



# Wildlife Conservation Board

## Lower American River Conservancy Program

### 2019 Proposal Solicitation Notice

The Wildlife Conservation Board (WCB) is seeking high quality grant proposals for the Lower American River Conservancy Program (Program) that result in enduring benefits to the Lower American River. The Program allows for the following project types:

- Land acquisitions and capital improvements that expand, restore, enhance, interpret or protect the Parkway's natural, cultural, historic, recreational, and educational resources, consistent with the American River Parkway Plan.

This document provides general eligibility information as well as priorities, pertinent dates, scoring criteria, and important documents specific to this 2019 Proposal Solicitation Notice (PSN).

#### Technical Guidance

It is recommended that applicants use, at a minimum, the following technical guidance documents and sources before submitting a proposal: [WCB Lower American River Conservancy Program Guidelines \(Guidelines\) \(PDF\)](#), [American River Parkway Plan \(PDF\)](#), [WCB Strategic Plan \(PDF\)](#), and the [State Wildlife Action Plan](#).

## PROJECT REQUIREMENTS

Entities eligible to submit grant proposals in response to this PSN include local public agencies and nonprofit organizations. Projects must be located within or adjacent to the Lower American River Parkway (Parkway) which is between Hazel Avenue and the confluence of the American River with the Sacramento River. Projects proposed on adjacent lands shall contribute to the advancement of Parkway values.

Projects must be consistent with the 2008 American River Parkway Plan, and must adhere to the [Lower American River Conservancy Program Guidelines \(PDF\)](#).

## 2019 Funding

Up to \$7.25 million, not yet confirmed in the 2019/2020 Governor's Budget, may be available through this and subsequent PSNs. Projects must be completed, and funds expended by March 15, 2024.

## 2019 PROGRAM PRIORITIES AND SOLICITATION FOCUS

Priority will be given to land acquisitions and shovel ready capital implementation projects that focus on protection, restoration, and enhancement of fish and wildlife habitat and other natural resources and the enhancement of interpretive and educational facilities related to the American River Parkway and its natural, cultural, and historic resources. Projects may include, but are not limited to:

- Capital improvement that removes invasive species from high quality, intact habitat or a larger habitat restoration project
- Habitat restoration or revegetation in areas where habitat loss or degradation has occurred
- Accessibility improvements to existing interpretive and educational facilities
- Development and installation of interpretive kiosks
- Land acquisitions that protect significant fish and wildlife habitat or provide opportunities that will advance the natural resources of the Parkway

## PROJECT CATEGORIES

Eligible project categories include planning, implementation, and acquisition. Projects should not overlap into two categories. Each of these project categories is described below.

Mitigation projects and activities cannot be funded through the Program. Furthermore, long-term maintenance and management activities for past WCB grants cannot be funded.

### Planning

Planning grants are intended to support the development of projects that are likely to qualify for future implementation funding under this program. Eligible activities and expenses for planning projects include, but are not limited to:

- Acquiring permits for a specific, future implementation project
- Analysis required to support completion of California Environmental Quality Act (CEQA) and National Environmental Policy Act (NEPA) reviews for a specific, future implementation project. Lead agencies need to be identified and demonstrate a willingness to complete adoption of CEQA/NEPA.
- Developing project designs or supplementing existing designs for a specific, future implementation project
- Performing necessary studies/surveys to support project design and/or environmental compliance related to a specific, future implementation project

### Implementation

Implementation grants may fund construction of restoration and enhancement projects and new or enhanced facilities that will provide a direct benefit to the Parkway and its natural, cultural, recreational or educational resources. They are intended to support high priority, "shovel ready" projects that have advanced to the stage where planning, land tenure, and design plans have been completed. CEQA must be completed at least 15 days prior to Wildlife Conservation Board approval. For evaluation purposes, WCB will consider CEQA complete when the lead agency has certified a NOD or filed an NOE with the State Clearinghouse and the equivalent for NEPA applies.

Implementation proposals should have 65% design plans and all necessary studies completed prior to submitting an application.

Implementation projects may include permitting as a project activity. If permits are to be obtained for a proposed project, a complete description of the permits needed and a timeline for obtaining them must be included in the proposal. Eligible activities and expenses for Implementation projects include, but are not limited to:

- Preparation of bid packages and subcontractor documents (when subcontractors have not been identified at the time of grant award)
- Acquiring necessary permits
- Construction activities
- Habitat restoration and enhancement
- Pre- and post-project monitoring (within grant term)

### Acquisitions

Acquisition grants shall fund purchases of land or conservation easements that provide a direct benefit to the values of the American River Parkway and that support the goals of the Program. Acquisitions must be from willing sellers and at a price that does not exceed fair market value, as set forth in an appraisal prepared by a licensed real estate appraiser and approved by the Department of General Services (DGS). A completed appraisal, approved by DGS Real Property Services Section, is not required at the time of application submission; however, if grant is awarded, the appraisal must be submitted to WCB and approved by DGS prior to execution of a grant agreement.

WCB will not hold title to land. A separate, eligible entity in accordance with Public Resources Code §5845.5(e) must be identified at the time of proposal submission.

If a signed purchase or option agreement is unavailable at the time of application submission, a Willing Seller Letter is required from each landowner indicating a willingness to participate in the proposed real estate transaction. The letter should clearly and specifically identify the relevant property and state, "If grant funds are awarded, the seller(s) is willing to enter into negotiations with [name of applicant] for sale of the property at a purchase price not to exceed fair market value." Applicants must disclose any known or suspected hazardous material release, threatened release or other environmental condition associated with the property.

All grant awards for acquisition of an interest in real property are contingent on a WCB determination that the risk posed to the conservation values of that property by mineral exploration, development, and related consequences is acceptable. Prior to execution of a grant agreement for acquisition of an interest in real property, the WCB will assess the risk that future mining activities could occur on the property. As part of the WCB's risk assessment, the WCB may require the surface estate landowner or project proponent to provide the WCB and any third parties with an interest in the minerals with a

mineral assessment report. Costs associated with preparation of the mineral assessment report and related activities are not eligible for reimbursement. Successful applicants should consult with the WCB for specific requirements prior to initiating work on a mineral assessment report. Based on its risk assessment, the WCB will determine whether the risk of mining and the related consequences for intended conservation purposes is acceptable. If the WCB determines that the risk is not acceptable, and the risk cannot be reduced to an acceptable level within a reasonable amount of time, then WCB will rescind the grant award.

Additional attachments required include:

- Signed purchase or option agreement, or willing seller letter;
- Legal description of the property;
- Minimum of six color photographs illustrating the property and its conservation values or benefits to the American River Parkway;
- USGS 7.5-minute topographic map, or comparable depicting the location of the property;
- Current Preliminary Title Report;
- Title report for water rights, if available

Proposals for acquisition projects must be stand-alone. They cannot be combined with another project category.

Eligible expenses for acquisition projects include the purchase price for acquisition of fee title or perpetual conservation easements that do not exceed fair market value.

Ineligible expenses include:

- Appraisals
- Title escrow and closing costs
- Environmental Site Assessments
- Mineral Rights Assessments
- Other fees and costs to accomplish the transaction and the conveyance and acquisition of the property

Applicants submitting proposals for acquisitions must provide a baseline report of existing conditions prior to close of escrow and current within six months of date of closing. Newly acquired Parkway lands shall be managed in a manner consistent with the American River Parkway Plan. A long-term management plan summary must be submitted with the application as required for Section 38 of the 2019 Full Application.

## TIMELINES

Table 1 identifies the schedule and associated milestone activities for the 2019 PSN.

WCB will post frequently asked questions (FAQ) to the [LARC Program web page](#) during the proposal consultation period. The FAQ document will be updated at the close of each business day during the consultation period and will remain on the web page for future reference.

To be considered for funding, all applicants must submit a full application by 5:00 p.m. Pacific Standard Time on or before **July 3, 2019**. Full applications will be uploaded to a secure FTP site that is hosted through the Department of Fish and Wildlife. Instructions for application submittal are provided in the full application.

Table 1: 2019 PSN Timeline

Schedule	Milestone/ Activity
May 6 - 17, 2019	Proposal consultation period
May 20, 2019	PSN released
July 3, 2019	Full applications due to WCB
July 8 – July 19, 2019	Admin review and technical review panel selection
July 22 – August 23, 2019	Technical review
October 17, 2019	LARC Program Advisory Committee meeting: prioritize and recommend proposals for funding
TBD: November - December 2019	Sacramento County review of recommended proposals for consistency with the American River Parkway Plan
TBD: February – May 2020 Board Meeting	Wildlife Conservation Board Meeting: review and approve proposed projects for funding
March – July 2020	WCB develops and executes grant agreements with successful applicants

## EVALUATION CRITERIA AND SCORING

[The Lower American River Conservancy Program Guidelines \(PDF\)](#) includes the general Program evaluation process. The specific scoring criteria and evaluation for the 2019 Solicitation is provided below.

### Administrative Review

An administrative review of full applications will determine if the proposal is complete and meets all the requirements for technical review. This review will use a yes/no scoring method on the criteria presented in Table 2. Proposals that do not meet one or more of the Table 2 criteria will be considered incomplete and may not be considered for funding under this PSN.

Table 2: Administrative Review Evaluation Criteria

Administrative Criteria
Full application was received by the deadline.
Applicant is an eligible entity.
Proposal represents an eligible project type.
All application components have been completed in the required formats.

Every question has been answered.
20% match provided for projects that do not benefit a severely disadvantaged community
For acquisition and implementation categories: CEQA documents are current and complete or will be complete before WCB brings the project to the voting members of the Board for approval. Projects that are recommended for funding but fail to have CEQA complete will not move forward to the Board until CEQA has been completed.
Applicant has demonstrated their ability and willingness to maintain and operate the proposed improvements over the management term of 25 years. A written agreement from landowner, if appropriate, was included with the proposal.

### Technical Review

Complete applications and eligible proposals will be evaluated and scored by technical reviewers, which will include, in part, at least two Committee members and the WCB program manager, in accordance with the scoring criteria documented in Table 3.

Each criterion will be scored by technical reviewers and assigned a point value between zero and five based on the extent to which the proposal addresses the criterion. Technical reviewers are asked to make narrative comments that support their scores.

Each score will then be multiplied by the applicable weighting factor to calculate the criterion score. A total score for the proposal will be generated by averaging the scores from each of the reviewers.

Where standard scoring is applied, points will be assigned as follows:

- A score of 5 points will be awarded where the criterion is fully met and supported by thorough and well-presented documentation and logical rationale.
- A score of 4 points will be awarded where the criterion is fully met but is supported by less thorough documentation or less sufficient rationale.
- A score of 3 points will be awarded where the criterion is less than fully met and is supported by less thorough documentation or less sufficient rationale.
- A score of 2 points will be awarded where the criterion is marginally addressed, or the documentation or rationale is incomplete or insufficient.
- A score of 1 point will be awarded where the criterion is minimally addressed, or no documentation or rationale is presented.
- A score of 0 will be awarded where the criterion is not addressed.

Table 3: Technical Review Evaluation Criteria

Technical Review Criteria				
Category	Criteria	Weight Factor	Point Value	Max. Score
2019 Solicitation Priorities	Extent to which the project advances at least one of the priorities stated in the PSN. Proposals must demonstrate how the project will advance the values of the Parkway. Maximum points will be reachable to those projects that focus on habitat restoration, education & interpretation, and land acquisitions.	4	0-5	20
Purpose and Background	Extent to which a proposal includes a detailed project description of the project purpose and background, including sufficient rationale to justify the project need, contains appropriate underlying scientific basis for the proposed work, and clearly articulates the goals and objectives.	2	0-5	10
Conservation Efficiencies	Extent to which the proposal includes design features that were purposefully included to reduce the effects of climate change, address water efficiencies, or capture stormwater for infiltration or reuse.	0.5	0-5	2.5
Project Readiness	Extent to which the proposal demonstrates the applicant understands the legalities and time constraints of their project activities and has taken the appropriate measures for timely project implementation.	1	0-5	5
Scope, Schedule, Budget	Extent to which the proposal demonstrates a logical sequence and timing of project tasks, with reasonable milestones and appropriate deliverables consistent with project closing deadline of March 15, 2024, and that aligns with tasks in the project description.	0.5	0-5	2.5

Technical Review Criteria				
Category	Criteria	Weight Factor	Point Value	Max. Score
Scope, Schedule, and Budget	<p>Extent to which a proposed Budget is appropriate to the work proposed, cost effective, and sufficiently detailed to describe project costs, and are consistent with the tasks shown in the Scope of Work and Timeline.</p> <p><u>Scoring:</u></p> <ul style="list-style-type: none"> <li>Proposals for which the budget is detailed, accurate, cost-effective, and reasonable will receive 5 points</li> <li>Proposals for which the budget appears reasonable and cost effective, contains moderate detail, inaccuracies or unspecified lump sums of up to 20 percent of the total budget will receive 3 to 4 points</li> <li>Proposals for which the budget lacks sufficient detail, includes: many inaccuracies, unspecified lump sums of 20 to 50 percent of the total budget, or inappropriate costs will receive 1 to 2 points</li> <li>Proposals for which the budget lacks sufficient detail, is inaccurate, contains unspecified lump sums exceeding 50 percent of the total budget, or is not cost effective will receive zero points</li> </ul>	1	0-5	5
Scope, Schedule, and Budget	<p>Extent to which a project provides secured federal, State, private, or local cost share (also known as “match”). All funds must be identified and expended during the WCB grant term.</p> <p><u>Scoring:</u></p> <ul style="list-style-type: none"> <li>Match of &gt; 40% will receive 5 points</li> <li>Match of 31-40% will receive 4 points</li> <li>Match of 21-30% will receive 3 points</li> <li>Match of 11-20% will receive 2 points</li> <li>Match of 1-10% will receive 1 point</li> <li>Match of 0% will receive zero points</li> </ul>	0.5	0-5	2.5
Monitoring and Reporting	<p>Extent to which a proposal demonstrates a clear and reasonable approach to monitoring project benefits, identifies performance measures, utilizes and integrates with existing efforts, and includes a process to report on performance outcomes.</p>	2	0-5	10



Technical Review Criteria				
Category	Criteria	Weight Factor	Point Value	Max. Score
Durability of Investment	Extent to which the proposal clearly identifies the long-term management needs of the project for Parkway benefits to endure and includes a plan or states a present intention to provide for those long-term management needs.	3	0-5	15
CCC/CALCC Services	Project will use the services of the California Conservation Corps or California Association of Local Conservation Corps.	1	0-1	1
Serving Severely Disadvantaged Communities	<p>The extent to which the proposal clearly demonstrates the proposed project will provide benefits to a severely disadvantaged community.</p> <p><u>Scoring:</u> A score of 1 point will be awarded for each of the following criteria that are clearly demonstrated within the proposal:</p> <ul style="list-style-type: none"> <li>• Project preserves, restores, or enhances a site that is within a severely disadvantaged community</li> <li>• Project preserves, restores, or enhances a site that allows public access, or enhances public recreational opportunities (e.g., fishing, hiking, biking, bird watching), and is within 1 mile of a severely disadvantaged community</li> </ul>	2	0-2	4
Support and Collaboration	Extent to which the proposal demonstrates the project has broad-based support and stakeholder collaboration.	1	0-5	5
Support and Collaboration	Extent to which the proposal is consistent with and significantly advances the goals of the American River Parkway Plan, other existing State, federal or regional plans or policies, and the WCB Strategic Plan.	2.5	0-5	12.5

Technical Review Criteria				
Category	Criteria	Weight Factor	Point Value	Max. Score
Project Team Qualifications	<p>Extent to which a proposal demonstrates that the project team, and any partnership as appropriate, has the appropriate experience and capacity to successfully perform the proposed tasks.</p> <p><u>Scoring:</u></p> <ul style="list-style-type: none"> <li>• Project team that demonstrates an appropriate level of expertise and, where applicable, successful completion of previously funded grants will receive 4 to 5 points.</li> <li>• Project team that lacks some expertise but has a reasonable plan or strategy to partner with other organizations or consultants to provide the needed expertise to help assure successful implementation of the project will receive 3 points.</li> <li>• Project team that lacks some expertise, has had some problems with successful completion of previously funded grants, or some key subcontractors are not named, or named subcontractors are not appropriate for work, will receive 2 points.</li> <li>• Project team with very limited expertise and experience and/or has had many problems with successful completion of previously funded projects, or no key subcontractors are named, will received zero to 1 point.</li> </ul>	1	0-5	5
Maximum Score				100

Each technical reviewer will also be asked to provide a narrative assessment of the project’s overall significance in advancing LARCP goals. The purpose of this question is to have each technical reviewer describe in their own words the magnitude of benefit of the project in advancing one or more of the following LARCP goals:

- Protecting and/or restoring important fish and wildlife habitat
- Increasing and/or improving public access
- Providing greater opportunities to advance environmental education
- Providing greater access and/or educational opportunities for disadvantaged communities

### Advisory Committee Review

Following completion of the technical reviews of all complete and eligible proposals, WCB staff will present projects to the Lower American River Conservancy Program Advisory Committee for its review and recommendation. The Committee will make proposal recommendations for consideration by WCB's voting board. The Committee may recommend modifications, including reducing grant amount from that requested, to meet current and any potential future program priorities, funding targets and available funding limitations. Proposal recommendations cannot exceed the available funds advertised under this solicitation.

### Sacramento County Review

All Committee-recommended proposals will be evaluated and reviewed by the County of Sacramento for consistency with the American River Parkway Plan. Regardless of agency or project proponent, Sacramento County Recreation and Parks Commission (Commission) reviews all planning measures and implementation schemes for the American River Parkway to ensure proposed projects are consistent with the goals and policies of the American River Parkway Plan. The Commission meets regularly on the fourth Thursday of every month, except for December when on recess.

### Executive Director Review and Board Action

Committee-recommended proposals that are consistent with the American River Parkway Plan will be presented to the Executive Director of WCB. The Executive Director will consider the comments and recommendations from each level of the review process and will present all proposals to the voting members of the WCB. Following approval by the voting members of WCB, selected grant recipients will be notified of their selection and grant amount.

## PROPOSAL REQUIREMENTS

By submitting an application, project proponent agrees to and understands all requirements and responsibilities as outlined in Section 4.0 Project Approval and Implementation and Section 5.0 General Program Requirements of the Guidelines. Additional requirements are outlined below.

### Environmental Compliance and Permitting

Activities funded under the Program must be in compliance with applicable State, tribal and federal environmental laws and regulations, including the California Environmental Quality Act (CEQA), National Environmental Protection Act (NEPA), and other environmental permitting requirements. Several local, State, tribal and federal agencies may have permitting or other approval authority over projects that are eligible for grant funding. The applicant is responsible for obtaining all permits necessary to carry out the proposed work.

Applicants must identify the project's expected permitting requirements, state what permits have been obtained or the process through which the permits will be obtained, and describe the anticipated timeframe for obtaining each permit. Projects that are undertaken to meet mitigation obligations, or projects that are under an enforcement action by a regulatory agency, will not be considered for funding.

Proposals for projects that are subject to CEQA and NEPA must identify the State and federal lead agencies and provide documentation that the agency or agencies have accepted the role. If CEQA/NEPA compliance for a proposed project is not complete at time of proposal submission, WCB will determine the likelihood of CEQA/NEPA completion by the anticipated WCB Board date based upon the applicant's schedule for and progress toward completion. CEQA/NEPA compliance must be complete at a minimum of 15 days before WCB Board approval. Applicants must provide environmental documents and lead agency compliance, such as Environmental Impact Reports, Negative Declarations, and a Notice of Determination, upon request.

### Land Tenure/Site Control

Applicants for projects conducting on-the-ground work must submit documentation showing that they have adequate tenure to, and site control of, the properties to be improved or restored for the life of the grant. If someone other than the applicant owns all or any part of the project site, the applicant will be required to secure a written agreement with the landowner(s) acknowledging and consenting to the proposed project on the landowner's land and allowing the applicant to access, implement, and when applicable, operate, monitor, and maintain the project improvements. Proof of adequate land tenure includes, but is not necessarily limited to:

- Fee title ownership
- An easement or license agreement
- Other agreement between the applicant and the fee title owner, or the owner of an easement in the property, sufficient to give the applicant adequate site control for the purposes of the project and long-term management
- For projects involving multiple landowners, all landowners or an appointed designee must provide written permission to complete the project
- For most grants to non-profit organizations for project implementation and construction, WCB will require an agreement sufficient to protect the public interest. That agreement shall be recorded in the county in which the real property is located. This document is typically a Notice of Unrecorded Grant Agreement (NOUGA) or Landowner Agreement.

When an applicant does not have tenure at the time of proposal submission but intends to establish tenure via an agreement that will be signed prior to grant execution, the applicant must submit a template copy of the proposed agreement, memorandum of understanding (MOU), or permission form at the time of proposal submission. Once a project has been awarded, the applicant must submit documentation of land tenure before a complete grant agreement can be executed.

WCB and its representatives shall have the right to access the project site at least once every 12 months from the start date of the grant for the life of the project. WCB shall provide advance notice to Grantee and landowners prior to accessing the project site.

### Project Monitoring and Reporting

Implementation proposals are required to include a Monitoring and Reporting Plan that explains specifically how improvements to a Parkway resource will be measured or quantified and how project success will be evaluated and reported. Performance of planning projects will be evaluated based on completion of project deliverables per the grant agreement. Performance of acquisitions will be evaluated on meeting conditions in the long-term management plan. The specific terms and conditions for monitoring and reporting, including performance measures, may be negotiated prior to grant

execution, to ensure appropriate measures have been identified and to assist with consistency of nomenclature, units, and measurements. The scope of the Monitoring and Reporting Plan will vary depending on the nature of the project; however, each plan shall include:

- Project-specific performance measures that are clearly linked to project objectives and have quantitative and clearly defined targets, at least some of which must be feasible to meet within one to two years post-implementation. Performance measures can be placed into two broad categories.
  - **Output performance measures** track whether project activities are being completed successfully per the terms of the grant agreement and associated documents, or for acquisitions what was submitted in the proposal application and evaluate factors that may be influencing outcomes (e.g., number of acres restored, filing of a CEQA documents, DGS approval of appraisal).
  - **Outcome performance measures** evaluate direct responses to project activities (e.g., natural recruitment by native plants, increase in number of educational programs or visitation, applying for implementation funds, and developing a restoration plan for newly acquired land).
- Identify opportunities to extend the monitoring activities beyond the term of the grant (e.g., by using standardized, readily replicated monitoring and evaluation processes; leveraging on-going monitoring programs; and building partnerships capable of attracting funding from multiple sources over time).
- A plan for reporting monitoring results and progress toward performance measures during the grant term.

### Long-term Management and Maintenance

Applicants proposing implementation projects shall outline management and maintenance plans commensurate with the life of the project as part of their grant proposal. The outline shall include a discussion of the actions that will be taken if it is determined that the project objectives are not being met, including the responsible party and source(s) of funding for completing remedial measures. This adaptive management approach provides a structured process that allows for taking action under uncertain conditions based on the best available science, establishing an explicit objective, monitoring and evaluating outcomes, and re-evaluating and adjusting decisions as more information is learned. Resources restored or enhanced with funds provided by WCB shall be operated, used, and maintained consistent with the purposes of the grant and in accordance with the long-term management plan for the project.

### Data Management

Environmental data collected under these grant programs must be made visible, accessible, and independently understandable to general users in a timely manner, except where limited by law, regulation, policy or security requirements. Where applicable, each proposal must include a description of how data and other information generated by the project will be handled, stored, and shared. Applicants should account for the resources necessary to implement data management activities in the project budget. Projects generating environmental data must include data management activities that

support incorporation of those data into statewide data systems (e.g., California Environmental Data Exchange Network [CEDEN], CalWeedMapper), where applicable.

Unless otherwise stipulated, all data collected and/or created through WCB grant funds shall be required as a deliverable and will become the property of WCB. A condition of final payment shall include the delivery of all related data. Geospatial data must be delivered in an [ESRI](#)-useable format where applicable and documented with metadata in accordance with the [CDFW Minimum Data Standards](#).

## Financial Criteria

### *Budget*

A budget using the format provided in the Lower American River Conservancy Program 2019 Grant Application must be submitted with the application. This budget must show WCB grant money split into project task categories. The budget must also include any other funds, including in-kind services, the applicant intends to use as cost share.

### *Cost Share*

Cost share is the portion of the project cost not funded by WCB and is provided by the applicant and/or other sources (e.g., private companies, nonprofit organizations, public agencies, and/or other entities). Proposals with higher proportions of secured cost share contribution towards total project cost will receive higher scores during the proposal evaluation process. Proposals providing cost share in the form of cash or other resources (in-kind services) for the support of the project must specify the source and dollar amount of all proposed cost share. Points will be awarded to proposals that are responsive to the Scoring Criteria, where cost share is:

- Used to support the proposed project
- Spent between grant award and end of the proposed WCB funded project term
- Secured prior to application submission

Where applicable, cost share agreements or funding assurances will be required prior to grant execution. Applicant must also indicate if any cost share is being used as match for other grants or entities and whether they intend to leverage other funding programs as match, if awarded.

### *Incidental Costs*

Incidental costs (alternatively known as Administrative Costs, Indirect Costs or Administrative Overhead) rates are limited to 20 percent of the total direct WCB award to the grantee, 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. The applicant must explain the methodology used to determine the rate and provide detailed calculations in support of the indirect cost rate.

### *Ineligible Costs*

The following are costs that are ineligible for reimbursement through an awarded grant:

- All costs incurred outside of the grant agreement term
- All costs related to the preparation and submission of the grant proposal
- Travel costs not specifically identified in the grant budget
- Out of state travel without prior written authorization from WCB
- Appraisal, title, or escrow costs
- Student tuition and/or registration fees
- Purchase of electronics or other equipment not specifically identified in the grant agreement.

### **Americans with Disabilities Act**

The Americans with Disabilities Act must be considered in the application for any new or improved public access project, to the extent practicable.

### **Bushy Lake Preservation Act**

Project proposals must be consistent with the Bushy Lake Preservation Act of 1976.

### **Urban American River Parkway Preservation Act**

Project proposals must be consistent with the Urban American River Parkway Preservation Act of 1984.

## **SPECIAL CONSIDERATIONS**

### **California Conservation Corps Consultation**

A project proponent whose application includes the use of services of the California Conservation Corps (CCC) or certified community conservation corps, as defined in Section 14507.5 of the Public Resources Code, will receive extra points. Prior to submission of proposals, it is encouraged that applicants first consult with the CCC and the California Association of Local Conservation Corps (CALCC), collectively referred to as “the Corps,” as to the feasibility of using their services to implement projects. The CCC is a state agency with local operations throughout the state, and CALCC is the representative for certified local conservation corps.

An applicant that submits an application to WCB where it has been determined that Corps services can be used and will be used, should identify the appropriate Corps in their project description and include estimated costs for those services in the budget. Applicants awarded funding must thereafter work with either the CCC or CALCC to develop a statement of work and enter into a contract with the appropriate Corps.

The Corps must be consulted each solicitation prior to application. Returning applicants cannot reuse the Corps Consultation Form or any other proof of consultation from previous WCB solicitations.

Projects that solely involve planning, acquisition, or scientific studies without field work or baseline studies should not consult with the Corps as they do not provide these services.

## Disadvantaged Communities

The funding source of this PSN is Proposition 68, the California Drought, Water, Parks, Climate, Coastal Protection, and Outdoor Access for All Act of 2018. Proposition 68 requires that at least 20 percent of the chapter funds available be allocated for projects serving severely disadvantaged communities. Proposition 68 defines a severely disadvantaged community as “a community with a median household income less than 60 percent of the statewide average.” The Department of Water Resources has developed the [Disadvantaged Communities Mapping Tool](#) that shows the location and boundaries of disadvantaged communities in the State. The interactive map allows users to overlay the following three US Census geographies as separate data layers:

- Census Place
- Census Tract
- Census Block Group

Applicants should use the following two-step process to evaluate whether their proposed project will benefit one or more disadvantaged communities. Projects that benefit a severely disadvantaged community will be given extra points.

**Step 1** – Determine whether a majority (50% +) of the proposed project area is located within a severely disadvantaged community. For interactive maps of disadvantaged communities, refer to the [Disadvantaged Communities Mapping Tool](#). The applicant may use data at the census place, census tract, or census block group geography levels to determine whether the project is located within a severely disadvantaged community, based on the geography that is the most representative for that community.

**Step 2** – Determine whether the proposed project will provide benefits to a severely disadvantaged community. If the proposed project meets one or more of the following criteria, it will be deemed to provide benefits to a severely disadvantaged community.

- Project preserves, restores, or enhances a site where the majority (50% +) of the land area is located within a severely disadvantaged community
- Project preserves, restores, or enhances a site that allows public access, or enhances public recreational opportunities (e.g., fishing, hiking, biking, wildlife watching), and is within 1 mile of a severely disadvantaged community
- Project significantly reduces flood risk to one or more severely disadvantaged communities
- Project reduces exposure to local environmental contaminants (e.g., water quality contaminants) within a severely disadvantaged community

## REQUIREMENTS IF FUNDED

### Awards

The final funding decisions will be made by the voting members of WCB. Successful applicants will work with an assigned WCB grant manager to develop the grant agreement.



## Grant Agreement

Development of grant agreements will begin after Sacramento County Review has been completed and the County provides written statement to WCB that a proposal is consistent with the American River Parkway Plan. At least 10 weeks prior to the WCB board meeting that the proposal will be considered at, the assigned WCB grant manager will work with the applicant to develop the grant agreement and its associated exhibits. The WCB must have a signed grant agreement from the applicant prior to presenting the proposal to the voting members of the WCB. Finalization of grant agreements will begin following announcement of awards by the voting members of WCB. Grants executed as result of this solicitation will use standard WCB grant templates unless WCB legal counsel determines that use of a modified or alternate form is necessary. The applicant must submit additional forms before an agreement is fully executed. The applicable forms described in this section are for informational purposes only. Do not submit these forms with your proposal. Applicants are required to complete, sign, and return the forms when projects are approved for funding. These additional forms include:

- Payee Data Record form (STD. 204)
- Federal Taxpayer ID Number
- Authorizing Resolution (if applicable)

Grant agreements are not executed until signed by both the authorized representative of the grant recipient and WCB. Work performed prior to the start date of a grant agreement will not be reimbursed.

## Responsibility of the Grantee

Successful applicants will be responsible for carrying out the work agreed to and for managing finances, including but not limited to, invoicing, payments to subcontractors, accounting and financial auditing, and other project management duties including reporting requirements. All eligible costs must be supported by appropriate documentation. Grantees are subject to audit by the Department of Finance. It is the responsibility of the grantee to be sure that the project budget as well as all subsequent billings are justified and documented appropriately.

## Invoicing and Payments

Grant agreements, except for Acquisition grants, will be structured to provide payment in arrears of work being performed. Funds cannot be disbursed until there is an executed grant agreement between WCB and the grantee. Payments will be made on a reimbursement basis (i.e., the grantee pays for services, products or supplies, submits an invoice that must be approved by the WCB grant manager, and is then reimbursed by WCB). Funds for construction will not be disbursed until all the required environmental compliance and permitting documents have been received by WCB. Grant funds need to be expended by the end of the grant agreement term, and final invoices for incurred costs must be submitted within 30 days of the end of the grant agreement term.

## Performance Retention

WCB will retain from the grantee's reimbursements, for each period for which payment is made, an amount equal to 10 percent of the invoiced amount, pending satisfactory completion of the task or grant. Retention withholding will be modified in the following circumstances:

- WCB will not withhold performance retention from payments for conservation easement acquisition or fee-title land acquisition.

## 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, WCB shall 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, WCB shall provide written notice to the grantee and be liable for payment for any work completed pursuant to the agreement up to the date of the written notice and shall have no liability for payment for work undertaken after such date. In the event of a suspension of work, WCB may remove the suspension of work through written notice to the grantee. WCB shall 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 shall WCB be liable to the grantee for any costs or damages associated with any period of suspension invoked pursuant to this provision, nor shall WCB be liable for any costs if, 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
- WCB 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 agreement include, but are not limited to:

- Withdrawing from the grant program
- Failing to acquire land at an 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
- Changing project scope without prior approval from WCB
- Failing to complete the project

- Failing to demonstrate sufficient progress
- Failing to comply with pertinent laws

### Signage

Successful applicants must include signage, to the extent practicable, informing the public that the project received funds through The Wildlife Conservation Board’s Lower American River Conservancy Program from the California Drought, Water, Parks, Climate, Coastal Protection, and Outdoor Access for All Act of 2018” (Pub. Resources Code §80001(b)(3)). At a minimum, project signs will display logos for WCB and the California Drought, Water, Parks, Climate, Coastal Protection, and Outdoor Access for All Act of 2018.

### American River Parkway Plan Provisions

Applicants must comply with all sections of the American River Parkway Plan, particularly Chapter 11 – Implementation and its provisions related to capital improvement projects, contract drawings, early notification process, zoning, and related items. Applicants will need to carefully scope their workplan and task item timelines to accommodate any additional review and approval needed by the County or cities for their project.

## GUIDELINES, FORMS AND TEMPLATES

Requirements as identified in this PSN are mandatory unless stated otherwise. Applicants must use the templates provided below for application submittal or the application will be deemed incomplete and may be ineligible for funding.

[2019 Lower American River Conservancy Program Grant Application \(Word\)](#)

[2019 Lower American River Conservancy Program Scope of Work Template, Appendix A \(Word\)](#)

[2019 Lower American River Conservancy Budget Worksheets, Appendices B, C, D and E \(Excel\)](#)

[2019 Corps Consultation Form, Appendix F \(PDF\)](#)

For questions regarding this PSN or the WCB LARC Program, please contact program manager Cara Allen at [LARCP@wildlife.ca.gov](mailto:LARCP@wildlife.ca.gov) or (916) 445-1095.