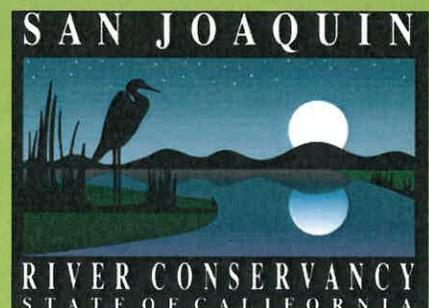
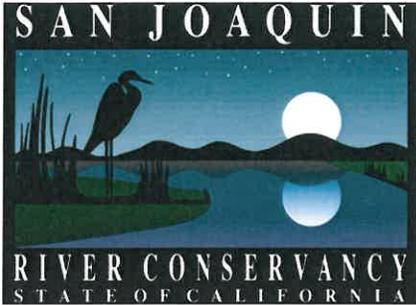


BOARD MEETING REMINDER

The November 2, 2016,
Board meeting begins at
10:30 a.m.
(November through
February meetings begin
at 10:30 a.m.)





250.20

STATE OF CALIFORNIA
Edmund G. Brown, Jr., Governor

SAN JOAQUIN RIVER CONSERVANCY

5469 E. Olive Avenue
Fresno, California 93727
Telephone (559) 253-7324
Fax (559) 456-3194
www.sjrc.ca.gov

The San Joaquin River Conservancy Governing Board
will hold a regular meeting on
Wednesday, November 2, 2016, commencing at 10:30 a.m.

Board Meeting Location:

Fresno Metropolitan Flood Control District Board Room
5469 E. Olive Avenue, Fresno, CA 93727

GOVERNING BOARD

Andreas Borgeas, Chairperson
Fresno County Board of Supervisors

Brett Frazier, Vice-Chairperson
Madera County Board of Supervisors

Steve Brandau
Councilmember, City of Fresno

Derek Robinson
Councilmember, City of Madera

Barbara Goodwin, Director
Fresno Metropolitan Flood Control District

Carl Janzen, Director
Madera Irrigation District

Julie Vance, Regional Manager
Department of Fish and Wildlife

Kent Gresham, Sector Superintendent
Department of Parks & Recreation

John Donnelly, Executive Director
Wildlife Conservation Board

Patrick Kemp, Assistant Secretary
Natural Resources Agency

Michael McKown, Designee
State Lands Commission

Karen Finn, Programs Budget Manager
Department of Finance

Bryn Forhan
Paul Gibson
Cynthia Dolph
Citizen Representatives

The following location is also open to Board members and the public for attendance via phone conference:

California Natural Resources Agency
1416 Ninth Street, Ste. 1311
Sacramento, CA 95814

MEETING AGENDA

CALL TO ORDER & PLEDGE OF ALLEGIANCE

A. ROLL CALL

B. PUBLIC COMMENT & BUSINESS FROM THE FLOOR

The first ten minutes of the meeting are reserved for members of the public who wish to address the Conservancy Board on items of interest that are within the subject matter jurisdiction of the Conservancy. Speakers shall be limited to three minutes. The Board is prohibited by law from taking any action on matters discussed that are not on the agenda; no adverse conclusions should be drawn if the Board does not respond to the public comment at this time.

C. ADDITIONS TO THE AGENDA

Items identified after preparation of the agenda for which there is a need to take immediate action. Two-thirds vote required for consideration. (Gov. Code § 54954.2(b)(2))

D. POTENTIAL CONFLICTS OF INTEREST

Any Board member who has a potential conflict of interest may now identify the item and recuse themselves from discussion and voting on the matter. (FPPC §97105)

Melinda S. Marks
Executive Officer

Board Meeting Agenda
November 2, 2016
Page 1

E. MINUTES

E-1 Approve the September 7, 2016, Minutes

F. CONSENT CALENDAR

All items listed below will be approved in one motion unless removed from the Consent Calendar for discussion:

None.

G. DISCUSSION

G-1 Approve Refinements to the Guidelines and Proposal Solicitation Package (PSP) for the Conservancy's Multi-Benefit Water Quality, Water Supply, Ecosystem and Watershed Protection and Restoration Grant Program, and Authorize Release of the PSP for the 2016-17 Cycle (carried forward from the cancelled October 5, 2016, meeting)

G-2 Authorize a Bond Funds for a Grant to the San Joaquin River Parkway and Conservation Trust to Perform Plant Establishment and Habitat Restoration Success Activities as the Final Phase of the Sycamore Island Gravel Pit Isolation and Floodplain Improvement Project

G-3 Informational Presentation by Conservancy Staff: Overview of Public and Private Lands and Land Uses in the San Joaquin River Parkway Planning Area (carried forward from the cancelled October 5, 2016, meeting)

H. ADMINISTRATIVE AND COMMITTEE REPORTS

The following oral reports are for informational purposes only, and may be accompanied by written reports in the Board packet. No action of the Board is recommended.

H-1 Organizations

H-1a San Joaquin River Parkway and Conservation Trust

H-1b RiverTree Volunteers

H-2 Deputy Attorney General

H-3 Executive Officer

H-4 Board Members' Reports

I. EXECUTIVE SESSION

Public Comment:

Prior to convening in Executive Session, members of the public may address the Board on Executive Session agenda items.

None.

J. NOTICE OF BOARD, ADVISORY, AND PUBLIC MEETINGS

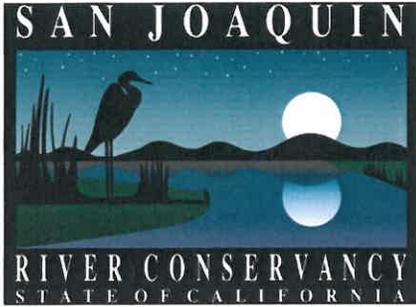
None.

K. NEXT BOARD MEETING DATES

The next meeting of the Board will be held December 7, 2016, at 10:30 a.m. (Please note, a later start time will be observed November through February.)

L. ADJOURN

Board meeting notices, agendas, staff reports, and approved minutes are posted on the Conservancy's website, www.sjrc.ca.gov. For further information or if you need reasonable accommodation due to a disability, please contact Rebecca Harris at (559) 253-7324 or Rebecca.Harris@sjrc.ca.gov.



STATE OF CALIFORNIA
Edmund G. Brown, Jr., Governor

5469 E. Olive Avenue
Fresno, California 93727
Telephone (559) 253-7324
Fax (559) 456-3194
www.sjrc.ca.gov

GOVERNING BOARD

Andreas Borgeas, Chairperson
Fresno County Board of Supervisors

Brett Frazier, Vice-Chairperson
Madera County Board of Supervisors

Steve Brandau
Councilmember, City of Fresno

Derek Robinson
Councilmember, City of Madera

Barbara Goodwin, Director
Fresno Metropolitan Flood Control District

Carl Janzen, Director
Madera Irrigation District

Julie Vance, Regional Manager
Department of Fish and Wildlife

Kent Gresham, Sector Superintendent
Department of Parks & Recreation

John Donnelly, Executive Director
Wildlife Conservation Board

Patrick Kemp, Assistant Secretary
Natural Resources Agency

Michael McKown, Designee
State Lands Commission

Karen Finn, Programs Budget Manager
Department of Finance

Bryn Forhan
Paul Gibson
Cynthia Dolph
Citizen Representatives

Melinda S. Marks
Executive Officer

Minutes

The San Joaquin River Conservancy Governing Board
Wednesday, September 7, 2016

Meeting Location:

Fresno Metropolitan Flood Control District Board Room
5469 E. Olive Avenue, Fresno, CA 93727

and via phone conference:

California Natural Resources Agency
1416 Ninth Street, Ste. 1311
Sacramento, CA 95814

MEETING AGENDA

CALL TO ORDER & PLEDGE OF ALLEGIANCE

Chairperson Borgeas called the meeting to order at 10:01 a.m. and led the pledge of allegiance.

A. ROLL CALL

Name	Present	Telecon- ference	Absent	Late
Mr. Andreas Borgeas, Chair	X			
Mr. Brett Frazier	X			
Mr. Steve Brandau			X	
Mr. Derek Robinson	X			
Ms. Barbara Goodwin	X			
Mr. Carl Janzen	X			
Ms. Julie Vance	X			
Mr. Kent Gresham	X			
Mr. John Donnelly	X			
Mr. Patrick Kemp		X		
Mr. Michael McKown	X			
Ms. Karen Finn		X		
Ms. Bryn Forhan	X			
Mr. Paul Gibson			X	
Ms. Cynthia Dolph	X			

Ms. Harris confirmed that a quorum was present.

Legal Counsel Present: Michael Crow, Deputy Attorney General

Staff Present: Melinda Marks, Executive Officer
Rebecca Harris, Associate Governmental Program Analyst
Heidi West, Program Manager, San Joaquin River Conservancy
Projects, Wildlife Conservation Board (via teleconference)

B. PUBLIC COMMENT & BUSINESS FROM THE FLOOR

The first ten minutes of the meeting are reserved for members of the public who wish to address the Conservancy Board on items of interest that are within the subject matter jurisdiction of the Conservancy. Speakers shall be limited to three minutes. The Board is prohibited by law from taking any action on matters discussed that are not on the agenda; no adverse conclusions should be drawn if the Board does not respond to the public comment at this time.

Public comment:

Mr. Richard Sloan, RiverTree Volunteers, reported that there has a reduction in law enforcement, specifically at the island adjacent to the Conservancy's Wildwood Property. On the Fresno side of the island there was a large homeless encampment. RiverTree conducted a river clean up at the island and the Fresno Homeless Task Force provided a garbage bin. He advocated for codifying a Parkway Protection Act in order for all law enforcement to be on the same page.

Mr. Bob Getz, a resident at Wildwood Mobile Home Park, stated that he has assisted with removing trash from the Conservancy's Wildwood Native Park. He expressed concern about the homeless living on the island, and about law enforcement. He suggested that the Conservancy hire a maintenance person to look over the Conservancy's properties.

On inquiry from Ms. Vance, Mr. Sloan reported that the island near Wildwood is under the State Lands Commission jurisdiction.

Mr. John Donnelly, Executive Director for the Wildlife Conservation Board, introduced himself and stated that he usually attends via the phone conference, but decided to make the trip to Fresno for this meeting.

Chairperson Borgeas stated that he was going to attend a meeting with the bluff homeowners regarding the trail system and public safety concerns for River West. He received comments from the public regarding the river and law enforcement issues. He requested staff to draft a letter to be sent to all law enforcement asking them to be more vigilant, because the Conservancy has received reports and concerns about the river. Mr. Borgeas mentioned that he attended a meeting that was held by the Fresno County Sheriff's Department. They are working on a homeless task force, which shows where the hot spots are for the homeless camps in Fresno County.

Mr. Gresham mentioned that last year there was an interagency law enforcement task force meeting with the California Highway Patrol, Fresno Police Department, and Madera County Sheriff's Department. Most of the homeless problems on the Fresno side are located within the City limits and that is the reason why the Fresno Sheriff's Department has not been extensively involved.

Ms. Vance noted that the Department of Fish and Wildlife's (DFW) law enforcement offices focus on fish and game code violations and the protection of DFW lands.

C. ADDITIONS TO THE AGENDA

Items identified after preparation of the agenda for which there is a need to take immediate action. Two-thirds vote required for consideration. (Gov. Code § 54954.2(b)(2))

None.

D. POTENTIAL CONFLICTS OF INTEREST

Any Board member who has a potential conflict of interest may now identify the item and recuse themselves from discussion and voting on the matter. (FPPC §97105)

On inquiry from Mr. Frazier, Mr. Crow reported that there is no conflict of interest for Mr. Frazier regarding item I-1 because the San Joaquin River Conservancy Act presumes that elected members may act in both the capacity of the Conservancy Board and Madera County Board.

E. MINUTES

E-1 Approve Minutes of June 1, 2016

It was moved by Ms. Forhan and seconded by Mr. Janzen to approve the minutes of June 1, 2016, as presented. The voting members unanimously passed the motion

ROLL CALL VOTE:

Name	Yes	No	Abstain
Mr. Andreas Borgeas	X		
Mr. Brett Frazier	X		
Mr. Derek Robinson	X		
Ms. Barbara Goodwin	X		
Mr. Carl Janzen	X		
Ms. Julie Vance	X		
Mr. Kent Gresham	X		
Mr. John Donnelly	X		
Mr. Patrick Kemp	X		
Mr. Michael McKown	X		
Ms. Karen Finn	X		
Ms. Bryn Forhan	X		
Ms. Cynthia Dolph	X		

F. CONSENT CALENDAR

All items listed below will be approved in one motion unless removed from the Consent Calendar for discussion:

F-1 Report on Vulcan Materials Gravel Mining Lease, Continuation of Tenancy Month-to-Month for Part of 2017 as Allowed in the Lease Agreement, and Negotiations to Establish Rental Rate for Reclamation Period

Staff Recommendation: It is recommended the Board authorize the Executive Officer to confirm in writing the continuation of tenancy month-to-month for part of 2017 with Vulcan Materials, as allowed in the lease agreement, with all other terms and conditions to remain the same.

It was moved by Ms. Forhan and seconded by Ms. Goodwin to approve the consent item as recommended. The motion unanimously passed as follows:

ROLL CALL VOTE:

Name	Yes	No	Abstain
Mr. Andreas Borgeas	X		
Mr. Brett Frazier	X		
Mr. Derek Robinson	X		
Ms. Barbara Goodwin	X		
Mr. Carl Janzen	X		
Ms. Julie Vance	X		
Mr. Kent Gresham	X		
Mr. John Donnelly	X		
Mr. Patrick Kemp	X		
Mr. Michael McKown	X		
Ms. Karen Finn	X		
Ms. Bryn Forhan	X		
Ms. Cynthia Dolph	X		

G. DISCUSSION

G-1 Status and Progress Report on River West Fresno, Eaton Trail Extension Environmental Impact Report

Staff Recommendation: This report is for informational purposes. The Board may provide general direction to staff; no action by the Board is recommended.

Ms. Marks provided background information regarding the River West Fresno, Eaton Trail Extension Environmental Impact Report (EIR). She noted that staff has completed initial review of the draft documents, commented on and edited the drafts, and anticipates receiving the Administrative Draft EIR by early fall. At this time, the consultant’s team is preparing the final administrative review draft of the entire Draft EIR. Upon staff’s final review, the Draft EIR will be released for the public comment period in compliance with CEQA. She noted that a final contract amendment and WCB agreement amendment will be processed to extend the agreements from their current termination date of September 31, 2016, to allow time for completing the project next spring. The request for the amendment is currently at Department of General Services (DGS) for review and approval. The anticipated schedule to release of the Draft EIR for the 45-day comment period will be October/November. A public workshop will be held at one the Conservancy’s Board meetings. The public comment period will close, possibly in the month of December. The schedule to complete the Final EIR will depend on the extent and complexity of public and agency comments. In the spring of 2017 a Board hearing will be held for certification of the Final EIR and approval of the project. She noted that due to the range of alternatives for the Board to consider, it is expected that two meetings may be required to deliberate, make required findings, and approve the project.

On inquiry from Chairperson Borgeas, Ms. Marks reported that the Conservancy could schedule to hold an additional public workshop at the Pinedale Community Center, which is close to the project site. This workshop would be intended to be an informational workshop not a decision-making hearing. This would allow the Board and the public to ask questions and make comments.

Public Comments:

Mr. Radley Reep, a resident of Fresno, expressed concern about the Conservancy releasing two EIRs (see item G-2) around the same time. He suggested extending the public comment period to 60 days or have the closure of the public comment period in the month of January.

Ms. Marks stated that her concern is keeping this particular project on schedule because the current request with the DGS to extend the contract will have the contract end on June 30, 2017. Out of the two EIRs, the River West is going to have a tighter completion date than the Master Plan.

On inquiry from Chairperson Borgeas, Ms. Marks reported that the River West EIR will take priority over the Master Plan. It will depend on when the Conservancy receives the Draft EIR, but staff can make sure the comment period ends after the holidays, maybe January 15.

On inquiry from Ms. Vance, Ms. Marks reported that there will be some overlapping of both EIRs' public comment periods.

In discussing the timing and workload, Ms. Marks stated that Ms. Heidi West has been incredibly helpful on CEQA issues. She has been assisting with the review of the Master Plan EIR.

On inquiry from Chairperson Borgeas, Ms. Marks reported that she cannot get another extension on this contract to extend it past June 30, 2017, because it has to be approved by DGS. They consider this contract a non-completive bid, because it was initially bid by the City of Fresno. She will make it her priority to get this EIR done by June.

Mr. Janzen stated that if it is necessary to schedule another board meeting in order to get this EIR completed, the Board members should make themselves available.

Mr. Barry Bauer, from Herb Bauer Sporting Goods, noted that some of the previsions in the Master Plan EIR might have an impact on the decisions that are made in the River West EIR.

Ms. Marks stated that she is reviewing both of these documents to make sure that they are consistent with one another.

Ms. Clary Creager, a resident of Fresno, and founding member of the River Parkway Trust, expressed concern about having the public comment period end in December and requested to have it extended into January.

Mr. Zack Darrah, the Executive Director of Fresno Interdenominational Refugee Ministries, agreed with Mr. Reep and Ms. Creager on having the comment period extended.

On inquiry from Chairperson Borgeas, Ms. Marks reported that she will work to keep both of the EIRs moving. Once the draft is ready to be released for public review, the Conservancy will figure out a schedule for board hearings.

Chairperson Borgeas recommended that the comment period be extended into the month of January.

Ms. Vance recommended getting the document out as soon as possible. The comment period should be extended.

Ms. Marks stated that she will need to check and make sure that the consultant can receive the comments, response to those comments, and get the EIR finalized and have two board meetings to discuss the EIR, by June 30, 2017. The staff reports explains the problems and delays that have happened with these two EIRs.

Chairperson Borgeas recapped the discussion, stating that the Conservancy will hold a community meeting regarding the River West EIR and extend the comment period to the month of January.

On inquiry from Chairperson Borgeas, Ms. Marks reported that the Conservancy securing DGS approval to extend the River West EIR would take another three months.

Ms. Vance noted that if DGS does not approve the extension, the Conservancy will have to take on the responsibility to finalize the River West EIR.

Ms. Marks stated that the Conservancy will stagger the comment periods for both of the EIRs.

G-2 Status and Progress Report on San Joaquin River Parkway Master Plan Update and Environmental Impact Report

Staff Recommendation: This report is for informational purposes. The Board may provide general direction to staff; no action by the Board is recommended.

Agenda item G-2 was discussed along with item G-1. There was no further discussion.

G-3 Approve Resolution 16-02, Stating Intent to Cooperate in Public Access Planning and Environmental Review for Ball Ranch and Ledger Island with the State Lands Commission, Bellezze Naturali (a Private Landowner/Developer), and the River Conservancy at Tesoro Viejo, a Private Nonprofit Public Benefit Organization Created for this Purpose

Staff Recommendation: It is recommended the Board approve Resolution 16-02 which would authorize the *River Conservancy at Tesoro Viejo* (RCTV), a nonprofit public benefit organization, to:

1. Develop a plan and project proposal for public access consistent with the San Joaquin River Parkway Master Plan on public lands under the jurisdiction of the San Joaquin River Conservancy (Conservancy) and the California State Lands Commission (CSLC) in the vicinity of Ball Ranch and Ledger Island; and
2. Apply to the CSLC for approval of the proposed project and a lease for public access and use on State lands under the CSLC's jurisdiction, such application to provide for the CSLC's analysis of potential environmental impacts of the proposed project in accordance with the California Environmental Quality Act (CEQA) and the applicant's reimbursement for the CSLC's costs.
3. Subsequently submit the proposed project and environmental analysis to the Conservancy for approval of improvements and uses on State land under the Conservancy's jurisdiction.

The recommended action approving the Conservancy's participation in the proposed planning effort would not provide any pre-determination that the Board would approve the proposed uses, improvements, leases or concession agreements, funding for improvements, acceptance of the proposed access easement, or any other action under the SJR Conservancy's jurisdiction.

Ms. Marks noted that in February 2015, Bellezze Naturali of McCaffrey Homes, presented a conceptual proposal to develop a public trail system at Ledger Island, Ball Ranch, and future neighboring communities in the Rio Mesa Area of Madera County. This recommendation would allow private project proponents, Bellezze Naturali and RCTV, to include proposed Parkway public access improvements and services at Ball Ranch and Ledger Island their application to the California State Land Commission (CSLC) for environmental review. Bellezze Naturali proposes to provide for the operation and maintenance of public access through a fund created by Bellezze Naturali and administered by RCTV, a new nonprofit organization. Each sale and resale of Tesoro Viejo units will generate a transfer fee to be dedicated for this purpose. She noted that a precedent for this type of transfer fee to support the Parkway was created by agreement of the Friant Ranch development approved in Fresno County.

On inquiry from Chairperson Borgeas, Ms. Marks reported that a fiscal analysis will need to be completed in order to estimate that cost of maintaining the trail system on Ball Ranch and Ledger Island.

Ms. Marks mentioned that the Resolution was developed in close coordination with the CSLC staff. She introduced a proposed change in language in the Resolution that is attached to the agenda item on page five, third bullet point. It would read as, "The SJR Conservancy Board hereby requests and encourages Bellezze Naturali, the RCTV, other landowners, and respective counties to develop long-term revenue streams, including but not limited to transfer fees from the sale and resale of units within the lands benefited by the Parkway, in order to sustain and expand the long-term, cooperative development and proper management of the Parkway and any associated improvements proposed under the project application."

Ms. Marks stated that the recommendation would allow public trails and associated improvements on State-owned lands under Conservancy jurisdiction to be included in an application and proposed CEQA environmental review by the CSLC for Parkway public access improvements and services. Bellezze Naturali will pay the CSLC for costs of the review, through an existing application and reimbursement process.

Ms. Marks reported that Mr. Ken Lazarus, representing the Peck Family, submitted a comment on behalf of Mrs. Carolyn Peck regarding this item. Mrs. Peck was concerned that this proposed project had a proposed trail going across her property. Ms. Marks stated that the access road to Ledger Island Bridge and the bridge are not included in this proposed project.

Ms. Marks went on to note that the habitat on Ball Ranch and Ledger Island is relatively high quality. The possible public access facilities, as envisioned in the Conservancy's Ball Ranch Master Development Plan, require minimal infrastructure and have a small footprint. The Conservancy recently approved a Proposition 1 grant to River Partners to develop habitat restoration recommendations for Ball Ranch and the Willow Unit will serve to inform the proposed project and the CEQA review. She noted that, on request of the Department of Fish and Wildlife (DFW), the possible trails shown on Exhibit A leading to the river through the Willow Unit will be eliminated from consideration, since Ecological Reserves do not generally allow open public use, and since the DFW may not enter into concession-type agreements for operation and management of the area.

Ms. Marks reported that CSLC staff will review Bellezze Naturali's applications for the boundary line agreement and the proposed project. It will conduct necessary studies to determine the level of CEQA review required. She stated that CSLC and the Conservancy are under no obligation and have no pre-conceived notions that either of the entities will approve the project or its elements. Once the CSLC has completed the CEQA process, and provided it approves the environmental documents and mitigation measures, the Conservancy will use the same documents in making any future discretionary decisions, such as approving improvements and public uses, accepting the access easement, and entering into operations agreements. She noted that any proposed projects on private land would require the review and approval of local land use agencies. All State investments in Parkway public access and recreation facilities require that operations and maintenance resources are available for a minimum of 25 years.

Ms. Marks reported that the Conservancy received a letter from Ms. Mary Savala. She expressed concern about the proposed project and felt that it was premature.

On inquiry from Ms. Vance, Ms. Marks reported that all of the proposed trails would be open to the public.

Mr. Brent McCaffrey, president of Bellezze Naturali and McCaffrey Homes, presented a conceptual proposal to develop a public trail system between Ledger Island, Ball Ranch, and future neighboring communities in the Rio Mesa area of Madera County. He noted that operations and maintenance of the trail system would be managed through a public and private partnership. He expressed that the concept is consistent with the San Joaquin River Conservancy's mission and San Joaquin River Parkway Master Plan's goals and objectives. This opportunity could create 50 miles of connected public trails within the Parkway and Rio Mesa. He noted at the February 2015 board meeting, the Board instructed staff to explore a public and private partnership with Bellezze Naturali to develop parkway trails and public access facilities on Ball Ranch and Ledger Island.

Mr. McCaffrey noted that this is a long term planning process, and has been working hard on the proposal submitted to the Conservancy. He noted that the Conservancy is required under the San Joaquin River Conservancy Act to preclude public access and recreation on its property until it has adequate resources to operate and maintain the facilities in a clean and safe manner. This resolution would allow the Conservancy to provide general public access to the two properties. Bellezze Naturali's goals are to create, promote, and maintain public access for people from all walks of life. He stated that their proposed project will preserve the natural and cultural resources of the San Joaquin River consistent with the Conservancy's mission and the Master Plan. He stated that this is not a developer-driven project; that is why his family created the nonprofit organization, the RCTV. The Board of Directors will consist of: Fresno County Supervisor Henry Perea; Madera County Supervisor Max Rodriguez; President of Placeworks, Randy Jackson; Brent McCaffrey; and a citizen representative. The RCTV would receive the money for operations and maintenance from a transfer fee from the sale and resale of homes.

On inquiry from Chairperson Borgeas, Mr. McCaffrey reported that the transfer fee is written into all of McCaffrey's purchase agreements. He noted that homes typically resale every seven years.

Mr. Donnelly suggested that Bellezze Naturali should consider establishing an endowment with the funds.

On inquiry from Mr. Gresham regarding enforcement and policing, Mr. McCaffrey responded that some of the transfer funds could be used to contract with a security company to provide public safety.

Mr. McCaffrey asked the Board to approve the resolution.

On inquiry from Mr. Donnelly, Mr. McCaffrey reported that the public in the Rio Mesa community located in Madera would have access to Ledger Island. This low-impact trail system would connect the community of Rio Mesa and public to the river. The opportunity presented in this proposal could create 50 miles of connected public trails within the Parkway, and connect the two counties as well.

Public Comment:

Ms. Sharon Weaver, Executive Director of the San Joaquin River Parkway and Conservation Trust, thanked Mr. McCaffrey and Bellezze Naturali for bringing this opportunity forward. She expressed the need for public involvement in the process, and requested public workshops to explore the proposed project. She suggested that the Board take no action regarding this item.

Mr. Reep expressed concern regarding Bellezze Naturali's control over the planning process. He stated that Bellezze Naturali's proposed project needs to be consistent with the Conservancy's Master Plan.

Ms. Stephanie Frederick expressed concern regarding the name of the nonprofit, noting that it was too similar to the San Joaquin River Conservancy. She agreed with Ms. Weaver that the public needed to be involved in the process.

Ms. Clary Creager, a founding member of the Parkway Trust, expressed concern that the Conservancy shouldn't rush into agreements. Planning needs to be done through the agencies and needs to balance appropriate public uses. The river is an asset to the entire community, not just to development, and we need to protect the river as well as provide more access.

Mr. Chris Acree, Executive Director of Revive the San Joaquin, raised allegations that there have been cultural resources and water diversion violations associated with the McCaffrey's properties.

Ms. Carolyn Nolan, a former board member of the Conservancy, supported the comments that were made by the Parkway Trust. She noted that \$1.5 million (the estimated initial revenue) may not be enough money to maintain the area.

Mr. Bart Bohn, President of the San Joaquin River Parkway and Conservation Trust, stated that this proposed project needs more work before the Conservancy Board takes action. For example, he noted that much of Ledger Island is located in the 100-year floodway.

Mr. Darrah expressed concern about the developer creating its own nonprofit to control the project and funds.

Ms. Goodwin stated that public and private partnerships can be greatly affected by economic downturn; the Conservancy must make plans to ensure adequate long-term funds.

Ms. Dolph stated that she needs to know more about the project. She noted the project map should be larger.

Mr. Donnelly noted he had some concerns. He inquired about the timeframe for the proposal.

Mr. McCaffrey stated that the proposed Resolution is the first step in beginning planning. Bellezze Naturali is proposing to provide operations and maintenance resources for public access at Ball ranch and Ledger Island.

Mr. Frazier emphasized that this proposal is not to approve a project or plan, but to initiate planning. The plan to be developed cannot in the end be inconsistent with the Parkway Master Plan.

Ms. Forhan stated that maybe the Conservancy should consider taking a step back and look at other options for planning and operating public access at Ball Ranch and Ledger Island. Ms. Forhan expressed concerns about CSLC as the lead agency. The Conservancy should be the lead agency for improvements and uses on Conservancy property.

Ms. Marks stated that as lead agency, CSLC would be responsible for preparing the CEQA documents. The Conservancy would then take the approved documents, and then the Board would discuss and determine what could be approved on Conservancy land.

Ms. Forhan stated that the Conservancy and/or San Joaquin River Parkway and Conservation Trust should be represented on the RCTV board.

Mr. McCaffrey stated that it does not matter to Bellezze Naturali who the lead agency is. He noted that they were going to ask Melinda Marks sit on the board.

Ms. Vance stated that she supports in general the concept of generating money for operations and maintenance. The community developing in the area will provide more access to the river. She expressed concerns about some of the language of the Resolution and suggested that the Board should wait until the Parkway Master Plan update has been released. She had concerns about CSLC being the lead agency, although the lead could be any of five different agencies.

Mr. Janzen complimented Mr. McCaffrey for being the first group to step forward to fund operations and maintenance. He noted that the devil is in the details. He agreed that it takes too long to open lands to the public and at some point, the Conservancy needs to move forward. At some point, the Conservancy will own a lot of land, but as it stands that land will not be open to the public.

Mr. McKown noted that the CSLC environmental staff had concerns about the workload impact. He emphasized that the Board is being asked to approve planning, not a project.

Mr. Robinson stated that the Conservancy should get the public's input on this proposed project.

Chairperson Borgeas expressed appreciation for the McCaffreys for bringing this idea forward, and for the Conservancy staff for exploring a partnership if one can be achieved. He stated that providing public access and bringing people to the river is a good thing, and could lead to better conditions. He stated that the Board should not move forward with the resolution since there are questions that need to be answered first.

Mr. Robert McCaffrey, owner of McCaffrey Homes, stated that they have been working with the consultant to establish the nonprofit and the agreements for the sale and resale of homes. He asked the Board to call a vote on the Resolution. The arrangement for transfer fees to the RCTV has been written into the deeds.

Chairperson Borgeas stated that the Board would not take a vote regarding the Resolution today and directed staff to answer the questions that have been raised through this discussion. He asked staff to meet with the McCaffreys and to have Ms. Forhan represent the board at the meetings.

This item was then suspended until the next Board meeting.

Vice-Chairperson Frazier left at 12:55 p.m.

H. ADMINISTRATIVE AND COMMITTEE REPORTS

The following oral reports are for informational purposes only, and may be accompanied by written reports in the Board packet. No action of the Board is recommended.

H-1 Organizations

H-1a San Joaquin River Parkway and Conservation Trust

Ms. Weaver mentioned that Trust, a nonprofit organization, has taken the initiative to help provide operations and maintenance in the Parkway. They currently operate Sycamore Island and they pay the Conservancy a percentage of the user fees. The Trust is very interested in finding ways to support operations.

H-1b RiverTree Volunteers

None.

H-2 Deputy Attorney General

H-3 Executive Officer

H-3a Report on U.S. Bureau of Land Management's Wild and Scenic River Eligibility Determination for a Reach of the San Joaquin River Above Millerton Lake

Ms. Marks stated that due to time constraints she would send the Board an email with her updates.

Chairperson Borgeas left at 1:03 p.m. and Ms. Bryn Forhan took over as acting chair.

H-4 Board Members' Reports

None.

I. EXECUTIVE SESSION

Public Comment:

Prior to convening in Executive Session, members of the public may address the Board on Executive Session agenda items.

I-1 Government Code Section 54956.8

Consultation with real property negotiators concerning terms of negotiations, including price and terms of payment.

Property: Ball Family Trust, Cemex plant site
Fresno County (APNs 300-007-56 through 60)

Negotiating Parties: David Wasemiller, Realtor, agent for Ball Family Trust
Robert Hillison, Attorney for Ball Family Trust

Agency Negotiators: Melinda Marks, San Joaquin River Conservancy
John Walsh, Wildlife Conservation Board

I-2 Government Code Section 54956.8
Consultation with real property negotiators concerning terms of negotiations, including price and terms of payment.

Property: County of Madera Parkway Land Acquisition Proposal:
Sanoian Family Partnership, seller, Madera County (APN 049-085-022)
County of Madera, seller, Madera County (APN 049-085-023)

Negotiating Parties: Eric Fleming, County Administrative Officer

Agency Negotiators: Melinda Marks, San Joaquin River Conservancy

Mr. Crow reported out of Executive Session that with regard to item I-1, the Board heard a report regarding the status of Ball Ranch acquisition. With regard to item I-2, the Board gave direction to staff for future negotiations.

J. NOTICE OF BOARD, ADVISORY, AND PUBLIC MEETINGS

None.

K. NEXT BOARD MEETING DATE

The next meeting of the Board will be held October 5, 2016, at 10:00 a.m. This meeting was subsequently canceled due to lack of a quorum. (Please note, an earlier start time is observed March through October.)

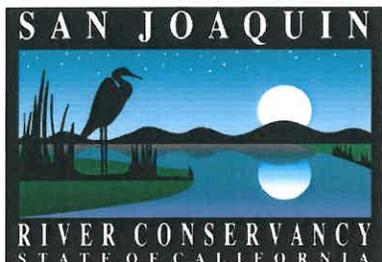
L. ADJOURN

Ms. Forhan adjourned the meeting at approximately 1:35 p.m.

Board meeting notices, agendas, and approved minutes are posted on the Conservancy's website, www.sjrc.ca.gov. For further information or if you need reasonable accommodation due to a disability, please contact Rebecca Harris at (559) 253-7324 or Rebecca.Harris@sjrc.ca.gov.

Respectfully submitted,


Melinda S. Marks, Executive Officer



SAN JOAQUIN RIVER CONSERVANCY

Agenda Item

Item: G-1

November 2, 2016

TO: San Joaquin River Conservancy
Governing Board

FROM: Melinda S. Marks, Executive Officer

SUBJECT: Approve Refinements to the Guidelines and Proposal Solicitation Package (PSP) for the Conservancy's Multi-Benefit Water Quality, Water Supply, Ecosystem and Watershed Protection and Restoration Grant Program, and Authorize Release of the PSP for the 2016-17 Cycle (carried forward from the cancelled October 5, 2016, meeting)

RECOMMENDATION:

It is recommended the Board approve the refinements to the Guidelines and Proposal Solicitation Package (PSP) (Attachment 1) for the Conservancy's Multi-Benefit Water Quality, Water Supply, Ecosystem and Watershed Protection and Restoration Grant Program, and authorize the release of the 2016 PSP. It is also recommended the Board authorize staff to release PSPs for future grant cycles, provided the content of each PSP remains substantially as approved by the Board.

SUMMARY:

The Water Quality, Water Supply, and Infrastructure Improvement Act of 2014 (Proposition 1) is a \$7.5 billion water bond to improve water quality, water supplies, and restore natural watershed features in California. The total amount of funding authorized in the Proposition 1 for the San Joaquin River Conservancy's watershed protection and restoration grant program is \$10 million, of which a maximum of ten percent (\$1.0 million) may be expended on planning projects.

The adopted 2016-2017 budget includes an appropriation of \$3.5 million for Conservancy Proposition 1 grants. The total funding available for the 2016-2017 grant cycle is approximately \$4.8 million, which includes the remaining funds from the 2015-2016 grant cycle. Grants will be awarded on a competitive basis using the application and evaluation process contained in the Grant Guidelines and PSP.

Based on the 2015 grant applications, the Conservancy made minor refinements to the 2016 PSP. In section VII Conservancy Program, Authorities, and Jurisdiction of the PSP, a map displaying the Conservancy's jurisdictional planning area was inserted. Under section IX Long-Term Commitment, information was added regarding habitat restoration projects that focus on invasive weed species removal and management. In the PSP application under Detailed Budget, Funding and In-kind Contributions the Conservancy added requirements related to

indirect costs. These provisions are the same as the Wildlife Conservation Board's since they are responsible for administrating the grants. The California Natural Resource Agency has reviewed and accepted the refinements.

The Conservancy will solicit grant proposals with the release of the PSP. The PSP includes the application forms and detailed instructions. The PSP will be available on the Conservancy website, www.sjrc.ca.gov. A solicitation notice will be e-mailed to all interested parties on the Conservancy's grant program e-mail list.

Two months, November 14, 2016 through January 16, 2017, will be provided between the release of the PSP and the deadline for submitting the application. The applicant will be required to complete the forms provided through the Conservancy's website, along with required exhibits. All materials, including the application, attachments, and supporting documentation, must be successfully submitted by the deadline. Late submittals will not be accepted.

For this funding cycle, staff is not recommending funding limits for individual projects, matching fund requirements, or limiting proposals to specific types or programs. The scoring criteria will strongly weigh in favor of proposals that provide leveraged or matching contributions.

DISCUSSION:

Conservancy staff will review each of the grant proposals to determine the eligibility and completeness of the application. The applications that are determined to be ineligible or incomplete will not be considered for funding; staff will make note of the deficiencies so that the applicant may re-apply during the next cycle.

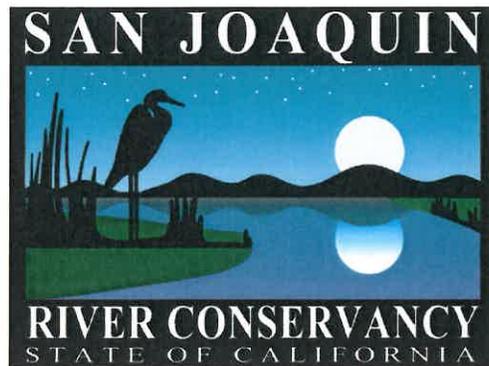
All eligible and complete grant proposals will be evaluated and scored by an Evaluation Panel of a minimum of five members, including at least two technical reviewers. The review panel will individually score the proposals in accordance with criteria and scoring in the PSP. Following the completion of the review and scoring for all eligible and complete proposals, the Evaluation Panel will convene to compile scores and evaluation notes; deliberate; rank and prioritize proposals; and develop award/funding recommendations to the Conservancy Board.

The panel's recommendations will be presented to the Board in early 2017. The staff report will include the Evaluation Panel's grant and funding recommendations, a summary of the process, scores and ranks, and the final recommended proposals in their entirety. A minimum of ten days in advance of the scheduled Conservancy Board meeting, the staff report will be posted on the Conservancy website for public review. Final approval by the Wildlife Conservation Board will be requested at their May 2017 meeting.



Rebecca Harris
Associate Governmental Program Analyst

Attachment 1: Refined Guidelines and 2016-2017 Proposal Solicitation Package

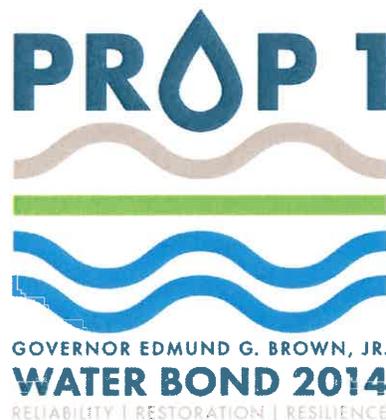


Multi-Benefit Water Quality, Water Supply,
Ecosystem and Watershed Protection and
Restoration Grant Program

Project Solicitation and Evaluation Guidelines

Adopted June 17, 2015

FUNDED BY



Final Guidelines

The Water Quality, Supply, and Infrastructure Improvement Act of 2014 (Proposition 1, California Water Code (WAT) Division 26.7) was approved by voters in November 2014. These Guidelines establish the general process, procedures, and criteria that the San Joaquin River Conservancy (Conservancy) will use to implement a competitive Multi-Benefit Water Quality, Water Supply, Ecosystem and Watershed Protection and Restoration Grant Program funded by Proposition 1. These Guidelines were developed pursuant to WAT §79706(a) to meet the intent, purposes, and provisions of Proposition 1.

Public Comment

The Conservancy posted the draft Guidelines and the initial Proposal Solicitation Package (PSP) on its website www.sjrc.ca.gov for a minimum of 30 days for public review and comment. During the comment period, the Conservancy held three public meetings to inform the public about the grant program and to secure public comments. The three dates and locations for the public meetings were:

- **April 14th in Madera**, 200 W. Fourth Street, Second Floor, Room 2005, from 9:00-10:30am;
- **April 15th in Fresno**, 5469 E. Olive, Fresno Metropolitan Flood Control District Board Room, from 10:30-12:00pm; and
- **April 16th in Friant**, 5290 Millerton Road, Millerton Lake Courthouse, Millerton Lake State Recreation Area, from 3:30- 5:00pm. (Parks fees will be waived.)

The deadline for written comments was May 1, 2015.

Comments, responses, and these proposed final Guidelines and a proposed final PSP will be presented to the Conservancy Board for discussion and approval on June 17, 2015.

Grant Program Website

The Conservancy will use its internet website to inform the public and potential applicants about the grant program and solicitations: www.sjrc.ca.gov.

See Appendix A for other useful web links.

E-mail List

In addition to the website referenced above, the Conservancy will distribute information via e-mail upon request. To be included in the grant program e-mail distribution list, interested parties may e-mail info@sjrc.ca.gov to join.

For More Information

For questions about the Guidelines or grant program, please contact:

San Joaquin River Conservancy
5469 E. Olive Avenue
Fresno, CA 93727
Phone: (559) 253-7324
info@sjrc.ca.gov

TABLE OF CONTENTS

INTRODUCTION FINAL PAGINATION TO BE SET WHEN ALL CHANGES ARE MADE	6
Purpose of Guidelines	6
Background	6
Funding Source and Availability	7
Funding Limit	7
Requirements to Match and/or Leverage Funds	7
Duration of Projects	8
Program Focus and Benefits	8
Anticipated Project Types	8
ELIGIBILITY REQUIREMENTS	9
Eligible Grant Applicants	9
Eligible Projects	9
Purposes	10
Conservancy Programs, Authorities and Jurisdiction	10
Intent	10
Conservation Corps Requirements	10
Other Eligibility Requirements	11
Ineligible Projects	11
GENERAL PROGRAM REQUIREMENTS	12
Long-Term Commitment	12
Landowner Agreement	12
State Lands Commission Jurisdiction	12
Conflict of Interest	12
Public Records	13
Labor and Public Contract Code Compliance	13
Environmental Compliance	13
Water Law	14
Signage	14
Monitoring and Information Requirements	15
PROPOSAL REVIEW, EVALUATION, AND AWARD PROCESS	15
Competitive Program	15
Solicitation Notice	15
Proposal Submittal Process	16
Evaluation Criteria and Scoring	16
Proposal Evaluation Process	17
Administrative Review	17
Technical Review and Evaluation Panel	17
External Review/Public Comment	18

Grant Approval	18
Grant Agreement	19
Responsibility of the Grantee	19
Invoicing and Payments	19
Loss of Funding	19
Standard Conditions	20

APPENDIX A – USEFUL WEB LINKS

APPENDIX B – GLOSSARY OF TERMS

APPENDIX C – GRANT ACCOUNTING AND AUDITING REQUIREMENTS

ACRONYMS AND ABBREVIATIONS

CCC	California Conservation Corps
CDFW	California Department of Fish and Wildlife
CEDEN	California Environmental Data Exchange Network
CEQA	California Environmental Quality Act
CLC	California Labor Code
CSLC	California State Lands Commission
Conservancy	San Joaquin River Conservancy
CVPIA	Central Valley Project Improvement Act
FGC	Fish and Game Code
GHG	Greenhouse Gas
LCC	Fresno County Economic Opportunities Commission Local Conservation Corps
NEPA	National Environmental Policy Act
Parkway	San Joaquin River Parkway
Parkway Master Plan	San Joaquin River Parkway Master Plan
PRC	Public Resources Code
Proposition 1	Water Quality, Supply, and Infrastructure Improvement Act of 2014
PSP	Proposal Solicitation Package
SJRRP	San Joaquin River Restoration Program
SWRCB	State Water Resources Control Board
WAT	California Water Code
WCB	Wildlife Conservation Board

Introduction

The Water Quality, Supply, and Infrastructure Improvement Act of 2014 (Proposition 1, WAT Division 26.7) was approved by voters in November 2014. The total amount of funding authorized in Proposition 1 for San Joaquin River Conservancy (Conservancy) grants is \$10 million, of which a maximum of ten percent (\$1.0 million) may be expended on planning projects. Grants will be awarded on a competitive basis using specific evaluation criteria contained in the Proposal Solicitation Package (PSP).

Purpose of Guidelines

The purpose of these Guidelines is to establish the process, procedures, and criteria through which the Conservancy will administer its competitive Multi-Benefit Water Quality, Water Supply, Ecosystem and Watershed Protection and Restoration Grant Program in accordance with the provisions of Proposition 1. Proposition 1 requires the development and adoption of these Guidelines prior to soliciting proposals and disbursing grant funds ((WAT §79706(a) and §79707(d)).

The Conservancy's grant program will fund or contribute to funding selected multi-benefit water quality, water supply, ecosystem and watershed protection and restoration projects within its jurisdictional planning area, which is generally the river and floodplain within the 22-mile reach of the San Joaquin River in Fresno and Madera counties between Friant Dam and California State Route 99, and within the watershed immediately tributary to this reach.

Projects must be consistent with the San Joaquin River Conservancy Act (PRC §32500 et seq.), and Proposition 1, including but not limited to meeting objectives of the California Water Action Plan.

The Guidelines include the following information:

- Eligibility requirements;
- General program and project requirements;
- Procedures for the solicitation, submittal, and evaluation of grant applications, and for authorizing funds; and
- Typical components of grant agreements.

A separate, but related, PSP will provide detailed information regarding how to apply for grant funds, and priorities and evaluation criteria specific to each solicitation. PSPs for each solicitation will be available for download from the Conservancy website, www.sjrc.ca.gov.

Links to internet resources, a glossary of terms, and State auditing requirements are provided in the appendices.

Background

The Conservancy is a regionally governed State agency established by the Legislature to develop and manage the San Joaquin River Parkway (Parkway), a planned 22-mile natural and recreational area generally within the river floodplain in Fresno and Madera counties extending from Friant Dam to State Route 99. In keeping with its mission and authorities in the San Joaquin River Conservancy Act, and in coordination with the Wildlife Conservation Board

(WCB)¹, the Conservancy invests voter-authorized bond funds for projects within its jurisdictional planning area to: acquire lands for Parkway purposes; conserve, enhance, and restore aquatic, riparian, and floodplain habitat; and create improvements for public access, low-impact recreation, and natural and cultural resources education, compatible with the conservation of the river's resources.

The Conservancy's Proposition 1 grant program is designed to provide funding to support multi-benefit ecosystem and watershed protection and restoration projects in accordance with statewide priorities (WAT §79730). Additionally, to the extent feasible, projects shall promote State planning priorities consistent with §65041.1 of the Government Code (WAT §79707(i)) and shall be consistent with the California Water Action Plan and the San Joaquin River Parkway Master Plan.

Proposition 1 authorized the Legislature to appropriate \$10,000,000 to the Conservancy for projects that result in these benefits (WAT §79731(g)). These Guidelines were developed pursuant to WAT § 79706(a) to meet the intent, purposes, and provisions of Proposition 1.

Funding Source and Availability

Proposition 1 authorizes the Legislature to appropriate a total of \$10,000,000 to the Conservancy for multi-benefit ecosystem and watershed protection and restoration projects. Competitive grant awards and the frequency of project solicitation cycles will depend on fund availability. A maximum of ten percent of the total bond funds (\$1,000,000) may be awarded or expended by the Conservancy for planning activities necessary for successful design and implementation of potential projects. The Conservancy may also award funds from other sources in a manner consistent with its established practices and project evaluation processes in order to meet the needs of high-priority projects that cannot be fully funded through this grant program.

Funding Limit

The total amount available for each grant cycle shall be announced in the PSP. Limitations may be placed on the minimum and maximum grant award (WAT § 79706(a)) and will be identified in the PSP.

Requirements to Match and/or Leverage Funds

Matching funds are defined as the applicant's commitment to provide and clearly account for a non-state funding contribution to the project and/or in-kind services, using non-state personnel. Leveraging funds are defined as the applicant's commitment to provide and clearly account for other state funding contributions to the project and/or in-kind services, using state personnel. Whether matching/leveraging funds are required will be announced in the PSP for that cycle. If they are not required, they will be considered positively in evaluation scores.

¹ The Conservancy's bond funds are appropriated to the WCB, and are administered cooperatively by both agencies in compliance with the budget acts and a Memorandum of Understanding. All grant funding must be authorized by both the Conservancy Board and WCB, and will result in grant agreements executed by the WCB on behalf of the Conservancy. In order to minimize the complexity of the Guidelines, grant administration is generally attributed to the Conservancy herein.

Only work performed after the effective date of the grant agreement will be eligible for reimbursement. Costs incurred prior to the effective date of the grant agreement are not eligible for reimbursement; however, advance investments, such as the documented cost of site acquisition and planning phases, may be valid matching or leveraging contributions. Similarly, post-construction monitoring, operations, and maintenance costs borne by the applicant may be valid matching or leveraging contributions.

Duration of Projects

Projects may be multiyear efforts as necessary and appropriate. Each PSP will specify the term allowed for projects. If delays that are not within the control of a grantee cause a grantee to need more time to complete the project tasks, the grantee may request an extension before the termination of the agreement. The extension will be subject to Conservancy and WCB approval.

Program Focus and Benefits

The Conservancy's grant program is designed to invest voter-authorized bond funds in projects within its jurisdictional planning area that will provide multiple benefits to protect and restore the San Joaquin River and watershed in accordance with Proposition 1's requirements, purposes articulated in WAT §79732, and intent described in WAT §79707.

Projects must be consistent with the San Joaquin River Conservancy Act (PRC §32500 et seq.), the San Joaquin River Parkway Master Plan, and Proposition 1, including but not limited to meeting objectives of the California Water Action Plan: more reliable water supplies; the restoration of important species and habitat; and a more resilient, sustainably managed water resources system (water supply, water quality, flood protection, and environment) that can better withstand inevitable and unforeseen pressures in the coming decades. The program is intended to fund projects that result in public benefits that address the most critical statewide water resources needs and priorities (WAT §79707(a)).

Project Eligibility sections provide additional information.

Anticipated Project Types

Possible Conservancy grant projects include but are not limited to:

- Land acquisition for Parkway riparian habitat and floodplain conservation and restoration;
- Ecosystem and watershed protection and restoration, including wetland, floodplain, and riparian habitat restoration, and re-establishing flood flows through restored floodplains;
- Improvements for surface and ground water management, including conjunctive use;
- Projects that are consistent with or enhance the San Joaquin River Restoration Program, including projects to isolate breached gravel ponds from the river and projects to provide for off-stream recreational fishing;
- Projects that assist in the recovery of sensitive species, including but not limited to projects that address the priorities of the National Marine Fisheries recovery plan for Central Valley spring-run Chinook salmon;
- Water quality protection and improvement, including storm water quality management improvements; and

- Other projects that can demonstrate they meet the intent and purposes of Proposition 1 (see in particular WAT § 79732) as well as the mission, authorities, and plans of the Conservancy.

ELIGIBILITY REQUIREMENTS

Each proposal solicitation will describe the nature and scope of projects eligible for funding, eligibility criteria, and scoring to be used for project evaluation, and any restrictions on the use of funds. Requirements and limitations imposed in each PSP may vary.

Eligible Grant Applicants

Eligible grantees are limited to public agencies, nonprofit organizations, public utilities, federally recognized Indian tribes, State Indian tribes listed on the Native American Heritage Commission's California Tribal Consultation List, and mutual water companies (WAT §79712(a)). Additionally, in order to be eligible for funding:

- A project proposed by a public utility that is regulated by the Public Utilities Commission or a mutual water company must have a clear and definite public purpose and benefit the customers of the water system, not the investors (WAT §79712(b)(1));
- An urban water supplier must adopt and submit an urban water management plan in accordance with the Urban Water Management Planning Act (WAT Part 2.6 (commencing with §10610) of Division 6) (WAT §79712(b)(2));
- An agricultural water supplier must adopt and submit an agricultural water management plan in accordance with the Agricultural Water Management Planning Act (WAT Part 2.8 (commencing with § 10800) of Division 6) (WAT §79712(b)(3)); and
- In accordance with WAT §10608.56, an agricultural water supplier or an urban water supplier is ineligible for funding unless it complies with the requirements of WAT Part 2.55 (commencing with §10608) of Division 6. (WAT §79712(b)(4)).

Grant agreements shall be executed with one entity only. Applicants who wish to collaborate on a project and pursue a regional approach to a proposed project may elect to use a contractor-subcontractor relationship, a joint venture, a joint powers authority, or other appropriate mechanism.

Grant proposals from private individuals or for-profit enterprises will not be accepted. Private individuals and for-profit enterprises interested in submitting proposals are encouraged to work with eligible entities listed above.

Eligible Projects

Projects must meet all relevant eligibility criteria in order to be considered for funding.

Projects must be capital investments, such as real property acquisitions (including easements)² and improvements (including habitat enhancements and constructing facilities). Projects may involve the planning, environmental review, monitoring to inform designs and plans, and

² An appraisal of the value of the real property asset, conducted in compliance with the Department of General Services Real Property Services Section specifications must be completed, and the applicant may not purchase the property for greater than the State-approved fair market value. Any agency acquiring land with Proposition 1 funds may use the Natural Heritage Preservation Tax Credit Act of 2000 (Division 28 (commencing with §37000) of the Public Resources Code) (CWC § 79711(h)).

preliminary design of such improvements; however, only a limited amount of funding may be awarded from this grant program for planning activities.

Prospective applicants may consult with Conservancy staff in advance of submitting a proposal. Prospective applicants should contact the Conservancy with any questions pertaining to project eligibility.

Purposes

Projects must demonstrate multiple benefits to water quality, water supply, and/or ecosystem and watershed protection and restoration consistent with the requirements and purposes of Proposition 1. In summary, these purposes include, but are not limited to:

- Protecting healthy watersheds, fisheries, and stream flows;
- Implementing projects within watersheds that facilitate climate change adaptation;
- Restoring river parkways and urban river greenways;
- Conserving and restoring ecosystems;
- Fulfilling settlement obligations of the State of California related to water resources;
- Collaborating with federal agencies to protect fish and wetlands;
- Reducing wildfire risks;
- Improving watershed health;
- Reducing contamination of rivers, lakes and streams; and
- Assisting in the recovery of sensitive species by improving watersheds and associated habitat. (WAT § 79732)

Conservancy Programs, Authorities, and Jurisdiction

Projects must be consistent with the statutory mission and authorities of the San Joaquin River Conservancy and the San Joaquin River Parkway Master Plan, and must contribute to the protection or restoration of the San Joaquin River watershed within the Conservancy's jurisdictional planning area, which is generally the river and floodplain within the 22-mile reach of the San Joaquin River in Fresno and Madera counties between Friant Dam and State Route 99. Since a watershed's protection and restoration is intrinsically interconnected with its tributaries, projects within the watersheds immediately tributary to this reach that demonstrate a direct nexus and benefits to the watershed within the Conservancy's jurisdictional planning area may be considered for grant funding.

Intent

Further, the overall grant program will meet the intent of Proposition 1 by: leveraging private, federal, or local funding; producing the greatest public benefit; applying best available science; employing new or innovative technology or practices; employing cost-efficient conservation strategies; addressing climate change; addressing the goals, objectives, and needs of the San Joaquin River Restoration Program; serving the needs of disadvantaged communities and economically distressed areas; partnering with or using the forces of the California Conservation Corps or certified community conservation corps; and addressing other water resource, ecosystem and watershed restoration goals, priorities, and objectives of the State of California as opportunities arise. These factors will be considered in evaluating proposed projects.

Conservation Corps Requirements

Division 26.7 of the Water Code, Chapter 6, Section 79734 requires that: "For restoration and ecosystem protection projects funded pursuant to this chapter, the services of the California Conservation Corps or a local conservation corps certified by the California Conservation Corps shall be used whenever feasible."

Grant applicants shall at a minimum consult with representatives of the California Conservation Corps (CCC) and Fresno County Economic Opportunities Commission Local Conservation Corps (LCC) (collectively, “the Corps”) to determine the feasibility of the Corps’ participation in providing grant-funded services for the project. Applicants seeking grants for projects that solely involve either planning or acquisition are exempt from the consultation requirement. Unless otherwise exempted, applicants that fail to engage in such consultation are not eligible to receive Proposition 1 grant funds. The PSP will include specific instructions and required documentation for consulting with the Corps to secure services.

Other Eligibility Requirements

Funding shall only be used for projects that will provide environmental benefits or improvements greater than required, applicable environmental mitigation measures or compliance obligations (WAT §79732(b)). (Exceptions are provided for any water transfers for the benefit of Central Valley Refuges and Wildlife Habitat Areas pursuant to subsection (d) of §3406 of the Central Valley Project Improvement Act (CVPIA) (Title 34 of Public Law 102-575) (WAT §79737(f)).

Projects proposed by a public utility that is regulated by the Public Utilities Commission or a mutual water company shall have a clear and definite public purpose and shall benefit the customers of the water system not the investors (WAT §79712(b)(1)).

Each solicitation may have additional eligibility criteria described in the PSP. For example, the solicitation may describe if a match of non-State funds is required for that solicitation.

Ineligible Projects

Ineligible projects or project elements include but are not necessarily limited to the following examples:

- Construction equipment purchased solely for purposes of implementing a single project;
- Projects dictated by a legal settlement or mandated to address a violation of, or an order (citation) to comply with, a law or regulation, other than projects that fulfill the obligations of the State in complying with the terms of multi-party settlement agreements related to water resources (WAT § 79732(a)(5));
- Education or outreach programs, or event-related projects, although these types of activities may be included as part of the overall implementation of a project eligible for grant funds;
- Operations and maintenance funding (with the exception of funds necessary to establish and sustain vegetation within habitat restoration projects until such new vegetation is established, generally not to exceed three years);
- Projects that subsidize or decrease the mitigation or compliance obligations of any party;
- Projects for design, construction, operation, mitigation, or maintenance of Delta conveyance facilities (WAT §§ 79710(a), 79737(e) and 79738(f)); and
- Projects that utilize eminent domain to acquire real property. Proposition 1 (§ 79711(g)) and the San Joaquin River Conservancy Act preclude using grant funds for real property acquisition by eminent domain.

GENERAL PROGRAM REQUIREMENTS

Grant proposals must meet eligibility requirements and be in full compliance with all stated requirements of each PSP in order to be reviewed, evaluated, and assigned a score. Any changes to the grant application process will be posted as soon as possible on the Conservancy's website.

Long-Term Commitment

For restoration projects funded by a grant, the applicant must demonstrate that the project site will be conserved in perpetuity for the purposes of habitat protection.

The applicant must demonstrate that structural improvements funded by a grant shall be properly operated and maintained for a period not less than 25 years.

A restoration project should include adequate irrigation and stewardship to establish self-sustaining vegetation, normally considered to be three growing seasons after initial planting.

A habitat restoration project that focuses on invasive weed species removal and management must provide for or secure a commitment from the landowner to monitor the project site(s) not less than annually for the 25-year maintenance period. In the event that the monitoring detects new occurrences of any weeds removed, the applicant or landowner will then develop a plan for removal of those weeds before the infestation can spread.

Landowner Agreement

If the entire project site is not owned by an applicant, property owners must sign letters which demonstrate knowledge of the proposed project and allow the applicant (with reasonable notice), to access, implement, and when applicable, operate, maintain, and monitor the project.

A final landowner agreement or landowner signature on the grant agreement will be required once-when the proposed project is awarded. Agreements may require conservation easements or other protections against encroachments, and must include reasonable access by the Conservancy or its agents for project implementation, inspection, maintenance, monitoring, and post-project evaluation for a period of no less than 10 years following completion of a restoration project or 25 years following completion of an infrastructure project. Additional landowner agreement requirements may apply.

State Lands Commission Jurisdiction

On navigable non-tidal waterways, such as the San Joaquin River, the State holds fee ownership of the bed of the waterway landward to the ordinary low water mark (i.e., state sovereign lands) and a Public Trust easement from the low water mark landward to the ordinary high water mark, except where the boundary has been fixed by agreement or court decision. Such boundaries may not be readily apparent from present day site inspections. Any proposed project that may occur within the portions of the historic channel of the river potentially involves sovereign lands under the jurisdiction of the California State Lands Commission (CSLC), and may require a lease from the CLSC prior to construction or implementation.

Conflict of Interest

All applicants and individuals who participate in the evaluation and selection of grant proposals are subject to State and federal conflict of interest laws. Any individual who participates in planning or setting priorities for a specific PSP or who participates in any part of the proposal evaluation and award process is ineligible to receive funds or personally benefit from funds awarded through that PSP. Government agencies may submit proposals to compete for funding. Employees and officials of public agencies may participate in the evaluation and award process; however, they are subject to conflict of interest laws.

Failure to comply with the conflict of interest laws, including business and financial disclosure provisions, will result in the proposal being rejected and any subsequent grant agreement being declared void. Other legal actions may also be taken. Applicable statutes include, but are not limited to, California Government Code §1090 and Public Contract Code §10365.5, §10410 and §10411.

Public Records

Grant proposals submitted to the Conservancy are public records, and shall be available for public review. In submitting a proposal, any privacy rights, as well as other confidentiality protections afforded by law with respect to the application package shall be waived by the applicant. The California Public Records Act (Government Code §6250 et seq.) requires disclosure of public records that are subject to public inspection and are not deemed confidential. If sensitive or confidential personal data are contained in a proposal submitted to the Conservancy, the Conservancy will redact such information prior to making documents available to the public.

Labor and Public Contract Code Compliance

Grants awarded through this program may be subject to prevailing wage provisions of the California Labor Code (CLC). Typically, the types of projects that are subject to the prevailing wage requirements are public works projects. Existing law defines "public works" as, among other things, construction, alteration, demolition, installation, or repair work done under contract and paid for in whole or in part out of public funds. Certain State funded grants administered by the Conservancy are not subject to Chapter 1 (commencing with §1720) of Part 7 of Division 2 of the CLC.

Assembly Bill 2690 (Hancock, Chapter 330, Statutes of 2004) amended CLC §1720.4 to exclude most work performed by volunteers from the prevailing wage requirements. For more details, please refer to the Department of Industrial Relations website at <http://www.dir.ca.gov>.

The Grantee shall pay prevailing wage to all persons employed in the performance of any part of the project if required by law to do so. Any questions of interpretation regarding the CLC should be addressed to the Director of the Department of Industrial Relations, the State department having jurisdiction in these matters.

The Grantee shall comply with applicable provisions of the Public Contract Code.

Environmental Compliance

Activities funded under this grant program must be in compliance with applicable State, local, and federal laws and regulations, including the California Environmental Quality Act (CEQA), National Environmental Policy Act (NEPA), and other environmental permitting requirements. The applicant is solely responsible for project compliance. Grant proposals may include in their budgets the funding necessary for compliance-related tasks.

As part of the application, applicants must identify expected required permits, state whether they have received the required permits or describe the process through which the permits will be obtained, and indicate which permit approval processes could significantly delay project implementation.

A maximum of ten percent (\$1,000,000) of the Conservancy's total Proposition 1 funds may be made available for planning and design. Planning and design projects are usually exempt from CEQA (CEQA Guidelines §15262); therefore grants may be awarded for such projects subject to filing a Notice of Exemption. The published or proposed notice must be provided with the project proposal. If preparation of environmental documentation under CEQA or design is funded through a Conservancy grant, there is no certainty or implied commitment that the future construction/implementation phases will be funded by the Conservancy.

Other than, for planning and design projects, the Conservancy will not award funding for a "project" as defined in CEQA until environmental review and CEQA compliance is complete. The proposal must include all necessary CEQA documentation. Prior to awarding a grant for a "project," CEQA Guidelines require the Conservancy, as a Lead or Responsible Agency, to consider the environmental documentation prepared for the project, and to reach its own conclusion as to project review, mitigation, and compliance with CEQA for its jurisdictional authority related to the project.

Projects involving federal funds, federal approvals, or federal grant applicants may also require compliance with the National Environmental Policy Act. NEPA compliance documentation should be referenced in the proposal and submitted on request.

The grantee is responsible for securing all permits for work specific to the grant proposal. The Conservancy may conduct audits of regulatory compliance during the period of performance and may freeze payments on invoices and/or require grant funds to be repaid if grantees have not met legal requirements.

Water Law

Funded grants that address stream flows and water use must comply with the WAT, as well as any applicable Fish and Game Code(s). Refer to Proposition 1 for specific requirements (in particular WAT §79709 and 79711). Any grant proposal that would require a change to water rights, including, but not limited to, bypass flows, point of diversion, location of use, purpose of use, and/or off-stream storage shall demonstrate an understanding of the State Water Resources Control Board (SWRCB) processes, timelines, and costs necessary for approvals by SWRCB and the ability to meet those timelines within the term of a grant. Prior to a water right purchase or lease, an appraisal of the value of the water right, conducted in compliance with the Department of General Services Real Property Services Section specifications, must be completed.

When applicable, an applicant must demonstrate to the Conservancy that they have a legal right to divert water by submitting a copy of a water right permit or license on file with the SWRCB, or some other document that evidences the right. Applicants who divert water based on a riparian or pre-1914 water right must document their right to divert water within their proposal.

Signage

To the extent practicable, Grantees shall post a sign at the project site informing the public that the project received funds from the Water Quality, Supply, and Infrastructure Improvement Act of 2014.

Monitoring and Information Requirements

Each grant proposal must include measurable outcomes through which project performance will be monitored and evaluated. The plan should include a list of project-specific performance measures that will be used to assess project outcomes/trajectories. The proposal should provide sufficient detail of how these performance measures will be qualitatively and/or quantitatively assessed to evaluate the effectiveness of the project in achieving the stated objectives.

Each proposal must also include a description of the processes through which information will be collected, stored, and disseminated to participants, stakeholders, public, and the State. Public information may include, but is not limited to technical designs, feasibility studies, reports, and data gathered during any phase of development, including planning, design, construction, operation, and monitoring.

For projects involving water quality monitoring, data shall be collected and reported to the SWRCB in a manner that is compatible and consistent with surface water monitoring or groundwater data systems administered by the SWRCB (e.g., California Environmental Data Exchange Network for surface water data) (WAT §79704).

When applicable, watershed monitoring data shall be collected and reported to the Department of Conservation in a manner that is compatible and consistent with the statewide watershed program administered by the Department of Conservation (WAT §79704).

All Grantees will provide progress reports with each invoice and a final report upon project completion.

Project-specific requirements for performance measures, data management, public information, and reporting requirements shall be defined in the grant agreement.

PROPOSAL REVIEW, EVALUATION, AND AWARD PROCESS

Competitive Program

The Conservancy will implement a competitive grant program that will include:

- A proposal solicitation period beginning with the announced release of a PSP and proposal due dates;
- Defined scoring criteria and evaluation processes;

- Qualified evaluation teams comprised of professionals in fields of work relevant to the proposed projects (WAT § 79707(f)); and
- Approval by the Conservancy Board and subsequent authorization by the WCB, at regularly scheduled, noticed public meetings.

Solicitation Notice

The Conservancy will solicit grant proposals with the release of a PSP, which will provide detailed instructions and requirements for submitting proposals for that grant cycle. PSPs will be made available on the Conservancy website, www.sjrc.ca.gov. A solicitation notice will be e-mailed to all interested parties on the Conservancy’s grant program e-mail list.

The proposal solicitation/evaluation process will consist of three phases with associated due dates for each:

- Administrative evaluation of Proposals per eligibility criteria;
- Panel evaluation, ranking, and recommendations; and
- Grant Awarding Process.

Proposal Submittal Process

Application forms and instructions for the proposals will be included in each PSP. Each PSP may vary; applicants should review the specific proposal requirements, review process, and criteria for each PSP.

The Conservancy will provide at least two months between the release of the PSP and the deadline for submitting the application. The applicant will be required to complete the forms provided through the Conservancy’s website, along with required exhibits. All materials, including the application, attachments, and supporting documentation, must be successfully submitted by the deadlines stipulated within the PSP. Late submittals will not be accepted.

Evaluation Criteria and Scoring

The specific criteria and scoring methods will be identified in the PSP. Evaluation criteria may be given weighted scores, which will be described in the PSP. Applicants can expect that typically evaluation criteria may include, but not be limited to:

• Project Readiness	Project readiness (e.g., CEQA compliance is complete; preliminary design is prepared; regulatory requirements are identified); project has an independent function, regardless of future actions.
• Qualifications, capacity, and capability of applicants and collaborators	Applicants and any partners demonstrate capacity to carry out project; meet fiscal management and any long-term operations requirements; collaboration among entities; addresses inter-jurisdictional authorities and boundaries. Assures proper long-term operation and maintenance.
• Regional and State-wide relevance and importance	Project addresses regional needs, including the needs of disadvantaged communities and underserved populations; nexus to other conservation and restoration efforts and to other public Parkway lands, conservation lands, and the larger watershed; broad support/minimal substantive controversy.
• Includes other funding sources, in-kind services	Applicant commits: 1 st , matching funds or in-kind services (i.e., non-state funds and contributions), or 2 nd , other State funds that leverage the Conservancy’s Proposition 1 funds.

<ul style="list-style-type: none"> • Generates multiple benefits 	<ul style="list-style-type: none"> • Benefits water supply and reliability, and a more resilient, sustainably managed water resources system (water supply, water quality, flood protection, and environment), such as conjunctive and in-lieu use, water conservation measures, etc. • Benefits important species and wildlife habitat; provides habitat connectivity for wildlife movement; assists in the recovery of sensitive species. • Addresses greenhouse gas emissions (e.g., sequestration, potential reductions, and climate change adaptation); • Benefits ecosystem and watershed protection and conservation, water quality, pollution prevention; • Conserves habitat and open space that have the potential to be converted to other, more intensive land uses; assures long-term conservation of the project site. • Environmental impacts are avoided, minimized, and mitigated per CEQA review.
<ul style="list-style-type: none"> • Consistent with and/or advances the goals of Conservation and Resource Management Plans 	<p>Contributes toward the goals, objectives, and needs of Statewide and regional conservation and resources management plans, including but not limited to the San Joaquin River Parkway Master Plan, California Water Action Plan, San Joaquin River Restoration Program, Integrated Regional Water Resource Management Plans, San Joaquin River Ecological Reserve management plan, species recovery plans (e.g. <u>Central Valley spring-run Chinook salmon recovery plan</u>), and other resource management plans.</p>
<ul style="list-style-type: none"> • Technical/Scientific Merit 	<p>Feasible; applies best available science and/or innovative technology or practices.</p>
<ul style="list-style-type: none"> • Measurable Outcomes 	<p>Includes measurable objectives, appropriate monitoring, and assessment; meets applicable data and information reporting requirements.</p>
<ul style="list-style-type: none"> • Cost-efficient conservation strategies 	<p>Costs are reasonable; costs are proportionate to benefits, in light of all competitive proposals; includes efficient strategies, such as using the California Conservation Corps (CCC) or community conservation corps to implement projects where feasible (Section 79714(c)).</p>

Proposal Evaluation Process

Grant proposals submitted by the deadline will be evaluated using the multi-step review process described below. The specific criteria upon which the evaluation will be based will be defined in each PSP.

Administrative Review

Each grant proposal will be reviewed by Conservancy staff to determine the eligibility and completeness of the application. Each proposal will first be evaluated for compliance with the Eligibility Criteria stipulated herein and in the PSP. Applications deemed eligible will then be evaluated in accordance with the PSP for completeness. All information requested in the PSP must be provided and in the required formats. This review will use “Pass/Fail” scoring. Applications that are determined to be ineligible or incomplete will not be considered for funding; staff will make note of the deficiencies so that the applicant may re-apply during the next cycle.

Technical Review and Evaluation Panel

All eligible and complete grant proposals will be evaluated and scored by an Evaluation Panel of a minimum of five members, including at least two technical reviewers. The panel will include representatives at the supervisory, management, or policy levels from the Conservancy, its member and partner agencies and organizations, and water resource management and habitat conservation professionals. The panel may include one or more outside experts, stakeholders, landowners, or local citizens. Individuals serving as technical reviewers will be professionals in fields relevant to the proposed projects (WAT §79707(f)).

The review panel members will individually score proposals in accordance with criteria documented in the PSP.

Depending on the scope and nature of the proposals, the review and evaluation process may be expanded to include independent scientific review by one or more qualified experts, selected to participate based on their expertise in the subject areas of the proposals, consistent with WAT §79707(f).

Following completion of the review and scoring for all eligible and complete proposals, the Evaluation Panel will convene to compile scores and evaluation notes; deliberate; rank and prioritize proposals; and develop award/funding recommendations to the Conservancy Board. The Evaluation Panel will prepare a preliminary ranking list of the proposals and make funding recommendations. When developing the ranking list, the panel will consider the following items:

- The proposals, evaluation criteria, scores and comments; input from the involved experts;
- Amount of funds available;
- Distribution of benefits and funds among focus areas, entities, and throughout the Conservancy's jurisdictional planning area and region;
- The overall accomplishment of the grant program's focus and benefits (refer to Guidelines Section XX); and
- Guiding principles and policies, such as the California Water Action Plan, Proposition 1's intent and purposes, and the policies of the Conservancy expressed in the San Joaquin River Parkway Master Plan.

The Evaluation Panel may recommend modifications to any of the proposals, including reducing the scope of work and grant amounts from those requested, in order to meet current and any potential future program priorities and funding limitations.

External Review/Public Comment

The Executive Officer shall prepare the final staff report and recommendation to the Board. The staff report will include the Evaluation Panel's grant and funding recommendations, a summary of the process, scores and ranks, and the final recommended proposals in their entirety. A minimum of ten days in advance of the scheduled Conservancy Board meeting, the staff report will be posted on the Conservancy website for public review. The Conservancy's Interagency Project Development Committee may be convened to review the results and recommendations,

and, if there is interest, the Conservancy may present the recommendations to local agency water advisory committees and water management joint powers authorities.

Grant Approval

The staff report, written public comments and the notes from committee meetings will be conveyed to the Conservancy board. The Conservancy board shall make its grant award determinations by majority vote at a regularly scheduled board meeting. Applicants and members of the public will be provided the opportunity to comment prior to Board action. The Board, in its sole discretion, may require modifications to a proposal, including reducing the grant amount, may deny a grant recommended by staff, and may provide direction for further Board consideration of grant proposals at a later meeting. Following approval by the Conservancy Board, the selected grant recipients will receive a commitment letter officially notifying them of their selection and grant amount. The Conservancy Board's action will include a request to the WCB to also authorize the approved grants at their next quarterly meeting.

Projects approved for funding will be posted on the Conservancy website, www.sjrc.ca.gov .

Grant Agreement

Development of grant agreements will begin as soon as projects are approved by the Conservancy Board. Successful applicants will work with an assigned grant manager to develop the grant agreement. The applicant must agree to the *General Grant Provisions*, which will be disclosed at the time of agreement development. Agreements that are not executed within six months of the final authorization by the WCB may not be funded. In such situations, the applicant may apply through a future PSP.

Grant agreements are not executed until signed by both the authorized representatives of the grant recipient and the Conservancy. Work performed prior to receiving a notice to proceed for an executed agreement is done at the risk of the applicant and cannot be reimbursed.

Responsibility of the Grantee

The Grantee will be responsible for carrying out the work agreed to and for managing finances, including but not limited to, required reporting, invoicing, payments to subcontractors, accounting and financial auditing, and other project management duties. All costs eligible for reimbursement, and matching funds and in-kind contributions must be supported by appropriate documentation. The Grant Agreement will describe the documentation required to support cost claims. See Appendix C for State auditing requirements (WAT §79708(b-c)).

Invoicing and Payments

Reimbursement will be paid for actual costs incurred by the Grantee. Billable service cannot proceed and funds cannot be disbursed until there is an executed Grant Agreement between the Conservancy and the Grantee, and a notice to proceed. Construction cannot proceed until all required environmental permits are secured. Reimbursement will be made on a time and materials basis. The Grantee shall pay for services, products or supplies, submit an invoice with receipts and documentation that must be approved by the grant manager, and then shall be reimbursed by the Conservancy. See Appendix C for accounting and audit requirements.

Indirect Costs

Indirect cost (administrative overhead) rates are limited to 20 percent of the total Conservancy award, minus subcontractor and equipment costs. Any amount over 20 percent will not be funded but may be used as cost share. Indirect costs include but are not limited to workers compensation insurance, utilities, office space rental, phone, and copying which is directly related to completion of the proposed project. Costs for subcontractors and purchase of equipment cannot be included in the calculation of indirect costs in the overall project budget. Subcontractors' indirect costs should be reflected in the subcontractor budget and are also limited to 20 percent. The applicant must explain the methodology used to determine the rate and provide detailed calculations in support of the indirect cost rate.

Loss of Funding

Work performed under the grant agreement is subject to availability of funds through the State's normal budget process. If funding for the grant agreement is reduced, deleted, or delayed by the Budget Act or through other budget control actions, the Conservancy will have the option to either: cancel the grant agreement, offer to the Grantee a grant agreement amendment reflecting the reduced amount, or to suspend work. In the event of cancellation or suspension of work, the Conservancy shall provide written notice to the Grantee and be liable for any work completed pursuant to the agreement up to the date of the written notice and will have no liability for payment for work undertaken after such date. In the event of a suspension of work, the Conservancy may remove the suspension of work through written notice to the Grantee. The Conservancy will be liable for payment for work completed from the date of written notice of the removal of the suspension of work forward, consistent with other terms of the grant agreement. In no event will the Conservancy be liable to the Grantee for any costs or damages associated with any period of suspension invoked pursuant to this provision, nor will the Conservancy be liable for any costs in the event that, after a suspension, no funds are available and the grant agreement is then cancelled based on budget contingencies.

Actions of the State that may lead to suspension or cancellation include, but are not limited to:

- Lack of appropriated funds;
- Executive order directing suspension or cancellation of grant agreements; or
- Conservancy or California Natural Resources Agency directive requiring suspension or cancellation of grant agreements.

Actions of the Grantee that may lead to suspension or cancellation of the grant include, but are not limited to:

- Failing to execute an agreement with the Conservancy within six months;
- Withdrawing from the grant program;
- Real property cannot be acquired at State-approved fair market value;
- Losing willing seller(s);
- Failing to submit required documentation within the time periods specified in the grant agreement;
- Failing to submit evidence of environmental or permit compliance as specified by the grant agreement;

| October 25, 2016

- Changing project scope, cost share, or other funding component without prior review and approval from the Conservancy; failure to provide or properly document a funding match or in-kind service commitment;
- Failure to utilize conservation corps, if such utilization is committed in the grant proposal;
- Failing to complete the project;
- Failing to demonstrate sufficient progress; or
- Failing to comply with pertinent laws.

Standard Conditions

The Conservancy will attach the *General Grant Provisions* to the grant agreement at the time the grant agreement is in development. The *General Grant Provisions* may include information regarding audits, amendments, liability insurance, and rights to data.

APPENDIX A – USEFUL WEB LINKS

SAN JOAQUIN RIVER CONSERVANCY

HOMEPAGE: [WWW.SJRC.CA.GOV](http://www.sjrc.ca.gov)

California Department of Fish and Wildlife

Homepage:

<https://www.wildlife.ca.gov/>

Department of Conservation

Homepage:

<http://www.conservation.ca.gov/Index/Pages/Index.aspx>

Watershed Program:

<http://www.conservation.ca.gov/dlrp/wp/Pages/Index.aspx>

Department of Industrial Relations

Homepage:

<http://www.dir.ca.gov/>

State Water Resources Control Board

Homepage:

<http://www.swrcb.ca.gov/>

California Environmental Data Exchange Center:

<http://ceden.org/>

Surface Water Ambient Monitoring Program:

http://www.swrcb.ca.gov/water_issues/programs/swamp/

California Conservation Corps

Homepage:

<http://www.ccc.ca.gov/Pages/default.aspx>

California Water Action Plan

Homepage:

http://resources.ca.gov/california_water_action_plan/

CEQA Information

Summary:

<https://www.wildlife.ca.gov/Conservation/CEQA/Purpose>

California State Clearinghouse Handbook:

http://opr.ca.gov/docs/SCH_Handbook_2012.pdf

Environmental Information:

<http://ceres.ca.gov/index.html>

Climate Change Information

CDFW's Climate Science Program:

http://www.dfg.ca.gov/Climate_and_Energy/Climate_Change/

Safeguarding California: Reducing Climate Risk:

| October 25, 2016

http://resources.ca.gov/docs/climate/Final_Safeguarding_CA_Plan_July_31_2014.pdf

National Fish, Wildlife, and Plants Climate Adaptation Strategy:

<http://www.wildlifeadaptationstrategy.gov/pdf/NFWPCAS-Final.pdf>

Enabling Legislation

Water Quality, Supply, and Infrastructure Improvement Act of 2014 (Proposition 1)

[http://www.leginfo.ca.gov/pub/13-14/bill/asm/ab_1451-](http://www.leginfo.ca.gov/pub/13-14/bill/asm/ab_1451-1500/ab_1471_bill_20140813_chaptered.pdf)

[1500/ab_1471_bill_20140813_chaptered.pdf](http://www.leginfo.ca.gov/pub/13-14/bill/asm/ab_1451-1500/ab_1471_bill_20140813_chaptered.pdf)

NEPA Information

U.S. Environmental Protection Agency – Basic Information:

<http://www.epa.gov/compliance/basics/nepa.html>

Water Conservation and Efficiency Plans

U.S. Environmental Protection Agency – Water Sense:

<http://www.epa.gov/WaterSense/pubs/guide.html>

Alliance for Water Efficiency:

http://www.allianceforwaterefficiency.org/Water_Conservation_Planning_Introduction.aspx

Wildlife Conservation Board

Homepage:

<https://www.wcb.ca.gov/>

Bond Accountability Website

Homepage:

<https://bondaccountability.resources.ca.gov/>

APPENDIX B – GLOSSARY OF TERMS

Applicant – an entity that is formally submitting a grant application. This is the same entity that would enter into an agreement with the State should the grant be awarded. The grant applicant must be an eligible entity.

Application – an individual application package for grants pursuant to this grant program, including a detailed proposal responding to the Proposal Solicitation and any required attachments (also referred to as a “Proposal”).

California Water Action Plan – a plan released by Governor Edmund G. Brown in January 2014, with the objectives of more reliable water supplies, the restoration of important species and habitat, and more resilient and sustainably managed water infrastructure. Proposition 1 provides funding to implement these objectives (WAT §79071(e)).

Disadvantaged Community – means communities meeting the definition in WAT §79505(a).

Economically Distressed Areas – means areas meeting the definition in WAT §79702(k).

Eligible costs – expenses incurred by the Grantee during the agreement performance period of an approved agreement that may be reimbursed by the Conservancy.

Eligible entity – means public agencies, nonprofit organizations, public utilities, federally recognized Indian tribes, state Indian tribes listed on the Native American Heritage Commission's California Tribal Consultation List, and mutual water companies (WAT §79712(a)).

Evaluation Criteria – a set of required and/or desired attributes used to assess the relative merits of proposals.

Evaluation Panels and advisory committees – one or more groups of representatives of the Conservancy, its member public agencies, partner agencies and entities, and technical and scientific advisors assembled to review and evaluate all complete and eligible proposals and to make funding recommendations to the San Joaquin River Conservancy Board.

Grant agreement – an agreement between the Conservancy (or the WCB on behalf of the Conservancy) and the Grantee specifying the payment of funds by the Conservancy for the performance of the project scope by the Grantee within the term of the agreement.

Grantee – refers to the applicant once funds are awarded for a proposal and a grant agreement is executed (i.e., a grant recipient).

Grantor – Wildlife Conservation Board, which administers grants on behalf of the Conservancy pursuant to budget act provisions and a memorandum of understanding. Conservancy bond funds are appropriated in the WCB budget. The WCB will ultimately be the Grantor in any grant agreement resulting from this program.

Nonprofit organization – means an organization qualified to do business in California and qualified under Section 501(c)(3) of Title 26 of the United States Code (WAT §79702(p)).

Performance measure – a quantitative measure used to track progress toward project objectives and desired outcomes.

Project – refers to a work effort included in the proposal to be performed and accomplished by the applicant. Provided the project meets eligibility criteria, it may include land acquisition; planning, permitting, and CEQA compliance; design and working drawings; and/or construction of physical facilities and other improvements.

Proposal – refers to the detailed application submitted for a project proposed for funding (see also “Application”).

Proposition 1 – “Water Quality, Supply, and Infrastructure Improvement Act of 2014” passed by California voters on November 4, 2014, and as set forth in Division 26.7 of the California Water Code. Proposition 1 authorizes the Conservancy’s grant program under WAT §79731(g).

Public agency – means a state agency or department, special district, joint powers authority, city, county, city and county, or other political subdivision of the state (WAT §79702(s)).

San Joaquin River Conservancy – a regionally governed State agency established by the Legislature to develop and manage the San Joaquin River Parkway, a planned 22-mile natural and recreational area generally within the river floodplain extending from Friant Dam to California State Route 99.

San Joaquin River Conservancy jurisdictional planning area – The Conservancy may fund projects within the Parkway planning area, which is generally the river and floodplain within the 22-mile reach of the San Joaquin River between Friant Dam and State Route 99, and within the watershed immediately tributary to this reach within Fresno and Madera counties.

San Joaquin River Parkway Master Plan – documents, including a certified Environmental Impact Report, that collectively set forth the Conservancy’s goals, objectives, policies, plans, and mitigation measures for developing the San Joaquin River Parkway (1997, and any approved updates). The plan encompasses land acquisition for Parkway purposes; habitat conservation and restoration; natural and cultural resources conservation; and public access, recreation, and education, compatible with the conservation of resources.

San Joaquin River Restoration Program (SJRRP) - a comprehensive long-term effort to restore flows to the San Joaquin River from Friant Dam to the confluence of Merced River and restore a self-sustaining Chinook salmon fishery in the river while reducing or avoiding adverse water supply impacts from restoration flows. The SJRRP is a direct result of a legal Settlement reached in September 2006 to provide sufficient fish habitat in the San Joaquin River below Friant Dam near Fresno, California, by the U.S. Departments of the

| October 25, 2016

Interior and Commerce, the Natural Resources Defense Council, and the Friant Water Users Authority. The State of California has SJRRP obligations under the terms of the Settlement.

Technical Reviewers – individuals participating in evaluating the scientific and technical merit of proposals. These professionals may include representatives from WCB, other agencies, or other outside experts. Individuals serving as technical reviewers will be professionals in fields relevant to the proposed projects (WAT §79707(f)).

The definition of other terms pertinent to the grant program are found in Proposition 1 at WAT §79702.

APPENDIX C – GRANT ACCOUNTING AND AUDITING REQUIREMENTS

The list below details the documents/records that State Auditors would need to review in the event of a Grant Agreement being audited. Grantees should ensure that such records are maintained for each State funded Program/Project. Where applicable, this list also includes documents, which will be required for audit purposes in the grant proposal and during reporting and invoicing, relating to cost accounting for any funding match or in-kind service committed to by the Grantee.

State Audit Document Requirements

Internal Controls:

1. Organization chart (e.g. Grantee's overall organization chart and organization chart for the State funded Program/Project).
2. Written internal procedures and flowcharts for the following:
 - a. Receipts and deposits
 - b. Disbursements
 - c. State reimbursement requests
 - d. State funding expenditure tracking
 - e. Guidelines, policies, and procedures on State funded Program/Project
3. Audit reports of the Grantee's internal control structure and/or financial
4. Statements within the last two years.
5. Prior audit reports on State funded Program/Project.

State Funding:

1. Original grant agreement, any amendment(s) and budget modification documents.
2. A list of all bond-funded grants, loans, or subventions received from the State.
3. A list of all other funding sources for each Program/Project.

Agreements:

1. All subcontractor and consultant contracts and related documents, if applicable.
2. Agreements between the Grantee, member agencies, and project partners as related to the State funded Program/Project.

Invoices:

1. Invoices from vendors and subcontractors for expenditures submitted to the State for payments under the Grant Agreement.
2. Documentation linking subcontractor invoices to State reimbursement requests and related Grant Agreement budget line items.
3. Reimbursement requests submitted to the State for the Grant Agreement.

Cash Documents:

1. Receipts (copies of warrants) showing payments received from the State.
2. Deposit slips or bank statements showing deposit of the payments received from the State.

3. Cancelled checks or disbursement documents showing payments made to vendors, subcontractors, consultants, and/or agents under the Grant Agreement.

Accounting Records:

1. Ledgers showing receipts and cash disbursement entries for State funding.
2. Ledgers showing receipts and cash disbursement entries of other funding sources.
3. Bridging documents that tie the general ledger to reimbursement requests submitted to the State for the Grant Agreement.

Administration Costs:

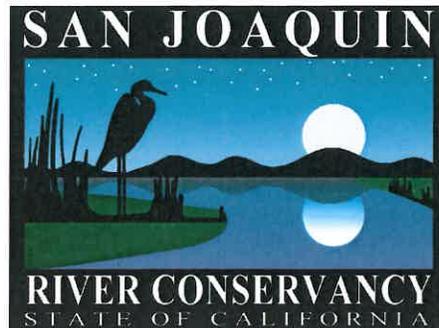
1. Supporting documents showing the calculation of administration costs.

Personnel:

1. List of all contractors and Grantee staff that worked on the State funded Program/Project.
2. Payroll records including timesheets for contractor staff and the Grantee's staff

Project Files:

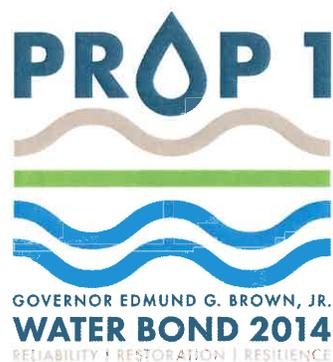
1. All supporting documentation maintained in the Program/Project files.
2. All Grant Agreement-related correspondence.



Multi-Benefit Water Quality,
Water Supply, Ecosystem and
Watershed Protection and Restoration Grant
Program

Proposal Solicitation Package
Released: **November 14, 2016**

FUNDED BY



October 25, 2016

**2015-2016 SAN JOAQUIN RIVER CONSERVANCY
PROPOSAL SOLICITATION PACKAGE
(PSP)**

September 2, 2015 November 14, 2016

The San Joaquin River Conservancy (Conservancy) invites you to submit a proposal to receive funding for implementing and planning multi-benefit ecosystem and watershed protection and restoration projects.

PROPOSAL DUE DATE:

5:00 p.m., January 16, 2017

The Proposal must be received at the San Joaquin River Conservancy, not postmarked, by this time and date.

SUBMIT PROPOSAL TO:

Submit one original, four photocopies, and one electronic copy for each proposal, on CD-ROM (preferably in MS Word and/or Excel compatible format) to:

**Melinda Marks, Executive Officer
San Joaquin River Conservancy
5469 East Olive Avenue
Fresno, CA 93727**

CONTACT:

San Joaquin River Conservancy
(559) 253-7324 or info@sjrc.ca.gov

Please be advised that the Conservancy staff will only provide information that is part of the public record, such as the information that is in the grant Guidelines, resource management plans, and staff reports. Any supplemental information provided to any potential applicant shall also be made available at www.sjrc.ca.gov.

For an electronic copy of this Proposal Solicitation Package, proposal templates, and Grant Program Guidelines, please go to www.sjrc.ca.gov/.

2015 SAN JOAQUIN RIVER CONSERVANCY
PROPOSAL SOLICITATION PACKAGE

TABLE OF CONTENTS

INTRODUCTION	<u>75</u>
I. CONSERVANCY PROPOSITION 1 GRANT GUIDELINES	<u>75</u>
II. FUNDING SOURCE AND AVAILABILITY	<u>86</u>
III. DURATION OF PROJECTS	<u>86</u>
IV. PROGRAM FOCUS AND BENEFITS	<u>86</u>
V. ANTICIPATED PROJECT TYPES	<u>97</u>
VI. ELIGIBLE GRANT APPLICANTS	<u>97</u>
VII. ELIGIBLE PROJECTS	<u>108</u>
VIII. INELIGIBLE PROJECTS	<u>110</u>
IX. LONG-TERM COMMITMENT	<u>110</u>
X. LAND OWNERSHIP, STATE SOVEREIGN LANDS AND THE PUBLIC TRUST EASEMENT	<u>11</u>
XI. PROPOSAL REVIEW, EVALUATION, AND AWARD PROCESS	<u>11</u>
XII. ANTICIPATED GRANT SCHEDULE	<u>14</u>
XIII. REQUIRED PROPOSAL FORMAT AND CONTENT	<u>15</u>

ACRONYMS AND ABBREVIATIONS

CCC	California Conservation Corps
CDFW	California Department of Fish and Wildlife
CEDEN	California Environmental Data Exchange Network
CEQA	California Environmental Quality Act
CLC	California Labor Code
CSLC	California State Lands Commission
Conservancy	San Joaquin River Conservancy
CVPIA	Central Valley Project Improvement Act
FGC	Fish and Game Code
GHG	Greenhouse Gas
LCC	Fresno County Economic Opportunities Commission Local Conservation Corps
NEPA	National Environmental Policy Act
Parkway	San Joaquin River Parkway
Parkway Master Plan	San Joaquin River Parkway Master Plan
PRC	Public Resources Code
Proposition 1	Water Quality, Supply, and Infrastructure Improvement Act of 2014
PSP	Proposal Solicitation Package
SJRRP	San Joaquin River Restoration Program
SWRCB	State Water Resources Control Board
WAT	California Water Code
WCB	Wildlife Conservation Board

INTRODUCTION

The Water Quality, Supply, and Infrastructure Improvement Act of 2014 (Proposition 1) (California Water Code (WAT) Division 26.7) was approved by voters in November 2014. The total amount of funding authorized in Proposition 1 for San Joaquin River Conservancy (Conservancy) grants is \$10 million, of which a maximum of ten percent (\$1.0 million) may be expended on planning projects. Grants will be awarded on a competitive basis using specific evaluation criteria contained in the Proposal Solicitation Package (PSP).

This ~~2015-2016~~ PSP provides information and requirements specific to this grant cycle, instructions, procedures, evaluation criteria, and application forms or templates that the Conservancy will use to implement the competitive grant program funded by Proposition 1. Any changes to the grant application process or supplemental information will be posted as soon as possible on the Conservancy's website.

I. CONSERVANCY PROPOSITION 1 GRANT GUIDELINES

The Conservancy's grant program will fund or contribute to funding selected multi-benefit water quality, water supply, ecosystem and watershed protection and restoration projects within its jurisdictional planning area, which is generally the river and floodplain within the 22-mile reach of the San Joaquin River in Fresno and Madera counties between Friant Dam and California State Route 99, and within the watershed immediately tributary to this reach.

The Conservancy's Proposition 1 Grant Project Solicitation and Evaluation Guidelines describe in greater detail the Conservancy's statutory mission, goals, objectives, and jurisdiction; the statutory purposes and intent of the grant program; and the relevant guiding plans, such as the San Joaquin River Parkway Master Plan (1997) and the California Water Action Plan. The Guidelines provide information on: program focus and benefits, anticipated types of projects, eligible grantees, eligible projects, ineligible projects, grant requirements, grant agreement provisions, and the evaluation and award process. The Guidelines also provide definitions and web links to useful references.

The PSP provides an overview of the Conservancy's program extracted from the Guidelines, as well as specific information and instructions for responding to the PSP. Applicants should carefully review the Guidelines for additional information and to ensure their proposal addresses all requirements.

Conservancy Background

The Conservancy is a regionally governed State agency established by the Legislature to develop and manage the San Joaquin River Parkway (Parkway), a planned 22-mile natural and recreational area generally within the river floodplain in Fresno and Madera counties extending from Friant Dam to State Route 99. In keeping with its mission and authorities in the San Joaquin River Conservancy Act, and in coordination with the Wildlife Conservation Board (WCB)¹, the Conservancy invests voter-authorized bond funds for projects within its jurisdictional planning area to: acquire lands for Parkway purposes; conserve, enhance, and restore aquatic, riparian, and floodplain habitat; and create improvements for public access,

¹ The Conservancy's bond funds are appropriated to the WCB, and are administered cooperatively by both agencies in compliance with the budget acts and a Memorandum of Understanding. All grant funding must be authorized by both the Conservancy Board and WCB, and will result in grant agreements executed by the WCB on behalf of the Conservancy. In order to minimize the complexity of the Guidelines, grant administration is generally attributed to the Conservancy herein.

low-impact recreation, and natural and cultural resources education, compatible with the conservation of the river's resources.

II. FUNDING SOURCE AND AVAILABILITY

Total funding available for the ~~2015-2016~~2016-2017 grant cycle is approximately \$4.82-8 million. The Conservancy may also award funds from other sources in a manner consistent with its established practices and project evaluation processes in order to meet the needs of high-priority projects that cannot be fully funded through this grant program.

When a portion of a project is funded, for example for project planning, the grantee may later apply for a grant for future elements or phases; however, there is no guarantee that the remaining portions or future phases will be funded.

FUNDING LIMITS FOR THIS PSP:

The maximum available for allocation to successful grants for this cycle is \$4.82-8 million. This grant cycle does not have a per-project funding limit.

REQUIREMENTS TO MATCH AND/OR LEVERAGE FUNDS FOR THIS PSP:

Matching funds are defined as the applicant's commitment to provide and clearly account for a non-state funding contribution to the project and/or in-kind services, using non-state personnel. This grant cycle does not require matching funds; however, they are considered positively in evaluation scores.

Leveraging funds are defined as the applicant's commitment to provide and clearly account for other state funding contributions to the project and/or in-kind services, using state personnel. This grant cycle does not require leveraging funds; however, they are considered positively in evaluation scores.

Only work performed after the effective date of the grant agreement will be eligible for reimbursement. Costs incurred prior to the effective date of the grant agreement are not eligible for reimbursement; however, advance investments, such as the documented cost of site acquisition and planning phases, may be valid matching or leveraging contributions. Similarly, post-construction monitoring, operations, and maintenance costs borne by the applicant may be valid matching or leveraging contributions.

III. DURATION OF PROJECTS

Projects may be multiyear efforts as necessary and appropriate. Generally, proposed timelines should not exceed four years. However, if delays that are not within the control of a grantee cause a grantee to need more time to complete the project tasks, the grantee may request an extension before the termination of the agreement. The extension will be subject to Conservancy and WCB approval.

IV. PROGRAM FOCUS AND BENEFITS

(see Guidelines for a detailed description)

The Conservancy's grant program is designed to invest voter-authorized bond funds in projects within its jurisdictional planning area that will provide multiple benefits to protect and restore the San Joaquin River and watershed in accordance with the purposes and intent of Proposition 1.

Projects must be consistent with the San Joaquin River Conservancy Act (PRC §32500 et seq.), the San Joaquin River Parkway Master Plan, and Proposition 1, including but not

limited to meeting objectives of the California Water Action Plan: more reliable water supplies; the restoration of important species and habitat; and a more resilient, sustainably managed water resources system (water supply, water quality, flood protection, and environment) that can better withstand inevitable and unforeseen pressures in the coming decades.

Project eligibility sections provide additional information.

V. ANTICIPATED PROJECT TYPES

Possible Conservancy grant projects include but are not limited to:

- Land acquisition for Parkway riparian habitat and floodplain conservation and restoration;
- Ecosystem and watershed protection and restoration, including wetland, floodplain, and riparian habitat restoration, and re-establishing flood flows through restored floodplains;
- Improvements for surface and ground water management, including conjunctive use;
- Projects that are consistent with or enhance the San Joaquin River Restoration Program, including projects to isolate breached gravel ponds from the river and projects to provide for off-stream recreational fishing;
- Projects that assist in the recovery of sensitive species, including but not limited to projects that address the priorities of the National Marine Fisheries recovery plan for Central Valley spring-run Chinook salmon;
- Water quality protection and improvement, including storm water quality management improvements; and
- Other projects that can demonstrate they meet the intent and purposes of Proposition 1 (see in particular WAT § 79732) as well as the mission, authorities, and plans of the Conservancy.

VI. ELIGIBLE GRANT APPLICANTS (see Guidelines for a detailed description)

Eligible applicants include public agencies, nonprofit organizations, public utilities, federally recognized Indian tribes, State Indian tribes listed on the Native American Heritage Commission's California Tribal Consultation List, and mutual water companies. Specific requirements apply to public utilities, mutual water companies, urban water suppliers, and agricultural water suppliers. Grant proposals from private individuals or for-profit enterprises will not be accepted.

Grant agreements shall be executed with one entity only. Applicants who wish to collaborate on a project and pursue a regional approach to a proposed project may elect to use a contractor-subcontractor relationship, a joint venture, a joint powers authority, or other appropriate mechanism. The proposal must clearly indicate the entity that will accept the grant and its authorized signatory. The grantee entity shall be responsible for payments, reporting, and accounting.

VII. ELIGIBLE PROJECTS

(see Guidelines for a detailed description)

Projects must meet all relevant eligibility criteria in order to be considered for funding. Projects must be capital investments, such as real property acquisitions (including easements)² and improvements. Projects may involve the planning, environmental review, monitoring to inform designs and plans, and preliminary design of such improvements; however, only a limited amount of funding may be awarded from this grant program for planning activities.

Prospective applicants may consult with Conservancy staff in advance of submitting a proposal. Prospective applicants should contact the Conservancy with any questions pertaining to project eligibility.

Purposes

Projects must demonstrate multiple benefits to water quality, water supply, and/or ecosystem and watershed protection and restoration consistent with the requirements and purposes of Proposition 1. In summary, these purposes include, but are not limited to:

- Protecting healthy watersheds, fisheries, and stream flows;
- Implementing projects within watersheds that facilitate climate change adaptation;
- Restoring river parkways and urban river greenways;
- Conserving and restoring ecosystems;
- Fulfilling settlement obligations of the State of California related to water resources;
- Collaborating with federal agencies to protect fish and wetlands;
- Reducing wildfire risks;
- Improving watershed health;
- Reducing contamination of rivers, lakes and streams; and
- Assisting in the recovery of sensitive species by improving watersheds and associated habitat. (WAT § 79732)

Conservancy Programs, Authorities, and Jurisdiction

Projects must be consistent with the statutory mission and authorities of the San Joaquin River Conservancy, and the San Joaquin River Parkway Master Plan, and must contribute to the protection or restoration of the San Joaquin River watershed within the Conservancy's jurisdictional planning area, which is generally the river and floodplain within the 22-mile reach of the San Joaquin River in Fresno and Madera counties between Friant Dam and State Route 99 (Figure 1). Since a watershed's protection and restoration is intrinsically interconnected with its tributaries, projects within the watershed immediately tributary to this reach that demonstrate a direct nexus and benefits to the watershed within the Conservancy's jurisdictional planning area may be considered for grant funding.

² An appraisal of the value of the real property asset, conducted in compliance with the Department of General Services Real Property Services Section specifications must be completed, and the applicant may not purchase the property for greater than the State-approved fair market value. Any agency acquiring land with Proposition 1 funds may use the Natural Heritage Preservation Tax Credit Act of 2000 (Division 28 (commencing with §37000) of the Public Resources Code) (WAT § 79711(h)).

San Joaquin River Parkway

Existing and Master-Planned Facilities

- | | | | |
|--|---------------------------|--|--------------------------|
| | Existing Parkway Facility | | Planned Parkway Facility |
| | Ecological Reserve | | Existing Hiking Trail |
| | Parkway Land | | Existing Multiuse Trail |
| | Nearby Recreational | | Planned Hiking Trail* |
| | Accessible | | Planned Multiuse Trail* |
| | Bike Trails | | Hiking Trails |
| | Camping | | Nature Observation |
| | Canoeing | | Parking |
| | Conservation Education | | Picnic Facilities |
| | Cultural Interest | | Planned River Crossing |
| | Equestrian Trails | | Restrooms |
| | Fishing Access | | SJR Ecological Reserve |
| | Golf Courses | | Visa Point |
| | | | Visitor Center |

*Planned trail alignments, accessibility, lines shown on schedule. The location of all Parkway facilities are subject to acquiring property or easements from willing sellers, site- and project-specific design, environmental review, and public participation.

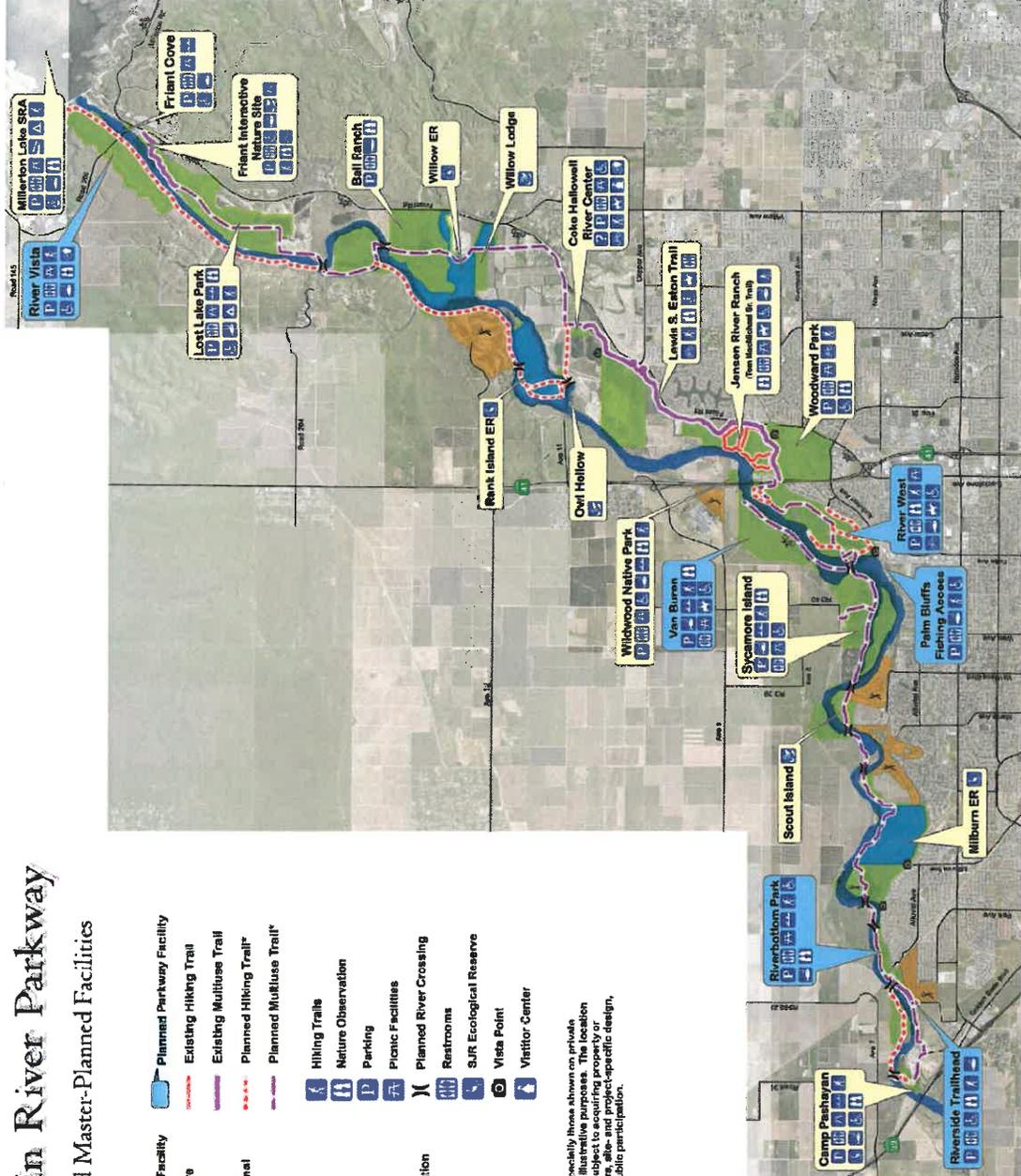


Figure 1 The Conservancy's jurisdictional planning area

Intent

Further, the overall grant program will meet the intent of Proposition 1 by: leveraging private, federal, or local funding; producing the greatest public benefit; applying best available science; employing new or innovative technology or practices; employing cost-efficient conservation strategies; addressing climate change; addressing the goals, objectives, and needs of the San Joaquin River Restoration Program; serving the needs of disadvantaged communities and economically distressed areas; partnering with or using the forces of the California Conservation Corps or certified community conservation corps; and addressing other water resource, ecosystem and watershed restoration goals, priorities, and objectives of the State of California as opportunities arise. These factors will be considered in evaluating proposed projects.

Conservation Corps Requirements

Division 26.7 of the Water Code, Chapter 6, Section 79734 requires that: "For restoration and ecosystem protection projects funded pursuant to this chapter, the services of the California Conservation Corps or a local conservation corps certified by the California Conservation Corps shall be used whenever feasible."

Grant applicants shall at a minimum consult with representatives of the California Conservation Corps (CCC) and Fresno County Economic Opportunities Commission Local Conservation Corps (LCC) (collectively, "the Corps") to determine the feasibility of the Corps' participation in providing grant-funded services for the project. Applicants seeking grants for projects that solely involve either planning or acquisition are exempt from the consultation requirement. Unless otherwise exempted, applicants that fail to engage in such consultation are not eligible to receive Proposition 1 grant funds. Specific instructions and required documentation for consulting with the Corps to secure services are described below in the Required Proposal Format and Content section.

Other Eligibility Requirements

See the Guidelines and Proposition 1 for additional statutory criteria.

VIII. INELIGIBLE PROJECTS

(see Guidelines for a detailed description)

Ineligible projects or project elements include but are not necessarily limited to the examples provided in the Guidelines, such as: construction equipment purchased for a single project; projects mandated by law or regulation (other than projects that fulfill the obligations of the State in complying with the terms of multi-party settlement agreements related to water resources); education or outreach programs; operations and maintenance funding (with the exception of funds necessary to establish and sustain vegetation within habitat restoration projects until such new vegetation is established, generally not to exceed 4 years); projects to meet mitigation or compliance obligations; projects to design, construct, operate, mitigate, or maintain Delta conveyance facilities; and projects that employ eminent domain to acquire real property.

IX. Long-Term Commitment

For conservation real property acquisitions and restoration projects funded by a grant, the applicant must demonstrate that the project site will be conserved in perpetuity for the purposes of habitat protection.

The applicant must demonstrate that any and all structural improvements funded by a grant shall be properly operated and maintained for a period not less than 25 years.

A restoration project should include adequate irrigation and stewardship to establish self-sustaining vegetation, normally considered to be three growing seasons after initial planting.

A habitat restoration project that focuses on invasive weed species removal and management must provide for or secure a commitment from the landowner to monitor the project site(s) not less than annually for the 25-year maintenance period. In the event that the monitoring detects new occurrences of any weeds removed, the applicant or landowner will then develop a plan for removal of those weeds before the infestation can spread.

X. Land Ownership, State Sovereign Lands, and the Public Trust Easement

If the entire project site is not owned by an applicant, property owners must sign letters which demonstrate knowledge of the proposed project and allow the applicant (with reasonable notice), to access, implement, and when applicable, operate, maintain, and monitor the project. A final landowner agreement or landowner signature on the grant agreement will be required ~~once~~ when the proposed project is awarded.

On navigable non-tidal waterways, such as the San Joaquin River, the State holds fee ownership of the bed of the waterway landward to the ordinary low water mark (i.e., state sovereign lands) and a Public Trust easement from the low water mark landward to the ordinary high water mark, except where the boundary has been fixed by agreement or court decision. Any proposed project that may occur within the portions of the historic channel of the river potentially involves sovereign lands under the jurisdiction of the California State Lands Commission (CSLC), and may require a lease from CLSC prior to construction or implementation. If state sovereign lands are involved the applicant should contact the CSLC to determine if a lease will be required.

XI. PROPOSAL REVIEW, EVALUATION, AND AWARD PROCESS (see Guidelines for a detailed description)

Grant proposals submitted by the deadline will be evaluated using the multi-step review process described in the Guidelines and summarized herein. The specific criteria upon which the evaluation will be based are defined in this PSP.

Each grant proposal will be reviewed by Conservancy staff to determine the eligibility and completeness of the application (pass/fail scoring). Applications that are determined to be ineligible or incomplete will not be considered for funding; staff will make note of the deficiencies so that the applicant may re-apply during the next cycle.

Eligible and complete proposals will then reviewed in detail by a five-member (minimum) Technical Review and Evaluation Panel made up of professionals in the field relevant to the proposed projects, and others as appropriate. The review panel members will individually score proposals in accordance with the following criteria:

	<u>Criteria</u>	<u>Description</u>	<u>Points Possible</u>
A	Project Readiness	Project readiness (e.g., CEQA compliance is complete; preliminary design is prepared; regulatory requirements are identified); project has an independent function, regardless of future actions.	5

B	Qualifications, capacity, and capability of applicants and collaborators	Applicants and any partners demonstrate capacity to carry out project; meet fiscal management and any long-term operations requirements; collaboration among entities; addresses inter-jurisdictional authorities and boundaries; assures proper long-term operation and maintenance.	10
C	Regional and State-wide relevance and importance	Project addresses regional needs, including the needs of disadvantaged communities and underserved populations; nexus to other conservation and restoration efforts and to other public Parkway lands, conservation lands, and the larger watershed; broad support/minimal substantive controversy.	10
D	Includes other funding sources, in-kind services	Applicant commits: 1 st , matching funds or in-kind services (i.e., non-state funds and contributions); or 2 nd , other State funds that leverage the Conservancy's Proposition 1 funds.	15
E	Generates multiple benefits	<ul style="list-style-type: none"> • Benefits water supply and reliability, and a more resilient, sustainably managed water resources system (water supply, water quality, flood protection, and environment), such as conjunctive and in-lieu use, water conservation measures, etc. • Benefits important species and wildlife habitat; habitat connectivity for wildlife movement; assists in the recovery of sensitive species. • Addresses greenhouse gas emissions (e.g., sequestration, potential reductions, and climate change adaptation); • Benefits ecosystem and watershed protection and conservation, water quality, pollution prevention; • Conserves habitat and open space that have the potential to be converted to other, more intensive land uses; assures long-term conservation of the project site; • Environmental impacts are avoided, minimized, and mitigated per CEQA review. 	20
F	Consistent with and/or advances the goals of Conservation and Resource Management Plans	Contributes toward the goals, objectives, and needs of Statewide and regional conservation and resources management plans, including but not limited to the San Joaquin River Parkway Master Plan, California Water Action Plan, San Joaquin River Restoration Program, Integrated Regional Water Resource Management Plans, San Joaquin River Ecological Reserve management plan, species recovery plans (e.g. Central Valley spring-run Chinook salmon recovery plan), and other resource management plans.	10
G	Technical/Scientific Merit	Feasible; applies best available science and/or innovative technology or practices.	10

H	Measurable Outcomes	Includes measurable objectives, appropriate monitoring, and assessment; meets applicable data and information reporting requirements.	10
I	Cost-efficient conservation strategies	Costs are reasonable; costs are proportionate to benefits, in light of all competitive proposals; includes efficient strategies, such as using the California Conservation Corps (CCC) or community conservation corps to implement projects where feasible.	10
	TOTAL POINTS		100

Following completion of the review and scoring for all eligible and complete proposals, the Evaluation Panel will develop award/funding recommendations to the Conservancy board. When developing the ranking list, the panel will consider the following:

- The proposals, evaluation criteria, scores, and comments; input from the involved experts;
- Amount of funds available;
- Distribution of benefits and funds among focus areas, entities, and throughout the Conservancy’s jurisdictional planning area and region;
- The overall accomplishment of the grant Program’s focus and benefits; and
- Guiding principles and policies, such Proposition 1’s intent and purposes, and the policies of the Conservancy expressed in the San Joaquin River Parkway Master Plan.

The Evaluation Panel may recommend modifications to any of the proposals, including reducing grant amounts from those requested, in order to meet current and any potential future program priorities and funding limitations.

The Executive Officer will prepare the final staff report and recommendation to the Conservancy Board. The staff report will include a the Evaluation Panel’s grant and funding recommendations, a summary of the process, scores and ranks, and the final recommended proposals in their entirety. A minimum of ten days in advance of the scheduled Conservancy Board meeting, the staff report will be posted on the Conservancy website for public review.

The Conservancy Board shall make its grant award determinations by majority vote at a regularly scheduled board meeting. Applicants and members of the public will be provided the opportunity to comment prior to Board action. The Board, in its sole discretion, may require modifications to a proposal, including reducing the grant amount, may deny a grant recommended by staff, and may provide direction for further Board consideration of grant proposals at a later meeting. The Conservancy Board’s action will include a request to the WCB to also authorize the approved grants at their next quarterly meeting.

Projects selected and approved for funding will be posted on the Conservancy website at www.sjrc.ca.gov.

Grant agreements are not executed until signed by both the authorized representatives of the grant recipient and the Conservancy. Work performed prior to receiving a notice to proceed for an executed agreement is done at the risk of the applicant and cannot be reimbursed.

XII. ANTICIPATED GRANT SCHEDULE

The anticipated schedule for the 2016 competitive grant process is as follows:

- | | |
|--|--|
| By <u>11/14/2016</u> | 2016 Proposal Solicitation Package released. |
| By <u>1/16/2017</u> | Proposals due. |
| By January
 /February, <u>2017</u> | Review process completed, recommendations provided to public. |
| By February/March,
 <u>2017</u> | Conservancy Board considers recommendations, approves grants. |
| By April, <u>2017</u> | Draft grant agreements developed. |
| By May, <u>2017</u> | Wildlife Conservation Board considers Conservancy request for authorization. |
| By June, <u>2017</u> | Grant agreements are executed, projects receive Notice to Proceed. |

XIII. REQUIRED PROPOSAL FORMAT AND CONTENT

Application templates and instructions for completing Proposals are included below. Applicants are required to complete the templates provided through the Conservancy's website (or submit all required information in the same format), along with required exhibits. All materials, including the application, attachments, and supporting documentation, must be successfully submitted by the deadlines stipulated within the PSP. Late submittals will not be accepted.

The Proposal, including one original, five photocopies, and one electronic copy on CD-ROM (preferably in MS Word and Excel compatible formats), must be received by 5:00 p.m., ~~December 2, 2015~~ January 16, 2017, at:

**San Joaquin River Conservancy
5469 East Olive Avenue
Fresno, CA 93727**

The proposal narrative shall be in 11-point font on 8 ½ X 11 inch paper, with single-spaced, consecutively numbered pages. Exhibits must be numbered and cross-referenced to the narrative.

REQUIRED PROPOSAL FORMAT AND CONTENT

Please complete all of the following, and submit them in the following order:

- A. Project Information Form
- B. Signature Page
- C. Statement of Work
 - Section 1: Project Description
 - Section 2: Location Maps
 - Section 3: Benefits, Relevance, and Importance
 - Section 4: Technical/Scientific Merit and Feasibility; Innovation
 - Section 5: Monitoring, Assessment, and Information Requirements
- D. Detailed Budget, Funding and In-Kind Contributions
- E. Qualifications of the Applicants and Cooperators
- F. Preparation, CEQA compliance and required permits; Water Law; Landowner Agreements
- G. Grantee commitments
- H. Outreach, Community Involvement, and Acceptance
- I. Required Exhibits and Supplemental Appendices

If any requested information is not applicable to the project, write "NA" or "not applicable," so that it is clear your application is responsive.

If requested information is in an exhibit, you may cross-reference the narrative to the exhibit, rather than repeat the information.

A. PROJECT INFORMATION FORM

Complete the following form in the Proposal. Include exhibits in Section I, and label them A-1, A-2, etc.

1. Applying for:

- Improvement Project
- Acquisition³
- Planning and/or Preliminary Design³
- Monitoring Project to inform project plans and designs³

2. Principal applicant (eligible agency or organization):

3. Project title, project site:

4. Person authorized to sign and submit proposal and grant agreement:

Name:

Title:

Mailing Address:

Telephone:

E-Mail:

5. Contact person

Name:

Title:

Mailing Address:

Telephone:

E-Mail:

6. Summary Budget:

Source	Dollar Amount	Percentage of total
Grant funds requested:		
Matching applicant contribution (non-state source)		
Funding:		
In-kind services:		
Leveraging applicant contribution (other state source)		
Funding:		
In-kind services:		
TOTAL PROJECT COSTS		

³ Corps participation not feasible or required.

7. Funding shall only be used for projects that will provide environmental benefits or improvements greater than required, applicable environmental mitigation measures or compliance obligations (WAT §79732(b)). Is your project required by regulation or law?

Yes/No

If yes, describe how the project may be eligible nonetheless (see Guidelines and Proposition 1 for eligibility requirements):

8. Duration of project (month/year to month/year):

9. State Assembly District where the project will be conducted:
State Senate District where the project will be conducted:
Congressional district(s) where the project will be conducted:

10. County where the project will be conducted:

Madera

Fresno

11. Type of applicant (select one):

Public agency

Public utility

Mutual water company

Federally recognized Indian tribe

State Indian Tribe

Nonprofit organization

Specify Other:

12. Does applicant's jurisdiction include a disadvantaged community or economically distressed area? Will the project be located in or serve a disadvantaged community or economically distressed area?

Yes

No.

If yes, provide information and supporting documentation as requested in Section 3.c) below.

B. SIGNATURE PAGE

Include the following signed certification with the Proposal.

By signing below, the official declares the following:

The truthfulness of all representations in the proposal;

The individual signing the form has the legal authority to submit the proposal on behalf of the applicant;

There is no pending litigation that may impact the financial condition of the applicant or its ability to complete the proposed project;

The individual signing the form read and understood the conflict of interest and confidentiality sections of the Conservancy's grant Guidelines and this PSP and waives any and all rights to privacy and confidentiality of the proposal on behalf of the applicant;

The applicant will comply with all terms and conditions identified in the Conservancy's grant Guidelines and this PSP if selected for funding; and

The applicant has legal authority to enter into a grant agreement with the State.

Signature
Name:
Title:
Agency/Organization:

Date

C. STATEMENT OF WORK

Include the following in the Proposal. Include exhibits in Section I, and mark them C-1, C-2, etc.

1. Project Description

a) Provide a narrative description of the project, the partners and collaborators, the goals and objectives.

b) Provide a detailed Scope of Work and schedule.

c) Describe the nature of any agreements with the other collaborators, including the tasks to be performed by the different entities, allocation of decision-making authority, and liability. (Costs associated with partners' and contractors' tasks are detailed in the Budget, Section D.)

2. Location Maps

Provide maps as exhibits showing the regional vicinity, location within the local watershed, project boundaries, and project site ownership.

3. Benefits, Relevance, and Importance

a) Describe how the project meets the goals and objectives and is consistent with statewide and/or regional conservation plans, such as the California Water Action Plan, the San Joaquin River Parkway Master Plan, the San Joaquin River Restoration Program, Regional Integrated Water Management Plan, and/or sensitive species recovery plan.

b) Describe how the project will meet the purposes and intent of Proposition 1 as described in the Act, the grant Guidelines, and the evaluation criteria. Identify and describe the overall benefits that would occur as a result of the proposed project. Describe in particular benefits to the conservation, restoration, and recovery of important species and habitat; climate change adaptation and greenhouse gas reduction; reliable water supplies; and a more resilient, sustainably managed water resources system (water supply, water quality, flood protection, and environment). Describe when the benefits would occur, the life of the project, and duration of benefits.

c) Describe any benefits to disadvantaged communities as defined in WAT §79505.5(a) and/or economically distressed areas as defined in WAT §79702(k).

4. Technical/Scientific Merit and Feasibility; Innovation

a) Describe the technical and/or scientific basis for the project approach and design. Describe how the approach and design ensures desired outcomes.

b) Describe any new or innovative technology or practices that will be employed.

5. Monitoring, Assessment, and Information Requirements

a) Identify any quantifiable benefits described in Section 3. If known, provide pre-project environmental indicators, and projected post-project outcomes.

b) Define and describe measurable outcomes through which project performance will be monitored and evaluated. Include a list of project-specific performance measures that will be used to assess project outcomes/trajectories. Provide sufficient detail of how these performance measures will be qualitatively and/or quantitatively assessed to evaluate the effectiveness of the project in achieving the stated objectives.

c) Describe the processes through which information will be collected, stored, and disseminated to participants, stakeholders, public, and the State. Public information may include, but is not limited to technical designs, feasibility studies, reports, and data gathered during any phase of development, including planning, design, construction, operation, and monitoring.

d) For projects involving water quality monitoring, describe how data will be collected and reported to the State Water Resources Control Board in a manner that is compatible and consistent with surface water monitoring or groundwater data systems administered by the SWRCB (e.g., California Environmental Data Exchange Network (CEDEN) for surface water data) (WAT §79704).

e) If applicable, describe how watershed monitoring data will be collected and reported to the Department of Conservation in a manner that is compatible and consistent with the statewide watershed program administered by the Department of Conservation (WAT §79704).

D. DETAILED BUDGET, FUNDING AND IN-KIND CONTRIBUTIONS

1. Complete and submit a detailed budget reflecting the tasks in the Scope of Work, in a format equivalent to the following table. The tasks listed on the table are examples of typical tasks for a range of projects, although only some of the tasks will apply to any one project. An MS Excel template is available at www.sjrc.ca.gov. (See the grant Guidelines for cost documentation requirements, administrative cost accounting, and audits.)

2. Describe the method or basis used to develop reasonable cost estimates.

3. Project Cost Sharing—Leveraging and Matching Funds

Matching contributions are funds and in-kind services contributed from sources other than State funds. Leveraging contributions are funds and in-kind services contributed from State sources other than Conservancy funds. Actual costs for in-kind services claimed in order to meet any matching funds requirements must be accounted for in project records. Narratively describe the agency, funding partners, sources, amounts, and percentages of contributed funds and in-kind services. Describe any public benefits specifically derived or enhanced by these contributions. These contributions should also be itemized on the Project Budget, below.

4. Indirect Costs

Indirect cost (administrative overhead) rates are limited to 20 percent of the total Conservancy award, minus subcontractor and equipment costs. Any amount over 20 percent will not be funded but may be used as cost share. Indirect costs include but are not limited to workers compensation insurance, utilities, office space rental, phone, and copying which is directly related to completion of the proposed project. Costs for subcontractors and purchase of equipment cannot be included in the calculation of indirect costs in the overall project budget. Subcontractors' indirect costs should be reflected in the subcontractor budget and are also limited to 20 percent. The applicant must explain the methodology used to determine the rate and provide detailed calculations in support of the indirect cost rate. Please refer to the supplied budget template (Table D).

TABLE D
Detailed Budget

Complete applicable sections:

Planning and Design	Grant Funded	Applicant/Other Funding	Applicant/Other In-Kind Services	Total per Task
Direct Costs				
Monitoring				
Opportunities and Constraints Analysis, Feasibility				
Phase 1 site assessment				
Preliminary Design (up to 30% design drawings)				
Surveys, topo mapping, title research				
Mapping, graphics				
CEQA Initial Study Mitigated Negative Dec.				
CEQA Draft and Final EIR, Mitigation MRP				
Project Management (indirect costs are not eligible)				
Legal noticing, public mailings				
Public participation, workshops, meetings				
Permit and Regulatory review fees				
Other:				
Contingency not to exceed 10% of direct costs				
Communications, office equip. charges, supplies, copies (printing and CDs)				
Requested Indirect Charge Rate (Max. 20%) <i>(Indirect Charges cannot be applied to subcontracts or equipment)*</i>				
Total				
Percent of Total				
Real Property Acquisition				
Land Cost not to exceed FMV				
Easement Costs not to exceed FMV				
Surveys and appraisals, phase 1 site assessment				
Project Management, land agent (indirect costs are not eligible)				
Requested Indirect Charge Rate (Max. 20%) <i>(Indirect Charges cannot be applied to subcontracts or equipment)*</i>				
Total				
Percent of Total				

Implementation/Restoration/Construction				
Direct Costs				
Engineering, working plans and specs.				
Monitoring, hydrology, soils studies, etc.				
Habitat restoration plans and specs.				
Permit preparation				
Permit and Regulatory Review Fees and costs				
Site preparation, grading, demolition				
Nursery & plant stock, collection and propagation				
Equipment purchase and rental (see Guidelines), irrigation eq.				
Materials, Pre-Fab Structures, Fixtures				
Construction, installation, contracts				
CA Conservation Corps/Local CC services				
• <u>Direct salaries and benefits</u>				
• <u>Supplies</u>				
• <u>Equipment</u>				
• <u>Travel</u>				
• <u>Training</u>				
Planting				
Project Management (indirect costs are not eligible)				
Env. Compliance Monitoring, Cultural Resources Monitor				
Construction Inspection				
Post-construction site stability and erosion control (one season)				
Performance monitoring (max. funding for three years)				
Restoration irrig. & maint. (max. three years)				
Contingency not to exceed 10% of direct costs				
Communications, office equip. charges, supplies				
<u>Requested Indirect Charge Rate (Max. 20%)</u> <u>(Indirect Charges cannot be applied to subcontracts or equipment)*</u>				
Total				
Percent of Total				
<u>*Describe indirect cost methodology and provide detailed calculations:</u>				

E. QUALIFICATIONS OF THE APPLICANT AND COLLABORATORS

Include the following in the Proposal. Include exhibits in Section I, and mark them E-1, E-2, etc.

1. Describe the applicant agency or organization and the primary project collaborators, qualifications, experience and capacity.
2. Describe how contractors will be selected.

3. Describe any services that are planned to be performed by the California Conservation Corps (CCC) and/or Local Conservation Corps (LCC). Consultation with the Corps to determine if Corps' services are feasible is required. Complete the following consultation form and submit it via email concurrently to:

California Conservation Corps representative:

Name: CCC Prop 1 Coordinator Email: Prop1@ccc.ca.gov
Phone: (916) 341-3100

California Association of Local Conservation Corps representative:

Name: Crystal Muhlenkamp Email: inquiry@prop1communitycorps.org
Phone: 916-426-9170 ext. 0

Fresno County Economic Opportunities Commission Local Conservation Corps

Name: Shawn Riggins Email: Shawn.Riggins@fresnoeoc.org
Phone: 264-1048

**California Conservation Corps and Certified Community Conservation Corps
Proposition 1 - Water Bond
Corps Consultation Review Document**

~~June 2015~~2016

Unless an exempted project, this Corps Consultation Review Document must be completed by California Conservation Corps and Community Conservation Corps staff and accompany applications for projects or grants seeking funds through Proposition 1, Chapter 6, Protecting Rivers, Lakes, Streams, Coastal Waters and Watersheds. Non-exempt applications that do not include this document demonstrating that the Corps have been consulted will be deemed "noncompliant" and will not be considered for funding.

1. Name of Applicant:

Project Title:

Department/Conservancy to which you are applying for funding:

To be completed by Applicant:

Is this application solely for planning or acquisition?

Yes (application is exempt from the requirement to consult with the Corps)

No (proceed to #2)

To be completed by Corps:

This Consultation Review Document is being prepared by:

The California Conservation Corps (CCC)

California Association of Local Conservation Corps (CALCC)

2. Applicant has submitted the required information by email to the California Conservation Corps (CCC) and California Association of Local Conservation Corps (CALCC):

Yes (applicant has submitted all necessary information to CCC and CALCC)

No (applicant has not submitted all information or did not submit information to both Corps – application is deemed non-compliant)

3. After consulting with the project applicant, the CCC and CALCC has determined the following:

It is NOT feasible for CCC and/or certified community conservation corps services to be used on the project (deemed compliant)

It is feasible for the CCC and/or certified community conservation corps services to be used on the project and the following aspects of the project can be accomplished with Corps services (deemed compliant).

CCC AND CALCC REPRESENTATIVES WILL RETURN THIS FORM AS DOCUMENTATION OF CONSULTATION BY EMAIL TO APPLICANT WITHIN FIVE (5) BUSINESS OF RECEIPT AS VERIFICATION OF CONSULTATION. APPLICANT MUST INCLUDE COPY OF THIS DOCUMENT AS PART OF THE PROJECT APPLICATION.

IF THE CORPS DETERMINE IT IS FEASIBLE TO USE THEIR SERVICES ON THE PROJECT, APPLICANT WILL COORDINATE WITH CORPS TO DEVELOP ESTIMATED COSTS FOR THOSE SERVICES FOR INCLUSION IN THE BUDGET.

F. PREPARATION, ENVIRONMENTAL COMPLIANCE, REQUIRED PERMITS, AND WATER LAW

Include the following in the Proposal. Include exhibits in Section I, and mark them F-1, F-2, etc.

1. CEQA Compliance

a) Planning and design projects are usually exempt from CEQA (CEQA Guidelines §15262); therefore grants may be awarded for such projects subject to filing a Notice of Exemption (NOE). Provide the published NOE filed by the Lead Agency or proposed NOE to be approved by the Conservancy with the Proposal.

b) For projects other than exempt planning, feasibility, and design projects, provide all necessary CEQA documentation. Prior to awarding a grant the Conservancy, as a Lead or Responsible Agency, shall consider the environmental documentation prepared for the project and to reach its own conclusion as to project review, mitigation, and compliance with CEQA for its jurisdictional authority related to the project.

2. NEPA Compliance

Describe the proposed Project's compliance with the National Environmental Policy Act (NEPA) if applicable.

3. Required Permits

Identify expected required permits and approvals, and whether they have been applied for or received, or describe the process through which the permits will be obtained. Provide a schedule or work plan, and indicate any permit processes that could significantly delay project implementation. Grant proposals may include in their budgets the funding necessary for permit-related tasks.

4. Water Law

a) If the proposed project would require a change to water rights, including, but not limited to, bypass flows, point of diversion, location of use, purpose of use, and/or off-stream storage, describe the processes, timelines, and costs necessary for approvals by the State Water Resources Control Board (SWRCB) and the ability to meet those timelines within the term of a grant.

b) If applicable, demonstrate the legal right to divert water by submitting a copy of a water right permit or license on file with the SWRCB, or some other document that evidences the right. Applicants who divert water based on a riparian or pre-1914 water right must also document their right to divert water.

5. State Sovereign Lands and Public Trust Lands

On navigable non-tidal waterways, such as the San Joaquin River, the State holds fee ownership of the bed of the waterway landward to the ordinary low water mark (i.e., state sovereign lands) and a Public Trust easement from the low water mark landward to the ordinary high water mark, except where the boundary has been fixed by agreement or court decision. Any proposed project that may occur within the portions of the historic channel of the river potentially involves sovereign lands under the jurisdiction of the California State Lands Commission (CSLC), and may require a lease from CLSC prior to construction or implementation.

Provide a map showing the proposed project site plan and any associated state sovereign lands and the Public Trust Easement as mapped by the CSLC's administrative maps of the San Joaquin River. If state sovereign lands are involved, the applicant should contact CSLC staff in advance of submitting a proposal to determine whether a lease will be required.

G. GRANTEE COMMITMENTS

Include the following in the Proposal. Include exhibits in Section I, and mark them G-1, G-2, etc.

1. Long-Term Commitment

a) For conservation real property acquisitions and restoration elements funded by the grant, describe how the project site will be conserved in perpetuity for the purposes of habitat protection.

b) For restoration elements funded by the grant, describe how adequate irrigation and stewardship will be provided to establish self-sustaining vegetation (normally considered to be three growing seasons after initial planting).

c) Describe the entity and source of funds to operate and maintain all structural improvements funded by a grant for a period not less than 25 years.

2. Applicant Authorization

a) If cost sharing is proposed, attach a letter or resolution of the governing board that commits the applicant to all or part of the matching/leveraged share and/or in-kind services. The letter or resolution should acknowledge that the applicant is responsible for ascertaining and complying with all applicable legal requirements concerning leveraged funds or donated services.

b) If funds will be received from a third party, attach a letter or resolution authorizing third party funds and/or in-kind contribution signed by an official authorized to commit the third party.

c) California Conservation Corps' or Local Conservation Corps' commitments to provide services are documented in section E.

d) In submitting a Proposal, the applicant agrees to provide, prior to the execution of the grant agreement, a resolution from its governing board accepting the funds, designating a representative authorized to execute the grant and sign requests for disbursement, and committing to the long term operation and maintenance obligations.

3. Landowner Agreement

If the entire project site is not owned by the applicant, attach letters signed by the property owners, which demonstrate knowledge of the proposed project, and allows the applicant (with reasonable notice), to access, implement, and when applicable, operate, maintain, and monitor the project. Final landowner agreements will be required once the proposed project is awarded, which will, among other provisions, allow reasonable access by the Conservancy or its agents over the life of the project, and may require conservation easements or other protections against encroachments.

4. State Lands Commission Lease

In submitting a Proposal for a project entirely or partially on State Sovereign Lands, the applicant agrees to secure a lease from the State Lands Commission prior to construction or implementation if required.

5. Conflict of Interest

In submitting a Proposal, the applicant and its partners acknowledge all requirements to comply with Conflict of Interest laws and regulations.

6. Confidentiality

In submitting a Proposal, the Proposal becomes a public record and as such, the applicant waives any privacy rights, as well as other confidentiality protections afforded by law with respect to the application package. (Any sensitive or confidential personal data contained the Proposal will be redacted by the Conservancy prior to making documents available to the public.)

7. Standard Terms and Conditions

In submitting a Proposal, the applicant accepts the standard terms and conditions of the grant agreement.

8. Reports

In submitting a Proposal, the applicant agrees to submit progress reports throughout the project and a comprehensive final report at the end of the project. Project-specific requirements for performance measures, data management, public information, and reporting requirements shall be defined in the grant agreement. Data and information obtained and reported under the grant agreement shall be made available in the public domain.

9. Labor and Public Contract Code Compliance

In submitting a Proposal, the applicant acknowledges that projects funded through this program may be subject to prevailing wage provisions of the California Labor Code. Further, the applicant acknowledges that it must comply with applicable provisions of the Public Contract Code.

10. Signage

In submitting a Proposal, the applicant agrees that to the extent practicable, it shall post a sign at the project site informing the public that the project received funds from the Water Quality, Supply, and Infrastructure Improvement Act of 2014.

11. Appraisals

In submitting a Proposal, the applicant acknowledges that, prior to a real property purchase or water right purchase or lease, an appraisal of the value, conducted in compliance with the Department of General Services Real Property Services Section specifications, must be completed and approved by the department, and that no more than fair market value may be paid to the seller.

H. OUTREACH, COMMUNITY INVOLVEMENT, AND ACCEPTANCE

Include the following in the Proposal. Include exhibits in Section I, and mark them H-1, H-2, etc.

1. Describe or include as exhibits any available information about public involvement and vetting relating to project planning, applicant priorities, regional need for the project, etc.

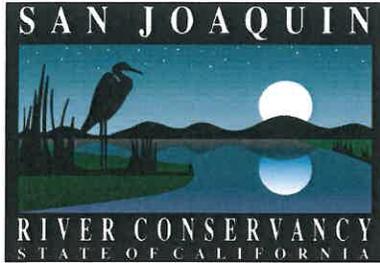
2. Provide any letters of support for the grant Proposal.

I. REQUIRED EXHIBITS AND SUPPLEMENTAL APPENDICES

All exhibits and supplemental documentation requested in the PSP must be provided in this section, labeled to reference the relevant section, and consecutively numbered.

The applicant may include additional information if it directly and significantly contributes to understanding the benefits and merits of the Proposal.

###



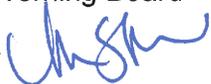
SAN JOAQUIN RIVER CONSERVANCY

Agenda Item

Item G-2

November 2, 2016

TO: San Joaquin River Conservancy Governing Board

FROM: Melinda S. Marks, Executive Officer 

SUBJECT: Authorize a Bond Funds for a Grant to the San Joaquin River Parkway and Conservation Trust to Perform Plant Establishment and Habitat Restoration Success Activities as the Final Phase of the Sycamore Island Gravel Pit Isolation and Floodplain Improvement Project

RECOMMENDATION:

It is recommended the Board authorize \$177,000 in bond funds for a grant to the San Joaquin River Parkway and Conservation Trust (River Parkway Trust) to perform plant establishment and habitat restoration success activities as the final phase of the Sycamore Island Gravel Pit Isolation and Floodplain Improvement Project. The services will be performed for five years, commencing in late spring/early summer 2017, the period required by regulatory permits after the California Department of Water Resources' (DWR) construction contractor has initially installed native plants on the created floodplain and affected riverbank. Wildlife Conservation Board (WCB) authorization would be requested at their February 2017 meeting.

SUMMARY:

In March 2015, the Conservancy Board approved \$4,500,000 to isolate a reclaimed gravel mine pond from the river, construct berm and access road improvements, and create riverbank and floodplain habitat between the Conservancy's Van Buren Unit and Sycamore Island and across the river on the River West Fresno property, within the San Joaquin River Parkway (Project Diagram, Attachment 1). Subsequently, the U.S. Bureau of Reclamation, San Joaquin River Restoration Program provided \$2,000,000 toward the project, which ultimately will reduce the Conservancy's cost by the same amount.

The Sycamore Island Gravel Pit Isolation and Floodplain Improvement Project construction is being managed by DWR and is currently under construction by Steelhead Constructors, Inc. Earthmoving across the temporary bridge has been completed, with finish grading and road construction among the remaining work activities. This winter Steelhead will complete initial plantings of Valley Oak acorns, Western Sycamore, White Alder, and California Ash seedlings, and approximately 285 pole cuttings from Fremont Cottonwoods, Arroyo Willows, Sandbar Willows, and Buttonwillows on the riverbank and floodplain. Steelhead is required by the end of its DWR contract in June 2017 to achieve 100% survival of the plants it installs.

After DWR's and Steelhead's work is complete, plant establishment services, including replacement planting, irrigation, and weed control, must continue intensively for three years (through spring 2020) to protect and maximize the Conservancy's investment in this extensive habitat restoration project. Monitoring and trouble-shooting must be performed for two more

years to ensure post-project mitigation and permit requirements are met within five years of project construction (by spring 2022). The following services are included in the scope of work:

- Weed control and management;
- Seasonal Irrigation with a portable pump;
- Replacement planting as necessary;
- Invasive species suppression;
- Post-construction erosion control, including patch seeding as necessary; and
- Monitoring, record keeping, habitat improvement metrics and documentation.

The budget for the final, plant establishment phase is not to exceed \$177,000. The overall project, including these services, is well within the \$4.5 million budget, and the entire project is expected to be completed under budget. By awarding a grant for the final phase of services to the River Parkway Trust, project costs will be reduced by saving the substantial costs of DWR management and oversight. Instead, Conservancy and WCB staff will oversee the River Parkway Trust's work and ensure the Conservancy meets its permit and mitigation obligations.

DISCUSSION:

PROJECT DESCRIPTION

The proposed grant will provide for the final phase of the Sycamore Island Gravel Pond Isolation and Floodplain Restoration Project. The proposed plant establishment phase will protect and maximize the Conservancy's investment in the berm and restored habitat. Funded services will ensure new plants are monitored and cared for during a reasonable establishment period, and will address potential post-construction erosion. Plant mortality will be minimized with summertime irrigation via a portable pump, and plants that die will be replaced as necessary to achieve permit requirements and habitat restoration objectives. Weed and invasive species control will reduce competition with new plants and protect against new invasions. At the end of five years, the Conservancy must successfully establish live Valley Oaks, Sycamores, Ash and Alders to replace the larger native trees that were removed, achieve stabilization of the riverbanks and created floodplains, and meet its objectives for floodplain habitat restoration.

In 2005, a berm separating the Gravel Pit 46e from the San Joaquin River failed. The breach destroyed the gravel access road on the berm and caused a direct connection between the gravel pond and river. Without the access road, Sycamore Island lacked secondary emergency egress for the recreating public, and Parkway management, law enforcement, and emergency responders lack efficient access. The planned Parkway recreational trail between Sycamore Island and the Conservancy's adjacent Van Buren unit could not be completed without rehabilitating the failed berm. Furthermore, with the breach warm water fish living in the gravel pond would prey on reintroduced salmon.

At its meeting March 18, 2015, the Board approved a Mitigated Negative Declaration in accordance with the California Environmental Quality Act (CEQA), and approved the Sycamore Island Gravel Pond Isolation and Floodplain Restoration Project. The Conservancy and U.S. Bureau of Reclamation, with DWR as the funding recipient, project engineer, construction manager, and environmental consultant, partnered to construct an equalization saddle, reconstruct and stabilize the berm and a gravel road, and restore native vegetation and habitat along the berm and created floodplains to provide habitat for reintroduced native salmonids and other wildlife and to protect the berm from high river flows. The project incorporates a borrow area and floodplain restoration site located on the Fresno side of the river, to provide the greatest benefits at the least cost.

The overall project will:

- Provide a management road and future trail between the Parkway units;
- Provide emergency access and egress for Sycamore Island, and for future planned public recreational uses at the Van Buren unit;
- Protect the berm and road from damage by river currents and floods, and improve water quality by reducing bank erosion;
- Isolate the warm-water gravel pond from the river channel to separate warm-water nonnative fisheries and cold-water native fisheries;
- Provide for off-stream recreational fishing as planned by the San Joaquin River Restoration Program; and
- Restore 4.5 acres floodplain habitat, approximately one-third mile riverbank habitat, and fisheries habitat.

LOCATION

The breached berm is located at a reclaimed gravel pond (Pit 46e) adjacent to the San Joaquin River. The project is within the Conservancy’s 347± acre Sycamore Island fishing access site, the 262± acre Van Buren unit, and the 341± acre River West Fresno property. The project is about 1¼ miles downstream of the State Route 41 bridge on the right bank of the San Joaquin River in Madera County and on the left bank in Fresno County. Portions of the project site are within State Sovereign Lands under the jurisdiction of the State Lands Commission (the Conservancy has secured a lease from the State Lands Commission for the project). The project will effectively connect vehicle access, trail access, and habitat between Sycamore Island and the Van Buren unit.

GRANT BUDGET AND SCOPE OF WORK

The proposed not-to-exceed \$176,880 budget for the final phase of work is estimated based on the costs of similar post-planting maintenance and plant establishment services at the Conservancy’s Spano River Ranch Habitat Enhancement Project, where the River Parkway Trust is also the grantee. The budget includes a limited amount of funds that would be authorized for use in the event of unanticipated levels of plant mortality due to floods, drought, pests, and other factors. A 10% contingency is included that would be subject to advance approval of the Conservancy and WCB staff. Labor is planned to be performed by the Fresno County Economic Opportunities Commission Local Conservation Corps, or similar programs.

Item	Item Description	Budget
1	Irrigation System	\$20,000
2	Plant Establishment – includes all labor and supplies for mulching, weeding and plant replacement	\$113,920
3	Project Management 10% of project costs	\$13,380
4	Allowed Indirect Costs Applied to project costs less subcontractors and equipment, based on the Trust’s Provisional Federal Negotiated Indirect Rate for 2017 of 15.16%	\$16,320
5	Contingency 10% of project costs	\$13,380
	TOTAL	\$177,000

Granting funds to the River Parkway Trust will not only save DWR project management costs if it were to oversee this phase—it will also allow plant establishment activities to be cost-effectively integrated with the River Parkway Trust’s invasive species eradication program and

their work on the adjacent Spano Habitat Restoration Project. The River Parkway Trust has developed local expertise, partnerships, and a strong capacity to carry out habitat restoration in the Parkway. They have been actively involved at the project site, including assisting with vegetation removal in accordance with the Conservancy's permits and invasive species management in the immediate area.

The total budget for construction is \$4,500,000; DWR has entered a funding agreement with the U.S. Bureau of Reclamation to provide \$2,000,000 toward the project, leaving the Conservancy's share of the budget at \$2,500,000. Unexpended funds will revert and become available for future projects.

The Conservancy's funding for this grant will come from bond funds approved by the voters for the San Joaquin River Parkway within the Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Bond Act (Proposition 40, 2002) or the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act (Proposition 84, 2006). The proposed grant is an eligible use of these bond funds. Bond funds are appropriated in WCB's budget to be directed to projects at the Conservancy Board's discretion for land acquisition, habitat enhancement, public access, and recreation capital improvements. The WCB will identify the bond fund appropriation to be used.

The River Parkway Trust's scope of work will consist of:

- Weed control and management—weeds must be kept reasonably clear of each plant site in order to reduce competition for water and sunlight;
- Seasonal Irrigation with a portable pump—a temporary irrigation system with drip lines and a portable irrigation pump will be used to provide water frequently during the summer months and less frequently in spring and fall; water will be withdrawn from the river or adjacent pond using the Conservancy's riparian rights; the amount of water diverted is not expected to exceed the reporting threshold of the State Water Resources Control Board;
- Replacement planting as necessary—at the end of five years the Conservancy must meet plant survival criteria established in the CEQA Mitigation Monitoring and Reporting Program and the Streambed Alteration Agreement;
- Invasive non-native species suppression—the disturbed project site has created opportunities for reinfestation of invasive plant species removed prior to and during project construction; manual and chemical controls will be required to ensure native plant survival and recolonization;
- Post-construction erosion control—patch seeding will be provided each fall as necessary; additional temporary site stabilization measures may be necessary; and
- Monitoring, record keeping, habitat improvement metrics and documentation—the Conservancy's Mitigation Monitoring and Reporting Program, permits, and grant funding agreements all require documentation of activities, compliance, and successful outcomes.

The project schedule is:

- WCB authorizing this funding request in February 2017;
- Weed management, irrigation, records and monitoring, beginning approximately June 2017;
- Seasonal services, with summer irrigation and fall/winter replacement planting and seeding as necessary, June 2017 through spring 2020;

- Monitoring and remedies as necessary to document success and compliance through spring 2022.

GOALS, OBJECTIVES, POLICIES AND PRIORITIES

The project is consistent with the Conservancy's statutory mission. The San Joaquin River Conservancy Act at Public Resources Code §32533 states, "The conservancy may undertake site improvement projects; regulate public access; revegetate and otherwise rehabilitate degraded areas, in consultation with other public agencies with appropriate jurisdiction and expertise; upgrade deteriorating facilities; and construct new facilities as needed for outdoor recreation, nature appreciation and interpretation, and natural resource protection."

The project and its final phase are consistent with the goals, objectives, and policies of the San Joaquin River Parkway Master Plan (1997), for example:

- Fundamental Goals
 - Preserve and restore a riparian corridor of regional significance on the San Joaquin River from Friant Dam to the Highway 99 crossing;
 - Protect wildlife species that depend on or prefer the river environment...;
 - Provide for conservation, education, and recreation, particularly a continuous trail...;
 - Protect irreplaceable natural resources...in a way that will also meet recreational and educational needs.
- Natural Resources Goals
 - NRG1 Promote the long-term preservation, enhancement, and public enjoyment of the aquatic, plant, and wildlife resources of the San Joaquin River and the riverbottom.
- Natural Resources Objectives
 - NRO1 Protect the San Joaquin River as aquatic habitat and a water resource. Enhance and protect fisheries in the river and lakes in the Parkway.
 - NP8.2 Preserve and incorporate natural features (e.g., wetlands, grasslands, woodlands and other native vegetation) and supporting artificial features (e.g., lakes on reclaimed mined lands) into the development's site design such that those features can...enhance the ecological values of the river, the wildlife corridor, a natural reserve, or the multiple purpose trail.
- Natural Resources Programs
 - NRPE1 Wildlife habitat creation, restoration, and enhancement is a major goal of the Parkway plan. ...In areas of past sand and gravel mining activities, recontouring of the riverbottom could enhance the value to wildlife by creating upland areas adjacent to riparian zones as well as increasing the total area available for replanting riparian vegetation. ...
 - NRPV1 This plan proposes to restore and enhance areas of riparian and wetland habitats along the San Joaquin River. Many of these areas have undergone biological, physical, and hydrological changes which are primarily the result of human interference. Restoration and enhancement of this portion of the river is intended to increase habitat value and recreate a continuous wildlife corridor by creation of riparian habitat..., enhancement of degraded riparian habitat, enhancement of pond edges with freshwater marsh species...
- Mitigation Measures
 - 5.6-1(b) c) Areas suitable for habitat restoration shall be restored by replanting or habitat management to encourage the establishment and growth of natural vegetation. ...

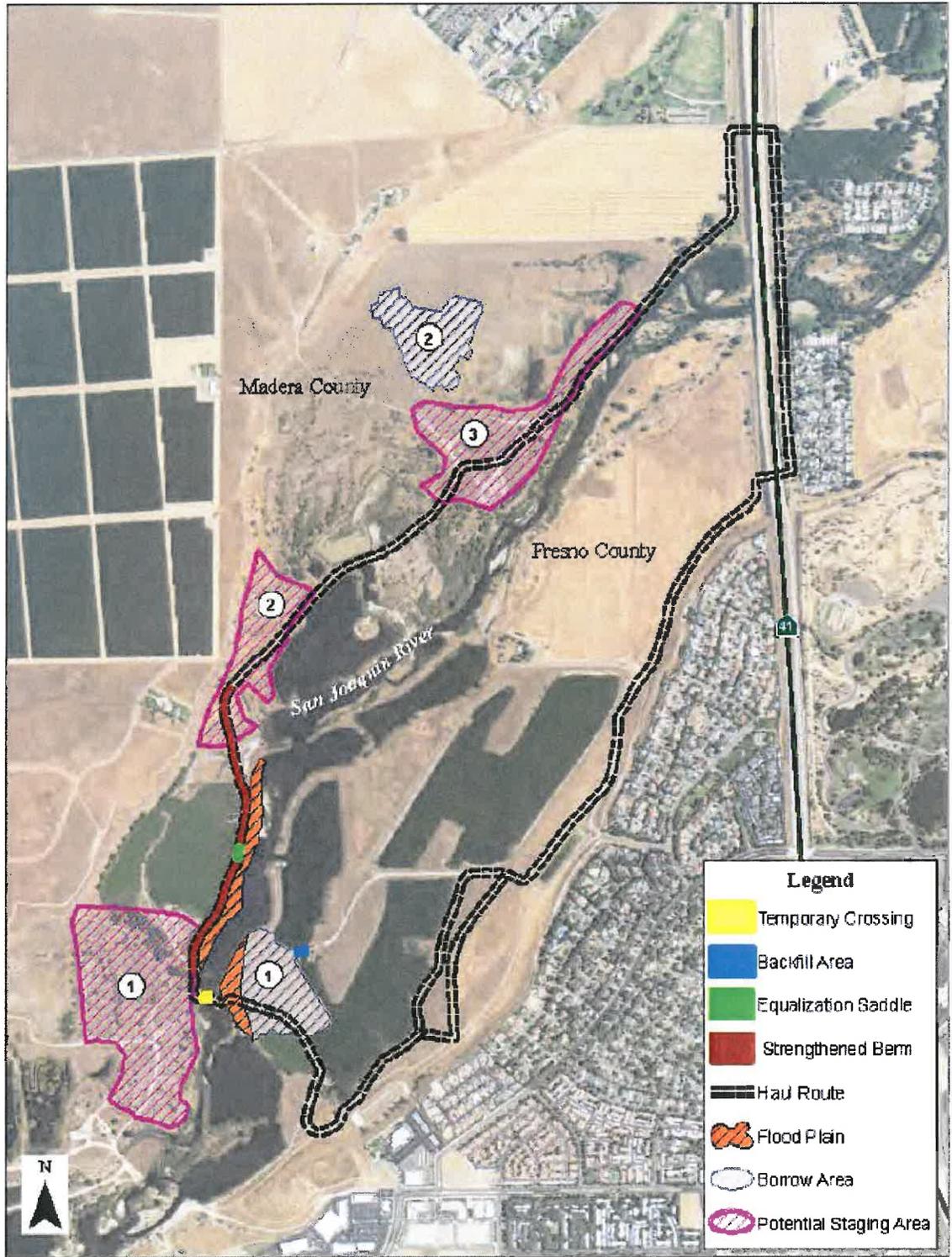
The project's access road and trail are included in the River West Madera Master Plan to connect the two Parkway units.

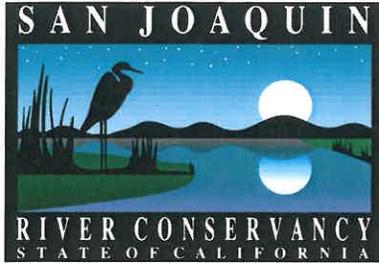
The San Joaquin River Restoration Program has the stated goal of maintaining fish populations in good condition in the main stem of the San Joaquin River below Friant Dam. Isolating the highest priority gravel pits to improve conditions to sustain reintroduced salmon within the Parkway reach of the river is among the improvements contemplated by the settlement, the U.S. Bureau of Reclamation's San Joaquin River Restoration Program Environmental Impact Statement/Environmental Impact Report, and the California Department of Fish and Wildlife's San Joaquin River Restoration Program: Salmon Conservation and Research Facility and Related Management Actions Project EIR.

The Sycamore Island Gravel Pit Isolation and Floodplain Improvement Project ranked among the Conservancy's highest priorities during the May 2014 Interagency Project Development Committee meeting. The prioritization criteria most relevant to the project include: connectivity for trails, public uses, and habitat; environmental benefits; project readiness; independent function; potential outside source of funding; achieves long-term benefits; meets partner agency, as well as Conservancy, needs.

Attachment 1 Project Diagram

Attachment 1 Project Diagram





SAN JOAQUIN RIVER CONSERVANCY

Agenda Item

Item: G-3

November 2, 2016

TO: San Joaquin River Conservancy
Governing Board

FROM : Melinda S. Marks, Executive Officer

SUBJECT: **Informational Presentation by Conservancy Staff: Overview of Public and Private Lands and Land Uses in the San Joaquin River Parkway Planning Area (carried forward from the cancelled October 5, 2016, meeting)**

RECOMMENDATION:

A presentation will be made by staff for informational purposes. The Board may provide general direction to staff; no action by the Board is recommended.

SUMMARY:

The San Joaquin River Conservancy was established through the San Joaquin River Conservancy Act (Public Resources Code §32500 et seq.) to develop and manage the San Joaquin River Parkway, a planned 22 mile-long conserved natural area, with inter-connected trails, recreation and outdoor education features. The Act established the Conservancy to acquire 5,900 acres of public lands on both sides of the river between Friant Dam and the Highway 99 crossing, of which approximately 1,250 acres were already in public ownership in 1992 when the Act was enacted. Ideally, eventually Conservancy and other public properties within the Parkway planning area will create a contiguous, functioning Parkway, with habitat linkages, a wildlife movement corridor, a continuous multi-use Parkway trail from Friant Dam to Highway 99, and an interlaced recreational trail system.

To date, the Conservancy, on behalf of the State of California, has acquired 2,575 acres for the Parkway, 42 of which are under the jurisdiction of the California Department of Fish and Wildlife, and the rest are under the Conservancy's jurisdiction. Properties may only be acquired from willing sellers; therefore, the configuration of the Parkway evolves as opportunities to acquire lands within the planning area arise. The Conservancy has available an unexpended balance of approximately \$29 million in State bond funds (Propositions 40 and 84), which may be invested in Parkway land acquisitions and capital improvements (e.g., habitat restoration, public access, and recreation).

During a brief presentation, staff will display a generalized map of the types of ownerships and land uses within the Parkway planning area to provide a context for the Board for any future land acquisition opportunities.