" or a local used vehicle dealer in order to establish a resale price. • **Construction management**: including site inspections, labor compliance process • **PROJECT/GRANT administration and accounting** • **Miscellaneous costs**: other costs incurred during the construction phase, such as transporting materials, equipment, personnel, and communications • **Conservation Corps costs**

Ineligible costs

INELIGIBLE COSTS	EXAMPLES
Cannot be charged to the GRANT.	• **Outside the GRANT PERFORMANCE PERIOD** - costs incurred before or after the GRANT PERFORMANCE PERIOD • **Costs associated with CEQA documents prepared prior to application due date** • **Costs associated with master plan development** • **Indirect costs** – overhead business expenses of the GRANTEE's fixed or ordinary operating costs (rent, mortgage payments, property taxes, utilities, supplies) • **Food and beverages** • **Fundraising** • **Grant writing** • **Site maintenance costs** • **Out-of-state travel** • **Projects arising from a mitigation ruling affecting another location**

VII. DEFINITIONS

Capitalized words and terms used in this APPLICATION Guide are defined below.

ACQUISITION – to obtain fee simple title of real property or a permanent easement, which gives permanent rights to use the property for the purposes of the GRANT SCOPE. A lease or rental is not considered ACQUISITION.

ANADROMOUS – fish which spend most of their adult lives in salt water, and migrate to freshwater rivers and lakes to reproduce. Includes salmon and trout.

APPLICANT – an entity which does not yet have a fully-executed CONTRACT with OGALS, and is requesting GRANT funding through a COMPETITIVE process.

APPLICATION PACKET – the application form and its required attachments listed in the APPLICATION PACKET checklist.

APPROPRIATION DATE – when program funding is authorized by the legislature.

AUTHORIZED REPRESENTATIVE – the APPLICANT's/GRANTEE's designated position authorized in the Resolution to sign all required GRANT documents. The AUTHORIZED REPRESENTATIVE may designate an alternate by informing OGALS in writing.

CALIFORNIA CONSERVATION CORPS (C.C.C.) – a State workforce development program that employs 18-25 year-olds for environmental conservation or enhancement projects, fire protection, and emergency response. See the OGALS website at www.parks.ca.gov/grants, and follow the links to the Annual Programs and HCF Program for the link to this program.

CANOPY – the branches and leaves of a plant.

CAPITAL IMPROVEMENT – PROJECTS that utilize GRANT funds and required MATCH for ACQUISITION, ENHANCEMENT, RESTORATION, or DEVELOPMENT of land and/or facilities to improve the property's public usage and access for PARK and recreation purposes.

CERTIFIED CONSERVATION CORPS (CERT. CORPS) – nonprofit organizations that are certified by the CCC to provide community and conservation work, education, and job training. See the OGALS website at www.parks.ca.gov/grants, and follow the links to the Annual Programs and HCF Program for the link to this program.

CEQA – the California Environmental Quality Act as stated in the Public Resources Code §21000 et seq.; Title 14 California Code of Regulations §15000 et seq. CEQA is a law establishing policies and procedures that require entities to identify, disclose to decision makers and the public, and attempt to lessen significant impacts to environmental and historical resources that may occur as a result of the entities' proposed PROJECT. See the OGALS website at www.parks.ca.gov/grants, and follow the links to the Annual Programs and HCF Program for the CEQA link.

COMPETITIVE – a process whereby PROJECTS are ranked and selected based upon program specific criteria.

CONSTRUCTION COSTS – costs incurred when ground-breaking construction activities such as site preparation, grading, or gutting begins, and continuing to the end of the GRANT PERFORMANCE PERIOD.

CONTRACT – an agreement between OGALS and the GRANTEE specifying the performance of the GRANT SCOPE within the GRANT PERFORMANCE PERIOD, and other GRANT obligations between OGALS and the GRANTEE .

DFG – California Department of Fish and Game.

DPR – the California Department of Parks and Recreation (also known as California State Parks).

DIRECTOR – the director of California State Parks.

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.

ELIGIBLE COSTS – expenses incurred during the GRANT PERFORMANCE PERIOD to complete the GRANT SCOPE approved by OGALS through a fully executed CONTRACT.

ENHANCEMENT – to increase the HABITAT value of the land to benefit the target species.

FORCE-ACCOUNT LABOR – use of the GRANTEE's employees working on the GRANT SCOPE.

FUND – the HABITAT CONSERVATION FUND created by Section 2786 of the Fish and Game Code.

GRANT – funds made available to a GRANTEE for completion of the GRANT SCOPE during the GRANT PERFORMANCE PERIOD.

GRANTEE – an entity having a fully executed CONTRACT with OGALS.

GRANT PERFORMANCE PERIOD – period of time that ELIGIBLE COSTS may be incurred by the GRANTEE and charged to the GRANT, as specified in the fully executed CONTRACT.

GRANT SCOPE – the RECREATION FEATURES and MAJOR SUPPORT AMENITIES listed in the GRANT SCOPE/Cost Estimate Form that must be completed prior to final GRANT payment.

HABITAT – where a given plant or animal species meets its requirements for food, cover, and water in both space and time; may or may not coincide with a single vegetation type.

HCF – also known as Habitat Conservation Fund Program.

HISTORICAL RESOURCE – includes, but is not limited to, any building, structure, site, area, place, artifact, or collection of artifacts that is historically or archaeologically significant in the cultural annals of California.

INDIRECT COSTS – charges billed as a percentage of PROJECT costs. Such costs are <u>not</u> eligible as MATCH or for reimbursement.

IN-KIND – donations that are utilized on the PROJECT, which may include local or private funds, materials and/or services. These donations shall be eligible only as MATCH.

LOCAL AGENCY – a City, County, City and County, or a DISTRICT.

MAJOR SUPPORT AMENITY – a PROJECT element which is estimated to cost $30,000 or more at the time of application.

MATCH – contributions to the PROJECT which may be monetary from any source other than state funds, including funds from federal and non-state local assistance programs; gifts of real property, equipment, and consumable supplies; volunteer services; FORCE-ACCOUNT LABOR; free or reduced-cost use of land, or equipment; and bequests and income from wills, estates, and trusts. Required MATCH is subject to the same ELIGIBLE COSTS requirements as the GRANT unless otherwise specified. HCF GRANT funds cannot be considered as MATCH.

MINOR SUPPORT AMENITY – a PROJECT element which is estimated to cost less than $30,000 at the time of application.

NATIVE FISH – those fish indigenous to California prior to the arrival of Europeans.

NCCP/HCP – Natural Community Conservation Plan/HABITAT Conservation Plan.

NECESSARY HYDROLOGICAL PROCESSES – those elements important to maintaining appropriate aqueous habitats, which could include the influence of human-made structures.

OGALS – DPR's Office of Grants and Local Services.

PARK – means a tract of land with outstanding scenic, natural, open-space, or recreational values, set apart to conserve natural, scenic, cultural, or ecological resources for present and future generations, and to be used by the public as a place for rest, recreation, education, exercise, inspiration, or enjoyment.

POOLS – deep water holes within a stream or river which generally serve as holding and resting areas for ANADROMOUS fish.

PROJECT – the RECREATION FEATURES and MAJOR SUPPORT AMENITIES listed in the GRANT SCOPE/Cost Estimate Form. The plural form of the word is "PROJECTS".

PROJECT COMPLETION – when the RECREATION FEATURES and MAJOR SUPPORT AMENITIES listed in the GRANT SCOPE /Cost Estimate Form are complete and the facilities are open and useable by the public. With approval by OGALS, PROJECT COMPLETION may occur before the facilities are open and useable by the public.

PROJECT OFFICER – an OGALS employee who acts as a GRANT administration contact for APPLICANTS and GRANTEES.

RECREATION FEATURE – a GRANT SCOPE element; can either be a part of active or passive recreation. Land ACQUISITION may also be a RECREATION FEATURE.

REIMBURSEMENT – GRANT payment made to the GRANTEE after the GRANTEE incurred costs by making a payment to a contractor or vendor.

RESTORATION – the act of bringing either land or a species back into a former, non-impaired condition.

RIPARIAN – lands which contain HABITAT which grows close to and which depends upon soil moisture from a nearby freshwater source.

RIFFLES – areas in a stream or river characterized by water flowing over cobbles or small rocks creating a slightly disturbed water surface. Can include gravel spawning beds.

RUNS – areas in a stream or river characterized by deeper water flowing through a channel providing a travel space for the fish.

STATUS REPORTS – documents issued by the Department that require the GRANTEE to provide updates of GRANT SCOPE expenditures incurred and activities undertaken during the GRANT PERFORMANCE PERIOD.

TOTAL PROJECT COST – the combined dollar amount of the HCF GRANT and required MATCH used to complete the RECREATION FEATURES and MAJOR SUPPORT AMENITIES listed in the GRANT SCOPE/Cost Estimate Form.

UNDERSTORY – CANOPY layer of plants underneath the dominant plants.

WILDLIFE – indigenous flora and fauna.

WILDLIFE AREA – location where indigenous flora and fauna are predominant.

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