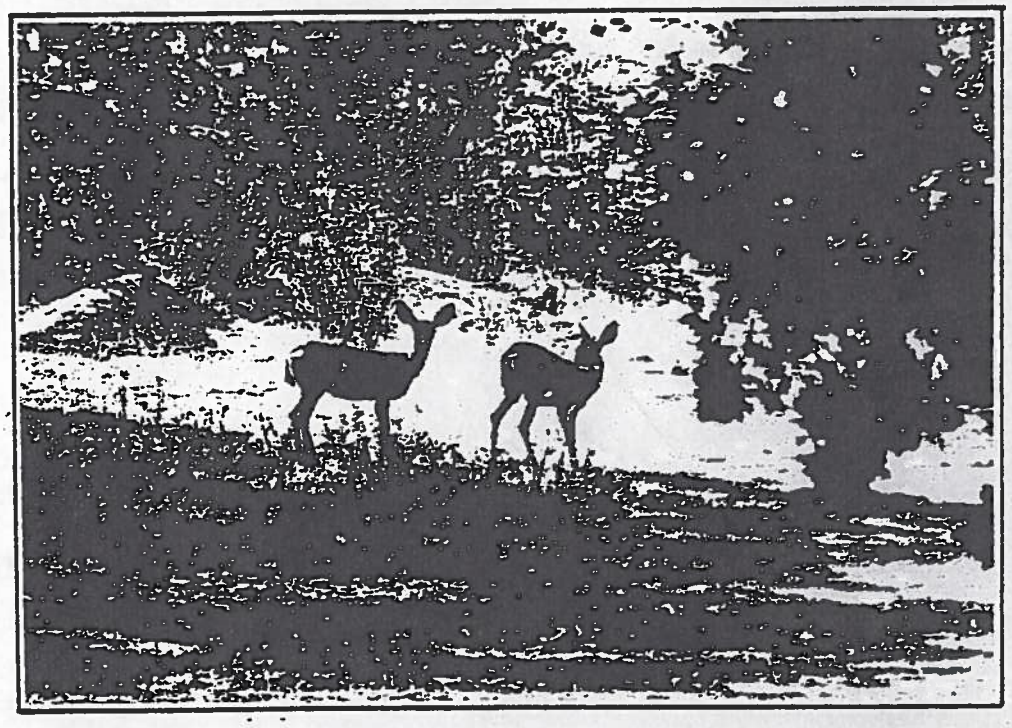
Office of Grants & Local Services
P.O. Box 942896
Sacramento, CA 94296-0001
(916) 653-7423

PROCEDURAL GUIDE FOR THE HABITAT CONSERVATION FUND PROGRAM



REVISED MAY 1997

STATE OF CALIFORNIA - RESOURCES AGENCY
DEPARTMENT OF PARKS AND RECREATION

PROCEDURAL GUIDE FOR THE HABITAT CONSERVATION FUND PROGRAM

CALIFORNIA DEPARTMENT OF PARKS AND RECREATION
LOCAL AGENCY PROGRAM
under the
CALIFORNIA WILDLIFE PROTECTION
ACT OF 1990
(Proposition 117 Initiative)

May 1997

State of California - Resources Agency
Department of Parks and Recreation
Planning and Local Services Section
Post Office Box 942896
1416 Ninth Street
Sacramento, California 94296-0001
Telephone: (916) 653-7423
FAX: (916) 653-6511

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Inquiries

Direct all inquiries, correspondence, and grant Applications to individual Project Officers at:

California Department of Parks and Recreation
Office of Grants and Local Services
1416 9th Street
P.O. Box 942896
Sacramento, CA 94296-0001
(916) 653-7423 Telephone
(916) 653-6511 FAX

Project Officers' names and geographic assignments can be found on the Department's web at http://www.parks.ca.gov/ by following related links to Grants and 2000 Bond Act.

INTRODUCTION

This guide will assist local government in applying for and administering State grant funds from the Habitat Conservation Fund Grant Program under the California Wildlife Protection Act of 1990. It contains information on the program as well as application materials.

Two million dollars is available for competitive grants to local public agencies. These funds will be provided annually from July 1, 1990 to July 1, 2020.

This grant program is administered by the California Department of Parks and Recreation (DPR). Day-to-day administration of individual projects is the responsibility of a project officer who is assigned a specific geographical area of the State, based on county boundaries. After you have submitted an application, you will be assigned a project officer. Processing will be expedited if the name of the project officer assigned to your area is included on all mail. All inquiries, correspondence, and grant applications should be referred to:

Project Officer (Name)
California Department of Parks and Recreation

Planning and Local Services Section
1416 Ninth Street, Room 940
P. O. Box 942896
Sacramento, CA 94296-0001
Telephone: (916) 653-7423
FAX Telephone: (916) 653-6511

Applicants are encouraged to contact a Project Officer to determine general eligibility of a proposal and discuss the quality of key application documentation needed to evaluate the project.

IMPORTANT POINTS

1. Funding Cycles- To make the program manageable, a staged competitive funding program is provided where, in every three-year period, each eligible project type will be funded twice. PLEASE SEE THE SCHEDULE IN APPENDIX G, Page 75.

2. Projects that are legally required as mitigation by a regulatory agency as a condition for a permit or to proceed with construction, will not be funded under this program. However, a proposal which is in addition to any required mitigation, and a part of an overall undertaking, would be eligible.

3. Only project costs incurred after the date of appropriation will be eligible for grant funds.

4. You must start the project within three years of the date the grant funds are appropriated in the state budget.

5. This is a matching program - 50% State/50% local. The match must come from a non-State source.

6. Property acquired under the program must comply with provisions of Chapter 16, Sec. 7260 of Div. 7, Title 1 of the State Government Code. Grant recipients are required to certify to the adequacy of their acquisition process.

7. For development projects, grant recipients are required to certify that their construction plans comply with applicable contract, health and safety, and access requirements.

8. All applications shall contain evidence that the applicant agency has complied with the California Environmental Quality Act (CEQA) of 1970 including documentation that the Department of Fish and Game CEQA fee was paid or is not applicable.

9. The funding for your project cannot be changed to a different site without DPR approval.

10. Where necessary, up to 20% of the grant amount or construction costs whichever is less, may be expended for non-construction costs such as plans and specifications, acquisition documents, construction inspections, and directly-related administrative costs.

11. Grants may be audited at any time by DPR up to three years after project completion. A project is complete upon receipt of final grant payment from the State. AVOID AUDIT EXCEPTIONS-KEEP ACCURATE RECORDS OF ALL EXPENDITURES.

12. Agencies that receive a grant from the fund for enhancement, restoration, or improvement projects shall utilize the services of the California Conservation Corps and local community conservation corps to the extent practicable.

13. The agency that manages lands acquired with Habitat Conservation Funds shall prepare, with full public participation, a management plan for lands that have been acquired. The plan shall reasonably reduce possible conflicts with neighboring land use and land owners, including agriculturists. The plan shall comply with the Environmental Quality Act.

Eligible Applicants

Only local units of government are eligible. They are cities, counties, cities and counties, or districts as defined in Subdivision (b) of Section 5902 of the Public Resources Code.

Eligible Projects

The following types of projects are eligible:

ACQUISITION OF:

a) Deer and lion habitat, including oak woodlands.

b) Habitat for rare and endangered, threatened, or fully protected species.

c) Wildlife corridors and urban trails.

d) Wetlands.

e) Aquatic habitat for spawning and rearing of anadromous salmonids and trout resources.

f) Riparian habitat.

"Acquisition" includes, but is not limited to, gifts, purchases, leases, easements, the exercise of eminent domain if expressly authorized, the transfer or exchange of property for other property of like value, transfers of development rights or credits, and purchases of development rights and other interests.

"Prior to recommending the acquisition of lands located on or near tidelands, submerged lands, swamp or overflowed lands, or other wetlands, whether or not those lands have been granted in trust to a local public agency, any State or local agency or non-profit agency receiving funds under this program shall submit to the State Lands Commission any proposal for the acquisition of those lands. The State Lands Commission shall, within three months of submittal, review the proposed acquisition, make a determination as to the State's existing or potential interest in the lands, and report its findings to the entity making the submittal and to the Department of General Services."[1]

ENHANCEMENT AND RESTORATION OF:

a) Wetlands

b) Aquatic habitat for spawning and rearing of anadromous salmonids and trout resources

c) Riparian habitat

Adequate tenure to the property is required for enhancement or restoration projects. Adequate tenure means the applicant owns the land or holds a lease or other long-term interest that is satisfactory to DPR.

PROGRAMS THAT PROVIDE FOR:

a) The interpretation of the State's park and wildlife resources.

b) Programs which bring urban residents into park and wildlife areas. Programs includes those proposals designed to provide opportunities for urban residents to use park and wildlife areas. Programs also includes nature interpretation programs that are designed to increase the peoples' awareness and appreciation for park and wildlife resources.

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[1] Subdivision (a) of Section 5929 of the Public Resources Code

Matching Requirements

Grants for acquisition shall be matched only by non-State money or property made available as part of the acquisition project. Grants for development may be matched by non-State monetary or non-monetary contributions as follows:

In-kind contributions (goods and/or volunteer services) applied to the specific grant project during the project period, including, but not limited to, equipment, consumable supplies, and volunteer services, facilities or equipment.

Force account labor (applicant's employees) costs incurred on the specific grant project during the grant project period.

The value of real property donated for the project provided the applicant does not take title to the property until after the grant funds are appropriated by the State.

APPLICATION PROCEDURES

When to Apply

For the 1994/95 Fiscal Year allocation of $2 million, applications are due October 1, 1993. Thereafter, October 1 will be the annual HCF application deadline.

What to Submit

A complete application consists of one copy each of the items listed on the back of the application form (Appendix A). You must identify the project type under which your proposal is to compete.

When submitting your application materials, please note the following:

1. The justification for the project must be addressed in the project proposal (Appendix B).

2. Compliance with the California Environmental Quality Act must be completed before final selection of projects by the State.

3. If you intend to reapply for the identical project you submitted the previous year, you need only submit:

   a. Addendum to CEQA (Appendix H)

   b. New application form

   c. New resolution

Selection and Notification

A list of projects selected for funding will be submitted to the Legislature. The funds are then included in the State Budget for the upcoming fiscal year. Applicants will be notified of the final selections by January.

PROJECT ADMINISTRATION

Normal Grant Process

1. Applicant completes and submits applications to DPR.

2. If project is selected, it will be placed on a list of recommended projects. After funds are appropriated in the State budget the following July, an agreement is sent to applicant.

3. Applicant returns the signed agreement to DPR.

4. A fully executed agreement is returned to applicant along with the appropriate acquisition or development form.

5. Applicant may submit payment request for an advance of 10% of grant amount to prepare construction plans and/or acquisition documents (Appendix D).

6. Applicant submits acquisition and/or development certification form(s) to DPR for review and approval.

7. Applicant commences work on project, and submits payment request for up to 90% of grant amount.

8. After completion of project, applicant submits project completion packet (Appendix E) and request for final 10% of grant.

9. Project officer makes final project inspection and processes final payment.

Acquisition/Development Procedures

DPR will not review construction plans for development projects nor acquisition documents for acquisition projects. Grant recipients will be required to certify to the adequacy of their development/acquisition process. The appropriate certification forms will be sent to the grant recipient, along with the contract, after the project has been approved and the funds appropriated. The grant recipients should return the forms and await DPR approval prior to commencing work on the project.

Changes to Approved Project

Major scope changes will normally not be approved for these competitive projects. Minor modifications may be acceptable. Written justification must be submitted to DPR for approval.

Time Extensions

A request for a time extension and its justification must be submitted to DPR. DPR will determine whether the circumstances warrant a time extension.

Payment of Grant Funds

After DPR has signed the agreement, 10% of the total grant amount may be requested for preparation of plans and specifications. Up to 90% of the total grant or 90% of the actual rehabilitation cost, whichever is less, may be requested after the construction contract is awarded or construction has commenced.

For acquisition projects, up to 90% of the grant or 100% of the actual acquisition cost, whichever is less, may be advanced after the property is in escrow. Upon receipt of the funds from the State, such advance shall be placed immediately into escrow, or deposited with the court in condemnation cases.

The remaining 10% will usually be reimbursed after completion of the project.

If advances are made and not immediately used, the advanced funds should be placed in a separate interest-bearing account. The applicant shall be held accountable for the interest earned.

Applicant should allow four to six weeks to receive payment after submitting request for payment. When completing the payment request forms, all figures should be rounded to the nearest dollar.

When the project is complete and you wish to submit a final billing, please follow the instructions under Project Completion Packet (Appendix E).

Income and Interest

Any income accruing from intended recreational use of the project may be spent at the applicant's discretion, consistent with the jurisdiction's normal procedure.

Gross income that is earned by the applicant from non-recreational uses of an acquisition project (e.g. rental from agricultural leases) must be used by the applicant for any of the following at the project site: habitat rehabilitation, additional acquisition, operation, or maintenance.

Gross income that accrues to a grant-assisted rehabilitation project during and/or as a part of the construction, shall also be used for further habitat rehabilitation of that particular project.

If the gross income and earned interest are not used for additional acquisition, habitat rehabilitation, operation, or maintenance of the project, such income and interest shall be returned to the State, and/or the amount of the State grant shall be reduced by the amount of such income and interest.

Gross income includes the fair market value of real and/or personal property, or personal services received in exchange for non-recreational activity conducted on the land acquired and/or to be rehabilitated.

Accounting Requirements

The applicant must maintain an accounting system that accurately reflects fiscal transactions, with the necessary controls and safeguards. This system should provide good audit trails, especially the source of original documents such as receipts, progress payments, invoices, time cards, etc. The system must also provide accounting data so the total cost of each individual project can be readily determined. These records must be retained for a period of three years after final payment is made by the state. AVOID AUDIT EXCEPTIONS - KEEP ACCURATE RECORDS

Eligible Costs

Only project-related costs associated with an eligible program activity incurred during the project performance period specified in the grant agreement can be funded. All such costs must be supported by appropriate invoices, purchase orders, canceled warrants, and other records. Any funds spent for non-acquisition or non-construction purposes reduce the amount of usable facilities available for public use. Therefore, no more than 20% of grant funds shall be spent on eligible non-construction or non-acquisition costs such as administration, preparation of plans and specifications, appraisals, etc.

1. Preliminary costs - Preliminary project costs (e.g., construction plans, appraisals, acquisition negotiations, etc.) incurred after the date of appropriation (i.e., passage of the State Budget that includes the project) are eligible, provided that an agreement for the project is executed by the state and the applicant.

2. Personnel or employee services - Services of the applicant's employees directly engaged in project execution are eligible costs. These costs must be computed according to the applicant's prevailing wage or salary scales, and may include fringe benefit costs such as vacations, sick leave, social security contributions, etc. that are customarily charged to the applicant's various projects. Costs charged to the project must be computed on actual time spent on a project, and supported by time and attendance records describing the work performed on the project. Overtime costs may be allowed under the applicant's established policy, provided that the regular work time was devoted to the same project.
Salaries and wages claimed for employees working on State grant funded projects must not exceed the applicant's established rates for similar positions.

3. Consultant services - The costs of consultant services necessary for the project are eligible. Consultants must be paid by the customary or established method and rate of the applicant.

No consultant fee may be paid to the applicant's own employees without prior approval or unless specifically agreed to by the State.

4. Construction equipment - Equipment owned by the applicant may be charged to the project for each use. Equipment use charges must be made in accordance with the applicant's normal accounting practices. The equipment rental rates published by the State Department of Transportation may be used as a guide.

If the applicant's equipment is used, a report or source document must describe the work performed, indicate the hours used, relate the use to the project, and be signed by the operator and supervisor.

Equipment may be leased, rented, or purchased, whichever is most economical. If equipment is purchased, its residual market value must be credited to the project costs on completion.

5. Construction supplies and materials - Supplies and materials may be purchased for a specific project or may be drawn from a central stock, providing they are claimed at a cost no higher than that paid by the applicant. When supplies and/or materials are purchased with the intention of constructing a piece of equipment, a structure or a part of a structure, the costs that are charged as supplies and materials may be capitalized according to the applicant's normal practice or policy. If capitalized, only that cost reasonably attributable to the project may be claimed under the project.

6. Signs and interpretive aids - The cost of signs, display boards, or other minor interpretive aids relating to the project are eligible.

7. Construction - The cost of all necessary construction activities, from site preparation (including demolition, excavation, grading, etc.) to the completion of a structure or facility is eligible.

8. Acquisition - Costs of acquiring real property are eligible and may include the purchase price of the property, appraisals, surveys, preliminary title reports, escrow fees, title insurance fees, and court costs of condemnation.

9. Relocation costs - Relocation costs are allowable for projects that result in displacement of any person and/or business. The applicant must comply with the requirements of the State Relocation Act (Chapter 16 Government Code, Section 7260 et seq.), even if relocation costs are not claimed for reimbursement.

10. Fixed Equipment - Purchase of equipment that is affixed permanently to the property in question. An example is an **electrical centrifugal pump on the water distribution system.**

11. Other expenditures - In addition to the major categories of expenditures, reimbursements may be made for miscellaneous costs necessary for execution of the project. Some of these costs are:

    a. Communications (such as telephone, telegrams, letters, etc.)

    b. Premiums on hazard and liability insurance to cover personnel and/or property

    c. Work performed by another section or department of the applicant's agency

    d. Transportation costs for moving equipment and/or personnel

PROJECT COMPLETION

There are a number of cost-supporting documents needed after project completion. See Appendix E, Project Completion package, for a complete list of the items that must be submitted to close a project and receive final payment.

STATE AUDIT

After completion of the project, the state may audit the project records. The purpose of the audit is to verify that project expenditures were properly documented. The audit would normally be requested by the state after the final payment request has been received, all project transactions have been completed, and the necessary payments have been made by the applicant.

If your project is selected for audit, you will be contacted in advance. The audit should include all books, papers, accounts, documents, or other records of the applicant, as they relate to the acquisition or development project for which state funds were granted. Projects may be audited at any time up to three years after project completion. **Project completion is when the participant has received final grant payment from the State on the project.**

To expedite the audit, the applicant should have the project records, including the source documents and canceled warrants, readily available. The applicant should also provide an employee having knowledge of the project and the accounting procedure or system to assist the state auditor. The applicant shall provide a copy of any document, paper, record, or the like requested by the state auditor.

Records must be retained by the applicant for a period of three years after final payment is made by the State. If your project is audited, project records must be retained for a period of not less than one year after the State audit or final disposition of any disputed audit findings.

APPENDIX A
APPLICATION FORM

CALIFORNIA WILDLIFE PROTECTION ACT OF 1990
HABITAT CONSERVATION FUND PROGRAM APPLICATION

THIS FORM AND REQUIRED ATTACHMENTS MUST BE SUBMITTED FOR EACH PROJECT SITE

PROGRAM TYPE *(check one below)*

☐ Deer Lion ☐ Wetlands ☐ Anadromous and Trout
☐ RTEP ☐ Riparian ☐ Trails and Programs

PROJECT NAME	AMOUNT OF GRANT REQUESTED *(minimum grant — $20,000 except trails)* $	
	ESTIMATED TOTAL PROJECT COST *(State grant and other funds)* $	
GRANT APPLICANT *(agency and address, include zip code)*	COUNTY	NEAREST CITY
	PROJECT ADDRESS	
	NEAREST CROSS STREET	
	SENATE DISTRICT NO.	ASSEMBLY DISTRICT NO.
GRANT APPLICANT'S REPRESENTATIVE AUTHORIZED IN RESOLUTION *(name typed)*	TITLE	PHONE
PERSON WITH DAY-TO-DAY RESPONSIBILITY FOR PROJECT IF DIFFERENT FROM AUTHORIZED REPRESENTATIVE *(name typed)*	TITLE	PHONE

BRIEF DESCRIPTION OF PROJECT

For Development projects, Land Tenure-Project is _____ acres.	For Acquisition projects, Project land will be _____ acres.
_____ Acres owned in fee simple by Grant Applicant.	_____ Acquired in fee simple by Grant Applicant.
_____ Acres available under a _____ year lease.	_____ Acquired in other than fee simple *(explain)* _____
_____ Acres other interest *(explain)* _____	_____

I certify that the information contained in this project application form, including required attachments, is accurate and that I have read and understand the important information and assurances on the reverse of this form.

SIGNED _____ _____
Grant Applicant's Authorized Representative as shown in Resolution Date

DPR 879 (New 8/91) (Front)

IMPORTANT

Before you incur costs against the grant, the funds must be appropriated by the Legislature. All requirements must be met and an agreement signed before any funds will be disbursed.

An audit may be performed before or after final payment.

An Application for grant funds consists of one copy each of the following:

1. Application Form.
2. Authorizing Resolution from governing body.
3. Environmental Impact Report or Negative Declaration along with a response from the State Clearinghouse; and a copy of the Notice of Determination filed with, and stamped by, the County Clerk; and documentation that the Department of Fish and Game CEQA fee was paid or is not applicable; or a copy of the Notice of Exemption on file with the County Clerk if the project is categorically exempt.
4. Project location map (city or county) with enough detail to allow a person unfamiliar with the area to locate the project.
5. Evidence of adequate land tenure (lease, joint powers agreement, etc.) for development projects.
6. Acquisition map showing exterior boundaries and parcel numbers.
7. Site plan showing location of specific facilities to be developed (development projects).
8. Acquisition Schedule showing each parcel to be acquired (acquisition projects).
9. Cost Estimate (development projects).
10. Indication of amount, type and source of funds above grant provided by applicant.
11. Permit or comments from the following, if applicable:

    State Lands Commission

    San Francisco Bay Conservation and Development Commission (BCDC)

    Coastal Commission

    Corps of Engineers
12. All leases, agreements, etc., affecting project lands or the operation and maintenance thereof.
13. Completed project proposal.
14. Photos of project site.

ASSURANCES

Applicant possesses legal authority to apply for the grant, and to finance, acquire, and construct the proposed project; that a resolution, motion or similar action has been duly adopted or passed as an official act of the applicant's governing body authorizing the filing of the application, including all understandings and assurances contained therein, and directing and authorizing the person identified as the official representative of the applicant to act in connection with the application and to provide such additional information as may be required.

Applicant will maintain and operate the property acquired, developed, rehabilitated, or restored with the funds in perpetuity. With the approval of the granting agency, the applicant or its successors in interest in the property may transfer the responsibility to maintain and operate the property in accordance with Section 5919 of the Public Resources Code.

Applicant will use the property only for the purposes of the California Wildlife Protection Act of 1990 and to make no other use, sale, or other disposition of the property except as authorized by specific act of the Legislature.

Applicant will give the State's authorized representative access to and the right to examine all records, books, papers, or documents related to the grant.

Applicant will cause work on the project to be commenced within a reasonable time after receipt of notification from the State that funds have been approved and that the project will be prosecuted to completion with reasonable diligence.

Applicant will comply where applicable with provisions of the California Environmental Quality Act and the California Relocation Assistance Act, and any other state, and/or local laws, rules and/or regulations.

APPENDIX B
PROJECT PROPOSAL

PROJECT PROPOSAL

The information provided in the project proposal will permit (DPR) to evaluate projects relative to other competing grant projects. In addition to striving for objectivity and uniformity in the application of the **ranking** criteria, DPR will make every effort to ensure the geographic spread of grant funds throughout the state.

There are six project categories eligible for funding:

Please provide a written narrative answering each question or statement as it pertains to your project **for each major heading** in the order presented in the following outline:

MAJOR HEADINGS OF THE PROJECT PROPOSAL NARRATIVE:

A. BASIC ELIGIBILITY
B. ACTION TO BE TAKEN**
C. ORGANIZATIONAL CAPABILITY
D. PROJECT READINESS
E. NEED FOR THE PROJECT

** MAPS & SITE PLANS will be required with each separate proposal. You are asked to describe the specific work to be accomplished for restoration and enhancement projects and relate it to specific areas on the site plan. For acquisition projects you are asked to show the acres to be acquired on a parcel map.

TURN TO THE SECTION FOR THE TYPE OF PROJECT WHICH DESCRIBES YOUR PROPOSAL AND RESPOND TO EACH QUESTION OR REQUESTED INFORMATION:

DEER/MOUNTAIN LION HABITAT
(Acquisition Only)

I. BASIC ELIGIBILITY

Are you authorized by statute to operate and manage park, recreation facilities, open space or wildlife areas?

II. ACTION TO BE TAKEN

Describe the number of parcels and acres to be acquired and any unusual or unique circumstances that may impact the acquisition.

III. ORGANIZATIONAL CAPABILITY

1. What is your experience in administering grants?

2. What is your experience in operating/maintaining this type of project or other similar recreation or wildlife area projects?

3. How do you propose to maintain and operate the project?

IV. PROJECT READINESS

1. How soon after funds become available can the project be started? What is your projected date for project completion?

2. Acquisition:

   a. Is there a willing seller?

   b. Does an appraisal of the property exist?

   c. Do you have an option to purchase?

   d. Do you have a preliminary title report?

V. NEED FOR THE PROJECT

This section will be divided into two parts. The first part must address the community's need for the project. The second part must address the biological or wildlife habitat justification for the project.

1. Community Need

a. Why should this particular project be funded?

b. Is there a deficiency of similar opportunities?

c. Is there support for the project (citizen involvement, donated land or materials, volunteer labor, outside funds, letters of support)?

d. Is the project consistent with state, regional or local plans?

e. Does the project connect to or compliment other recreation or wildlife areas of facilities?

f. Describe public access to the project site and any barriers to public access.

2. Wildlife Habitat Justification

The applicant is requested to consult with the California Department of Fish and Game Regional Wildlife Biologist for the area. Please see the attached map and telephone numbers. For the following questions, please list the response from the Department of Fish and Game Biologist that was consulted.

A. Describe the occurrence of mountain lions in the project area.

B. Describe how the proposal encompasses a geographical area which contributes significantly to the maintenance of a relatively large number of deer and/or lions; or describe how the proposal encompasses an area critical to the maintenance of an isolated and/or declining population of deer and/or mountain lions.

C. Indicate if the proposal will protect or establish a clearly-defined and discrete corridor(s) linking two or more separate and significant deer/lion habitat areas.

D. Describe the specific environmental element(s) at the project site known to be critically important to the maintenance of current deer and/or lion population levels.

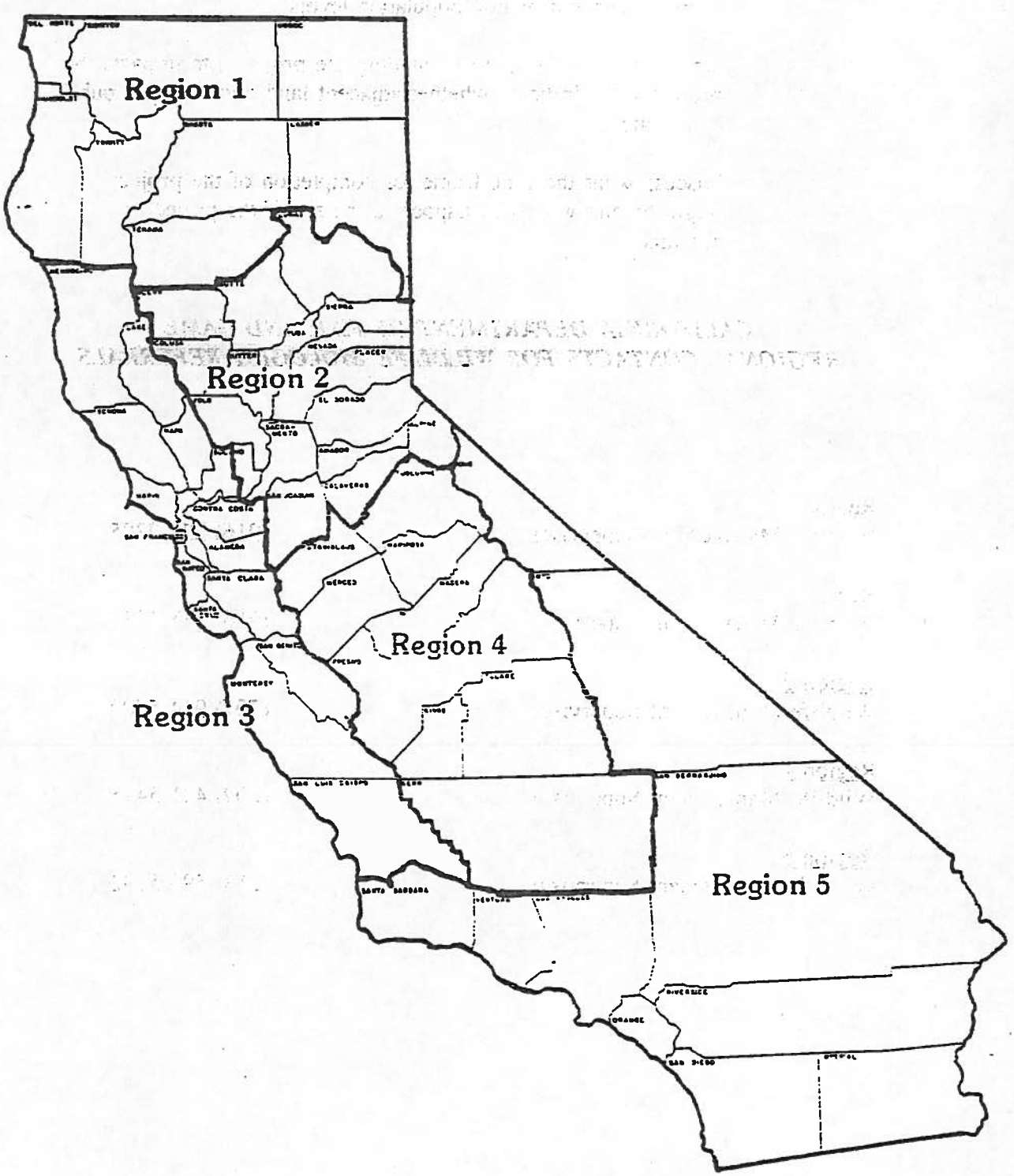
E. Describe how the land surrounding the project site impacts the project site. Indicate whether adjacent land ownership is public or private.

F. Discuss what the time frame for completion of the project might be and what will happen to the site if the project is not funded.

CALIFORNIA DEPARTMENT OF FISH AND GAME REGIONAL CONTACTS FOR WILDLIFE BIOLOGIST REFERRALS

Region 1 Wildlife Management Supervisor	(916) 225-2305
Region 2 Wildlife Management Supervisor	(916) 355-7010
Region 3 Wildlife Management Supervisor	(707) 944-5500
Region 4 Wildlife Management Supervisor	(209) 421-5415
Region 5 Wildlife Management Supervisor	(213) 590-5132

DEPARTMENT OF FISH AND GAME
REGIONS



RARE, ENDANGERED, THREATENED OR FULLY PROTECTED SPECIES

(Acquisition Only)

I. BASIC ELIGIBILITY

Are you authorized by statute to operate and manage park, recreation facilities, open space or wild life areas?

II. ACTION TO BE TAKEN

Describe the number of parcels and acres to be acquired and any unusual or unique circumstances that may impact the acquisition.

III. ORGANIZATIONAL CAPABILITY

1. What is your experience in administering grants?

2. What is your experience in operating/maintaining this type of project or other similar recreation or wildlife area projects?

3. How do you propose to maintain and operate the project?

IV. PROJECT READINESS

1. How soon after funds become available can the project be started? What is your projected date for project completion?

2. Acquisition:

   a. Is there a willing seller?

   b. Does an appraisal of the property exist?

   c. Do you have an option to purchase?

   d. Do you have a preliminary title report?

V. NEED FOR THE PROJECT

This section will be divided into two parts. The first part must address the community's need for the project. The second part must address the biological or wildlife habitat justification for the project.

1. Community Need

   a. Why should this particular project be funded?

   b. Is there a deficiency of similar opportunities?

   c. Is there support for the project (citizen involvement, donated land or materials, volunteer labor, outside funds, letters of support)?

   d. Is the project consistent with state, regional or local plans?

   e. Does the project connect to or compliment other recreation or wildlife areas of facilities?

   f. Describe public access to the project site and any barriers to public access.

2. Wildlife Habitat Justification

   Identify and discuss the species or community of species that this project proposal will protect. Be sure to name all of the rare, endangered, threatened or fully protected species in the project area.

   Identify the location on the project map of known sightings of the subject species within the area to be acquired. Justify areas to be acquired under the proposal beyond the immediate areas of the known sighting's.

   A. Element Rarity

   Discuss the classification of rarity assigned by the Natural Heritage Division of the California Department of Fish and Game and check one of the following:

   ___ Only known or last remaining occurrence
   ___ Listed species or species of rank s1 or s2
   ___ Species of special concern

B. *Habitat Quality*

Discuss the condition of the habitat and, if it is highly degraded, what is needed to restore it.

C. *Management Costs*

Discuss cost of operation and maintenance of the site and cost of any restoration needed.

D. *Corridors*

Describe how the project may provide a corridor linking the threatened and endangered habitat inholding to other protected areas.

E. *Threat of Loss or Degradation*

Describe the threat or loss that might occur within the project area if this project is not funded.

WETLAND HABITAT

(Acquisition or Enhancement/Restoration)

I. BASIC ELIGIBILITY

Are you authorized by statute to operate and manage park, recreation facilities, open space or wild life areas?

II. ACTION TO BE TAKEN

Describe the specific work to be accomplished for restoration and enhancement projects and relate it to specific areas on the site plan; or, for acquisition projects describe the number of parcels and acres to be acquired and any unusual or unique circumstances that may impact the acquisition.

III. ORGANIZATIONAL CAPABILITY

1. What is your experience in administering grants?

2. What is your experience in operating/maintaining this type of project or other similar recreation or wildlife area projects?

3. How do you propose to maintain and operate the project?

IV. PROJECT READINESS

1. How soon after funds become available can the project be started? What is your projected date for project completion?

2. For restoration or enhancement projects, have construction or landscape planting plans already been prepared?

3. For acquisition:

   a. Is there a willing seller?

   b. Does an appraisal of the property exist?

   c. Do you have an option to purchase?

   d. Do you have a preliminary title report?

V. NEED FOR THE PROJECT

This section will be divided into two parts. The first part must address the community's need for the project. The second part must address the biological or wildlife habitat justification for the project.

1. Community Need

a. Why should this particular project be funded?

b. Is there a deficiency of similar opportunities?

c. Is there support for the project (citizen involvement, donated land or materials, volunteer labor, outside funds, letters of support)?

d. Is the project consistent with state, regional or local plans?

e. Does the project connect to or compliment other recreation or wildlife areas of facilities?

f. Describe public access to the project site and any barriers to public access.

2. Wildlife Habitat Justification

For comparison against acquisition projects, proposals that will be for restoration or enhancement will be evaluated as if the project was successfully completed.

Wetlands, by their nature, undergo varying degrees of stress through alternate inundation and drying cycles. To address the qualitative issue, the applicant is requested to describe the wetland type (i.e. fresh water marsh, salt water marsh, vernal pool, etc.) and the condition of the wetlands to be protected.

A. Using the guidelines listed below, please discuss the quality of the current wetland vegetation[2] or

B. Describe the vegetation that will exist as a result of project completion.

C. Discuss Significant Attributes of the project site as they apply to the following:

1. Supports listed threatened and endangered species

2. Provides a corridor linking two or more marshes

---

[2] The quality of vegetation expected to result from riparian habitat restoration and creation proposals may only be assessed if very thorough planning efforts have been completed and documented, annual vegetation monitoring is guaranteed and remedial measures are guaranteed to assure attainment of habitat goals.

Although the categories of wetland habitat quality are essentially subjective, the description provided below may be used as a guide:

High Quality- Wetland vegetation is mature and thriving; no signs of stress from insufficient water availability, elevated soil salinity, poor water quality of disease are visible. Stands of vegetation are at maximum natural densities and are broken due only to natural factors such as length of submergence, depth of submergence, ground elevations, soil types or inter-specific competition. Endemic wildlife populations are at maximum sustained levels.

Moderate Quality- Wetland vegetation is in generally good condition. The marsh is viable and capable of supporting stable populations of endemic wildlife at somewhat below maximum levels. Some of the adverse conditions described above are present, but are not severely degrading the overall quality of the marsh. Small areas may be devoid of vegetation or support degraded stands of plants due to human impacts.

Low Quality- Wetland vegetation is clearly degraded due to some or all of the adverse conditions listed above. The wetland is not capable of supporting significant populations of endemic wildlife. The condition of the marsh is obviously of poor quality compared to common examples of similar habitat.

3. Adjacent to existing marsh

4. Supports relatively high populations of wildlife (seasonally or year round)

5. Adjacent land use is permanent and compatible or adequate buffer zones will be established

6. Proposal will restore or enhance marsh habitat

D. Discuss any existing or potential threats to the project site and what will happen if the project is not funded.

RIPARIAN HABITAT

(Acquisition or Enhancement/Restoration)

I. BASIC ELIGIBILITY

Are you authorized by statute to operate and manage park, recreation facilities, open space or wild life areas?

II. ACTION TO BE TAKEN

Describe the specific work to be accomplished and relate it to specific areas on the site plan; or, for acquisition projects describe the number of parcels and acres to be acquired and any unusual or unique circumstances that may impact the acquisition.

III. ORGANIZATIONAL CAPABILITY

1. What is your experience in administering grants?

2. What is your experience in operating/maintaining this type of project or other similar recreation or wildlife area projects?

3. How do you propose to maintain and operate the project?

IV. PROJECT READINESS

1. How soon after funds become available can the project be started? What is your projected date for project completion?

2. For restoration or enhancement projects, have construction or landscape planting plans already been prepared?

3. For acquisition:

   a. Is there a willing seller?

   b. Does an appraisal of the property exist?

c. Do you have an option to purchase?

d. Do you have a preliminary title report?

V. NEED FOR THE PROJECT

This section will be divided into two parts. The first part must address the community's need for the project. The second part must address the biological or wildlife habitat justification for the project.

1. Community Need

   a. Why should this particular project be funded?

   b. Is there a deficiency of similar opportunities?

   c. Is there support for the project (citizen involvement, donated land or materials, volunteer labor, outside funds, letters of support?

   d. Is the project consistent with state, regional or local plans?

   e. Does the project connect to or compliment other recreation or wildlife areas of facilities?

   f. Describe public access to the project site and any barriers to public access.

2. Wildlife Habitat Justification

   Many different community types exist within the category "Riparian." The criteria favors multi-storied riparian habitat which covers wide areas over narrow, sparsely covered riparian community types. For enhancement or restoration projects answer the questions with the enhanced or restored project in mind.

A. Quality of Current or Planned Riparian Vegetation[3]

1. To describe the combined width of forested strips (both sides of waterway); please check only one of the following:

   201 feet + ___
   100 - 200 ft. ___
   < 100 feet ___

2. Please list all trees and shrubs (woody plants) in the project site.

3. Describe the vertical stratification of vegetation which are located within the project proposal.

B. Discuss Significant Attributes at the project site as they apply to the following:

1. Supports at least one threatened or endangered species (please identify each species).

2. Provides a corridor linking two or more significant habitat areas.

3. Adjacent to significant protected habitat.

4. Adjacent land use is permanent and compatible or adequate buffer zones will be established.

5. Associated waterway flows year-round and supports native fish

6. Proposal will restore or enhance riparian habitat.

7. Describe any existing or potential threats to the project site or area and what will happen if the project is not funded.

---

[3] The quality of vegetation expected to result from riparian habitat restoration and creation proposals may only be assessed if very thorough planning efforts have been completed and documented, annual vegetation monitoring is guaranteed, and remedial measures are guaranteed to assure attainment of habitat goals.

ANADROMOUS SALMONIDS/TROUT HABITAT

(Acquisition or Enhancement/Restoration)

I. BASIC ELIGIBILITY

Are you authorized by statute to operate and manage park, recreation facilities, open space or wild life areas?

II. ACTION TO BE TAKEN

Describe the specific work to be accomplished for restoration and enhancement projects and relate it to specific areas on the site plan; or, for acquisition projects describe the number of parcels and acres to be acquired and any unusual or unique circumstances that may impact the acquisition.

III. ORGANIZATIONAL CAPABILITY

1. What is your experience in administering grants?

2. What is your experience in operating/maintaining this type of project or other similar recreation or wildlife area projects?

3. How do you propose to maintain and operate the project?

IV. PROJECT READINESS

1. How soon after funds become available can the project be started? What is your projected date for project completion?

2. For restoration or enhancement projects, have construction plans already been prepared?

3. For acquisition:

    a. Is there a willing seller?

    b. Does an appraisal of the property exist?

    c. Do you have an option to purchase?

    d. Do you have a preliminary title report?

V. NEED FOR THE PROJECT

This section will be divided into two parts. The first part must address the community's need for the project. The second part must address the biological or wildlife habitat justification for the project.

1. Community Need

   a. Why should this particular project be funded?

   b. Is there a deficiency of similar opportunities?

   c. Is there support for the project (citizen involvement, donated land or materials, volunteer labor, outside funds, letters of support?

   d. Is the project consistent with state, regional or local plans?

   e. Does the project connect to or compliment other recreation or wildlife areas of facilities?

   f. Describe public access to the project site and any barriers to public access.

2. Wildlife Habitat Justification

   The applicant is required to identify the targeted anadromous or trout species which will be the primary beneficiary of the project proposal and discuss the following:

   A. *Essential Conditions*

      Identify the salmon or trout species that will benefit from the project and describe their occurrence at the project site.

   B. *Native Fish Community*

      Identify all native fish species located at the project site

C. *Water Source* (check one of the following)

___ Guaranteed in-stream flow through the project site is not subject to appropriation, or stream is not regulated

___ Upstream is not regulated but downstream is regulated

___ In-stream flow is regulated and subject to appropriation

D. *Habitat Conditions*

Migratory barriers and restrictions should include any suspected or known thermal barriers and dry stream channels as well as physical obstructions.

1. Stream access (check one)

___ Access in the stream for fish is unrestricted upstream & downstream

___ Access in the stream for anadromous fish is restricted upstream, but downstream access is open

___ Trout access either up or down is restricted

___ Trout access restricted both upstream and downstream

___ Downstream access restricted for anadromous fish

2. Pollution (check one answer) and describe how the project may change existing or potential pollution problems.

___ No known pollution of project site

___ Known or suspected pollution of project site including thermal influence

3. Stream dynamics (check one answer)

___ Stream section contains riffles, runs and pools

___ Stream section contains riffles and runs

___ Stream section contains runs

4. Stream Volume

Describe in-stream flow of water at the project site. Include water source, volume and seasonal flows.

5. Bottom Profile

Describe or diagram bottom profile of existing and proposed project site including gravel, cobbles, bedrock, silt, sand, etc.

6. Impact of Flood Management (check one answer)

___ Project area not managed as flood control channel

___ Project area managed for flood control purposes

7. Aquatic Diversity Structures

Describe the large organic debris (LOD) or boulders that exist or will be placed in the project area.

8. Buffer Areas

Describe the ownership pattern and land use on each side of the project. On a map indicate the above for each parcel adjacent to the project site.

Tie Breaker

Projects that involve proven techniques for restoration are preferable to projects proposing to use experimental methods.

TRAILS, PROGRAMS, URBAN ACCESS

(Acquisition or Development)

These projects involve different purposes that will be scored together using a sliding scale. The scoring will be applied by a project officer for each proposal within their geographical area. A committee will rank the top proposals from each project officer on a paired comparison basis to obtain a rank ordered list statewide for the available funds in this category.

I. BASIC ELIGIBILITY

Are you authorized by statute to operate and manage park, recreation facilities, open space or wild life areas?

II. ACTION TO BE TAKEN

Describe the specific work to be accomplished for the proposal and relate it to specific areas on the site plan for trails; or, for trail acquisition projects describe the number of parcels and acres to be acquired and any unusual or unique circumstances that may impact the acquisition; or, for programs describe how the project will provide for increased access to park, recreation or wildlife areas.

III. ORGANIZATIONAL CAPABILITY

1. What is your experience in administering grants?

2. What is your experience in operating/maintaining this type of project or other similar recreation or wildlife area projects?

3. How do you propose to maintain and operate the project?

IV. PROJECT READINESS

1. How soon after funds become available can the project be started? What is your projected date for project completion?

2. For development projects, have construction plans already been prepared? For programs, has a time schedule and flow chart been developed?

3. For acquisition:

   a. Is there a willing seller?

   b. Does an appraisal of the property exist?

   c. Do you have an option to purchase?

   d. Do you have a preliminary title report?

V. NEED FOR THE PROJECT

This section will be divided into two parts. The first part must address the community's need for the project or program. The second part must address the relationship of the project to wildlife habitat.

1. Community Need

   a. Why should this particular project be funded?

   b. Is there a deficiency of similar opportunities?

   c. Is there support for the project (citizen involvement, donated land or materials, volunteer labor, outside funds, letters of support)?

   d. Is this project consistent with state, regional or local plans?

   e. Does the project connect to or compliment other recreation or wildlife areas of facilities.

   f. Describe public access to the project site and any barriers to public access.

2. Wildlife Habitat Justification

   The applicant is required to identify how the project will increase the public's awareness and use of park, recreation or wildlife areas.

APPENDIX C
SAMPLE RESOLUTION

SAMPLE RESOLUTION

Resolution No:_____

RESOLUTION OF THE__(Title of Governing Body/City Council, Board of Supervisors)__ OF_____(City, County, District)_____ APPROVING THE APPLICATION FOR GRANT FUNDS FOR THE LOCAL AGENCY GRANT PROGRAM - FISCAL YEAR ____ UNDER THE HABITAT CONSERVATION FUND PROGRAM OF THE CALIFORNIA WILDLIFE PROTECTION ACT OF 1990 for the following project(s).

_____ _____

_____ _____

(Attach separate sheet for additional projects)

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

WHEREAS, the State Department of Parks and Recreation has been delegated the responsibility for the administration of a portion of the program within the State, setting up necessary procedures governing application by local agencies under the program; and

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

WHEREAS, said application(s) contain assurances that the applicant must comply with; and

WHEREAS, the applicant will enter into an agreement with the State of California for acquisition or development of the project(s);

NOW, THEREFORE, BE IT RESOLVED that the__(Title of Governing Body)__ hereby:

1. Approves the filing of an application for the Habitat Conservation Fund Grant Program under the California Wildlife Protection Act of 1990 State grant assistance for the above project(s); and

2. Certifies that said applicant understands the assurances and certification in the application form; and

3. Certifies that said applicant has or will have available prior to commencement of any work on the project(s) included in this application, the required match; and will have sufficient funds to operate and maintain the project(s); and

4. Appoints the _____(Title - not name)_____ as agent of the (City, County or District) to conduct all negotiations, execute and submit all documents, including, but not limited to applications, agreements, amendments, payment requests and so on, which may be necessary for the completion of the aforementioned project(s).

Approved and Adopted the _____day of _____, 19___.

I, the undersigned, hereby certify that the foregoing Resolution Number_____was duly adopted by the (City Council, Board of Supervisors, District Board of Governing Body) following roll call vote:

Ayes:

Noes:

Absent:

_____
(Clerk)

APPENDIX D
PAYMENT REQUEST FORM

State of California — The Resources Agency
DEPARTMENT OF PARKS AND RECREATION

PAYMENT REQUEST

State Grant Programs

See instructions on reverse.

1. PROJECT NUMBER

2. CONTRACT NUMBER

___ ___ – ___ ___ – ___ ___ ___

3. APPLICANT

4. PROJECT TITLE

5. TYPE OF PAYMENT

☐ Advance ☐ Reimbursement ☐ Final

6. PAYMENT INFORMATION

(ROUND ALL FIGURES TO THE NEAREST DOLLAR)

a. Grant Project Amount $ _____

b. Funds Received To Date $ _____

c. Available *(a. minus b.)* $ _____

d. Amount Of This Request $ _____

e. Remaining Funds After This Payment *(c. minus d.)* $ _____

7. SEND WARRANT TO

AGENCY NAME

STREET ADDRESS

CITY/STATE/ZIP CODE

ATTENTION

8. SIGNATURE OF PERSON AUTHORIZED IN RESOLUTION	TITLE	DATE
▶		

FOR CALIFORNIA DEPARTMENT OF PARKS AND RECREATION USE ONLY

PAYMENT APPROVAL SIGNATURE	DATE
▶	

DPR 212 (Rev. 2/91) (Front)

SEE INSTRUCTIONS ON REVERSE

PAYMENT INSTRUCTIONS

One Payment Request Form must be submitted for each grant project

The following instructions are keyed to corresponding items on the Payment Request Form:

1. PROJECT NUMBER — The number assigned by the State to this project.
2. CONTRACT NUMBER — As shown in the Certification of Funding section of the project agreement.
3. APPLICANT — Agency name as shown on the project agreement.
4. PROJECT TITLE — Title of project for which payment is requested.
5. TYPE OF PAYMENT — Check appropriate box.
6. PAYMENT INFORMATION
   - (a) Grant Project Amount — The amount of state grant funds assigned to this project.
   - (b) Funds Received to Date — Total amount already received for this project.
   - (c) Available — (a. minus b.)
   - (d) Amount of This Payment Request — Amount that is being requested.
   - (e) Remaining Funds After This Payment — (c. minus d.)
7. SEND WARRANT TO — Agency name, address and contact person.
8. SIGNATURE OF PERSON AUTHORIZED IN RESOLUTION — Must be an original signature by the person authorized in the application resolution.

APPENDIX E
PROJECT COMPLETION PACKET

PROJECT COMPLETION
STATE PARK GRANT PROGRAMS

This packet will assist in the preparation of documents necessary to complete State grant 40 projects. Any questions should be directed to your project officer.

1. READ ALL MATERIALS IN THIS PACKET. Share it with individuals who will be preparing the financial documents.

2. Use this packet for all State grant programs. Make copies of the forms as needed.

3. FORMS: The forms in this packet have been designed for your convenience. You may elect to use another format provided that all requested information is presented in a clear and concise manner.

4. REMEMBER, YOU ARE REQUIRED TO KEEP SOURCE DOCUMENTS FOR ALL EXPENDITURES RELATED TO EACH GRANT FOR AT LEAST THREE YEARS FOLLOWING PROJECT COMPLETION. A project is considered complete upon receipt of final grant payment from the State.

5. The specific State grant program procedural guide provides further information on project administration.

6. Photos of completed development projects are needed.

PROJECT COMPLETION CHECKLIST

Please submit the following documentation to receive final payment for the grant project. Incomplete documentation may result in a delayed payment.

REQUIRED:

1. Payment Request Form (attached) - One copy of the payment request form, DPR 212, signed by person authorized in application resolution.

2. Project Certification Form (attached) - Insure that the form is completely filled out and signed by the agency representative responsible for fiscal accountability.

3. Project Costs Summary Form (attached) - Use this form for final payment requests and reimbursement requests to summarize all project costs. Include warrant number, date, recipient, purpose (i.e. construction contract, fencing materials) and amount.

IF APPLICABLE:

4. Labor Costs Summary Form (attached) - Summarize any in-house labor costs charged to the project; the summary should note the location of source documentation to verify the summary (i.e., journal voucher number, work authorization, etc.). You may claim standard hourly wages plus benefits; no overhead.

5. Equipment Cost Summary Form (attached) - Include type of equipment, dates, amount, work performed. Indicate how the rate was obtained (i.e., Department of Transportation standards)

State of California — The Resources Agency
DEPARTMENT OF PARKS AND RECREATION

PAYMENT REQUEST

State Grant Programs

See instructions on reverse.

1. PROJECT NUMBER

2. CONTRACT NUMBER

___ ___ – ___ ___ – ___ ___ ___

3. APPLICANT

4. PROJECT TITLE

5. TYPE OF PAYMENT

☐ Advance ☐ Reimbursement ☐ Final

6. PAYMENT INFORMATION

(ROUND ALL FIGURES TO THE NEAREST DOLLAR)

a. Grant Project Amount $

b. Funds Received To Date $

c. Available *(a. minus b.)* $

d. Amount Of This Request $

e. Remaining Funds After This Payment *(c. minus d.)* $

7. SEND WARRANT TO

AGENCY NAME

STREET ADDRESS

CITY/STATE/ZIP CODE

ATTENTION

8. SIGNATURE OF PERSON AUTHORIZED IN RESOLUTION ▶

TITLE

DATE

FOR CALIFORNIA DEPARTMENT OF PARKS AND RECREATION USE ONLY

PAYMENT APPROVAL SIGNATURE ▶

DATE

DPR 212 (Rev. 2/91) (Front)

SEE INSTRUCTIONS ON REVERSE

PAYMENT INSTRUCTIONS

One Payment Request Form must be submitted for each grant project

The following instructions are keyed to corresponding items on the Payment Request Form:

1. PROJECT NUMBER — The number assigned by the State to this project.
2. CONTRACT NUMBER — As shown in the Certification of Funding section of the project agreement.
3. APPLICANT — Agency name as shown on the project agreement.
4. PROJECT TITLE — Title of project for which payment is requested.
5. TYPE OF PAYMENT — Check appropriate box.
6. PAYMENT INFORMATION
   - (a) Grant Project Amount — The amount of state grant funds assigned to this project.
   - (b) Funds Received to Date — Total amount already received for this project.
   - (c) Available — (a. minus b.)
   - (d) Amount of This Payment Request — Amount that is being requested.
   - (e) Remaining Funds After This Payment — (c. minus d.)
7. SEND WARRANT TO — Agency name, address and contact person.
8. SIGNATURE OF PERSON AUTHORIZED IN RESOLUTION — Must be an original signature by the person authorized in the application resolution.

PROJECT CERTIFICATION FORM

AGENCY:_____ PROJECT NUMBER:_____

AGENCY CONTACT FOR AUDIT PURPOSES: NAME:_____

ADDRESS:_____

PHONE:(_____)_____

PROJECT DESCRIPTION - List facilities developed and/or property acquired:

LIST OTHER FUNDS USED ON PROJECT (SOURCES AND AMOUNTS):

INTEREST EARNED ON ADVANCED GRANT FUNDS: $_____

HAS A NOTICE OF COMPLETION BEEN FILED? YES___ NO___
IF NO, PLEASE EXPLAIN:

CERTIFICATION:

I hereby certify that all grant funds were expended on the above named project(s) and that the project(s) is complete and we have made final payment for all work done.

_____ _____
Agency Fiscal Representative, Title Date

PROJECT COSTS SUMMARY FORM

Project Number:_____

Warrant Number	Date	Recipient	Purpose	Amount

Total Labor Costs (from attached form) $_____

Total Equipments Costs (from attached form) $_____

Grand Total $_____

LABOR COSTS SUMMARY FORM

Project Number: _____

Work Authorization #	Unit Performing Work	Dates/ Pay Period	Purpose	Amount

(Carry Total forward to Project Costs Summary Form) Total $_____

EQUIPMENT COSTS SUMMARY FORM

Project Number: _____

Type of Equipment	Dates	Work Performed	Amount

(Carry Total forward to Project Costs Summary Form)

Total $_____

APPENDIX F
PROJECT AGREEMENT

State of California — The Resources Agency
DEPARTMENT OF PARKS AND RECREATION

PROJECT AGREEMENT

HABITAT CONSERVATION FUND PROGRAM

APPLICANT _____

PROJECT TITLE _____ PROJECT NUMBER _____

PROJECT PERFORMANCE PERIOD **Date of Appropriation to June 30, 19**

Under the terms and conditions of this agreement, the applicant agrees to complete the project as described in the project description, and the State of California, acting through its Director of Parks and Recreation pursuant to the Habitat Conservation Fund Program, agrees to fund the project up to the total state grant amount indicated.

PROJECT DESCRIPTION:

Total State Grant not to exceed $ _____

_____
Applicant

By _____
Signature of Authorized Representative

Title _____

Date _____

By _____

Title _____

Date _____

The General Provisions attached are made a part of and are incorporated into the Agreement.

STATE OF CALIFORNIA
DEPARTMENT OF PARKS AND RECREATION

By _____

Date _____

CERTIFICATION OF FUNDING

CONTRACT NUMBER		FUND			
PROJECT NO.	AMOUNT OF THIS ESTIMATE	APPROPRIATION			
UNENCUMBERED BALANCE $	ITEM	CHAPTER	STATUTES	FISCAL YEAR	
ADJ. INCREASING ENCUMBRANCE $		FUNCTION			
ADJ. DECREASING ENCUMBRANCE $		LINE ITEM ALLOTMENT			
I hereby certify upon my own personal knowledge that budgeted funds are available for this encumbrance.			T.B.A. NO.	B.R. NO.	
SIGNATURE OF ACCOUNTING OFFICER			DATE		

DPR 835J (8/90)

CALIFORNIA WILDLIFE PROTECTION ACT 1990
HABITAT CONSERVATION FUND PROGRAM

Project Agreement
Special Provisions

Notwithstanding any other provision of this agreement, grant moneys shall be encumbered by the Applicant within three years of the date when the appropriation became effective. Said date of appropriation is July 1, 19 .

General Provisions

A. Definitions

1. The term "State" as used herein means the California State Department of Parks and Recreation.

2. The term "Act" as used herein means the California Wildlife Protection Act commencing with Section 2780 of the Fish and Game Code.

3. The term "Project" as used herein means the project which is described on page 1 of this agreement.

4. The term "Applicant" as used here means the party described as applicant on page 1 of this agreement.

5. The term "Application" as used herein means the individual application and its required attachments for grants pursuant to Section 2785(d) of the Fish and Game Code and submitted to the State pursuant to Section 2787(a) (3) of the Fish and Game Code.

B. Project Execution

1. Subject to the availability of grant moneys in the Act, the State hereby grants to the Applicant a sum of money (grant moneys not to exceed the amount stated on page 1 in consideration of and on condition that the sum be expended in carrying out the purposes as set forth in the Description of Project on page 1 and under the terms and conditions set forth in this agreement.

   Applicant agrees to assume any obligation to furnish any additional funds that may be necessary to complete the project. Any modification or alteration in the project as set forth in the application on file with the State must be submitted to the State for approval.

2. Applicant agrees to complete the Project in accordance with the time of project performance set forth on page 1, and under the terms and conditions of this agreement.

3. Applicant shall comply as lead agency with the California Environmental Quality Act (Public Resources Code, Section 21000, et. seq.)

4. If the Project includes development, the development plans and specifications or force account schedule shall be reviewed and approved by the State.

5. Applicant agrees to secure completion of the development work in accordance with the approved development plans and specifications or force account schedule.

6. Applicant agrees to permit periodic site visits by the State to determine if development work is in accordance with the approved plans and specifications or force account schedule, including a final inspection upon Project completion.

7. Applicant agrees to submit all significant deviations from the Project to the State for prior approval.

8. If the Project includes acquisition of real property Applicant agrees to comply with Chapter 16 (commencing with Section 7260) of Division 7 of Title 1 of the Government Code and any applicable federal, state, or local laws or ordinances. Documentation of such compliance will be made available for review upon request by the State.

9. Applicant agrees to furnish State preliminary title reports respecting such real property or such other evidence of title which is determined to be sufficient by State. Applicant agrees in negotiated purchases to correct prior to or at the close of escrow any defects of title which in the opinion of State might interfere with the operation of the Project. In condemnation actions such title defects must be eliminated by the final judgment.

10. Applicant agrees to provide for public access in accordance with the intent and provisions of the enabling legislation and/or program.

C. Project Costs

The Grant moneys to be provided Applicant under this agreement may be disbursed as follows:

1. If the Project includes acquisition of real property, the State may disburse to Applicant the grant moneys as follows, but not to exceed in any event the State grant amount set forth on page 1 of this agreement:

   a. When acquisition is through negotiated purchase, State may disburse the amount of the State approved purchase price together with State approved costs of acquisition when an escrow is opened.

   b. When acquisition is allowed pursuant to this Act through proceedings in eminent domain, State may disburse the amount of the total award as provided for in the final order of condemnation together with State approved costs of acquisition.

   c. In the event Applicant abandons such eminent domain proceedings, Applicant agrees to bear all costs in connection therewith and that no grant moneys shall be disbursed for such costs.

2. If the Project includes development, after approval by State of Applicant's plans and specifications or force account schedule and after completion of the Project or any phase or unit thereof, State may disburse to Applicant upon receipt and approval by State of a statement of incurred costs from Applicant, the amount of such approved incurred costs shown on such statement, not to exceed the State grant amount set forth on page 1 of this agreement, or any remaining portion of such grant amount to the extent of such statement.

   The statements to be submitted by Applicant shall set forth in detail the incurred or estimated cost of work performed or to be performed on development of the Project and whether performance will be by construction contract or by force account. Statements shall not be submitted more frequently than ninety day periods unless otherwise requested by State.

   Modifications of the development plans and specifications and/or force account schedule must be approved by State prior to any deviation from the State approved plans and specifications and/or force account schedule unless previously authorized by the State.

D. Project Administration

1. Applicant agrees to promptly submit such reports as the State may request.

   In any event Applicant shall provide State a report showing total final Project expenditures.

2. Applicant agrees that property and facilities acquired or developed pursuant to this agreement shall be available for inspection upon request by the State.

3. Applicant agrees to use any moneys advanced by the state under the terms of this agreement solely for the Project herein described.

4. If grant moneys are advanced, the Applicant agrees it should place such moneys in a separate interest bearing account, setting up and identifying such account prior to the advance, interest earned on grant moneys shall be used on the project or paid to the State. If grant moneys are advanced and not expended, the unused portion of the grant shall be returned to the state within 60 days of completion of the Project or end of the Project performance period, whichever is earlier.

E. Project Termination

1. Applicant may unilaterally rescind this agreement at any time prior to the commencement of the Project. After Project commencement this agreement may be rescinded, modified or amended by mutual agreement in writing.

2. Failure by the Applicant to comply with the terms of this agreement or any other agreement under the Act may be cause for suspension of all obligations of the State hereunder.

3. Failure of the Applicant to comply with the terms of this agreement shall not be cause for the suspension of all obligations of the State hereunder if in the judgment of the State such failure was due to no fault of the Applicant. In such case, any amount required to settle at minimum cost any irrevocable obligations properly incurred shall be eligible for reimbursement under this agreement.

4. Because the benefit to be derived by the State, from the full compliance by the Applicant with the terms of this agreement, is the preservation, protection and net increase in the quantity and quality of parks, public recreation facilities and/or historical resources available to the people of the State of California and because such benefit exceeds to an immeasurable and unascertainable extent the amount of money furnished by the State by way of grant moneys under the provisions of this agreement, the Applicant agrees that payment by the Applicant to the State of an amount equal to the amount of the grant moneys disbursed under this agreement by the State would be inadequate compensation to the State for any breach by the Applicant of this agreement. The applicant further agrees therefore, that the appropriate remedy in the event of a breach by the Applicant of this agreement shall be the specific performance of this agreement, unless otherwise agreed to by the State.

5. Applicant and State agree that if the Project includes development final payment may not be made until the Project conforms substantially with this agreement and is a usable facility.

F. Hold Harmless

1. Applicant agrees to waive all claims and recourse against the State including the right to contribution for loss or damage to persons or property arising from, growing out of or in any way connected with or incident to this agreement except claims arising from the concurrent or sole negligence of State, its officer, agents, and employees.

2. Applicant agrees to indemnify, hold harmless and defend State, its officers, agents and employees against any and all claims demands, damages, costs, expenses or liability costs arising out of the acquisition, development, construction, operation or maintenance of the property described as the Project which claims, demands or causes of action arise under Government Code Section 895.2 or otherwise except for liability arising out of the concurrent or sole negligence of State, its officers, agents, or employees.

3. Applicant agrees that in the event State is named as codefendant under the provisions of Government Code Section 895 et seq., the Applicant shall notify State of such fact and shall represent State in the legal action unless State undertakes to represent itself as codefendant in such legal action in which event State shall bear its own litigation costs, expenses, and attorney's fees.

4. Applicant and state agrees that in the event of judgment entered against the State and Applicant because of the concurrent negligence of the State and Applicant, their officers, agents, or employees, an apportionment of liability to pay such judgment shall be made by a court of competent jurisdiction. Neither party shall request a jury apportionment.

5. Applicant agrees to indemnify, hold harmless and defend the State, its officers, agents and employees against any and all claims, demands, costs, expenses or liability costs arising out of legal actions pursuant to items to which the Applicant has certified. Applicant acknowledges that it is solely responsible for compliance with items to which it has certified.

G. Financial Records

1. Applicant agrees to maintain satisfactory financial accounts, documents and records for the Project and to make them available to the State for auditing at reasonable times. Applicant also agrees to retain such financial accounts, documents and records for three years following project termination or completion.

   Applicant and State agree that during regular office hours each of the parties hereto and their duly authorized representatives shall have the right to inspect and make copies of any books, records or reports of the other party pertaining to this agreement or matters related thereto. Applicant agrees to maintain and make available for inspection by the State accurate records of all of its costs, disbursements and receipts with respect to its activities under this agreement.

2. Applicant agrees to use any generally accepted accounting system.

H. Use of Project Area

1. Applicant agrees that the property acquired or developed with grant moneys under this agreement shall be used by the Applicant only for the purposes of the California Wildlife Protection Act of 1990 and no other use, sale, or other disposition of the area shall be permitted except by specific act of the Legislature.

2. The Applicant agrees to maintain and operate in perpetuity the property acquired, developed, restored or enhanced with these funds.

I. Nondiscrimination

1. The Applicant shall not discriminate against any person on the basis of sex, race, color, national origin, age, religion, ancestry, or physical handicap in the use of any property or facility acquired or developed pursuant to this agreement.

2. The Applicant shall not discriminate against any person on the basis of residence except to the extent that reasonable differences in admission or other fees may be maintained on the basis of residence and pursuant to law.

3. All facilities shall be open to members of the public generally, except as noted under the special provisions of this project agreement or under provisions of the enabling legislation and/or program.

J. Application Incorporation

The Application and any subsequent change or addition approved by the State is hereby incorporated in this agreement as though set forth in full in this agreement.

K. Severability

If any provision of this agreement or the application thereof is held invalid, that invalidity shall not affect other provisions or applications of the agreement which can be given effect without the invalid provision or application, and to this end the provisions of this agreement are severable.

APPENDIX G
ANNUAL FUNDING CYCLE

The schedule below shows the project types to be funded by fiscal year. While the application deadline is in October, the fiscal year indicated is for the following July.

*STAGED GROUPING OF PROJECT TYPES FOR EACH ANNUAL APPROPRIATION**

1992/93	DEER/LION	$500,000
	RT&E	$500,000
	WETLANDS	$500,000
	RIPARIAN	$500,000
1993/94	WETLANDS	$500,000
	RIPARIAN	$500,000
	TRAILS/PROGRAMS	$500,000
	ANADROMOUS/TROUT	$500,000
1994/95	TRAILS/PROGRAMS	$500,000
	ANADROMOUS/TROUT	$500,000
	DEER/LION	$500,000
	RT&E	$500,000
1995/96	DEER/LION	$500,000
	RT&E	$500,000
	WETLANDS	$500,000
	RIPARIAN	$500,000
1996/97	WETLANDS	$500,000
	RIPARIAN	$500,000
	TRAILS/PROGRAMS	$500,000
	ANADROMOUS/TROUT	$500,000
1997/98	TRAILS/PROGRAMS	$500,000
	ANADROMOUS/TROUT	$500,000
	DEER/LION	$500,000
	RT&E	$500,000
1998/99	DEER/LION	$500,000
	RT&E	$500,000
	WETLANDS	$500,000
	RIPARIAN	$500,000

* If the amount requested for competitive applications in any one category does not equal the amount available for that category, the balance will be distributed to the other categories within that year.

1999/00	WETLANDS	$500,000
	RIPARIAN	$500,000
	TRAILS/PROGRAMS	$500,000
	ANADROMOUS/TROUT	$500,000
2000/01	TRAILS/PROGRAMS	$500,000
	ANADROMOUS/TROUT	$500,000
	DEER/LION	$500,000
	RT&E	$500,000
2001/02	DEER/LION	$500,000
	RT&E	$500,000
	WETLANDS	$500,000
	RIPARIAN	$500,000
2002/03	WETLANDS	$500,000
	RIPARIAN	$500,000
	TRAILS/PROGRAMS	$500,000
	ANADROMOUS/TROUT	$500,000
2003/04	TRAILS/PROGRAMS	$500,000
	ANADROMOUS/TROUT	$500,000
	DEER/LION	$500,000
	RT&E	$500,000
2004/05	DEER/LION	$500,000
	RT&E	$500,000
	WETLANDS	$500,000
	RIPARIAN	$500,000
2005/06	WETLANDS	$500,000
	RIPARIAN	$500,000
	TRAILS/PROGRAMS	$500,000
	ANADROMOUS/TROUT	$500,000
2006/07	TRAILS/PROGRAMS	$500,000
	ANADROMOUS/TROUT	$500,000
	DEER/LION	$500,000
	RT&E	$500,000
2007/08	DEER/LION	$500,000
	RT&E	$500,000
	WETLANDS	$500,000
	RIPARIAN	$500,000

2008/09	WETLANDS	$500,000
	RIPARIAN	$500,000
	TRAILS/PROGRAMS	$500,000
	ANADROMOUS/TROUT	$500,000
2009/10	TRAILS/PROGRAMS	$500,000
	ANADROMOUS/TROUT	$500,000
	DEER/LION	$500,000
	RT&E	$500,000
2010/11	DEER/LION	$500,000
	RT&E	$500,000
	WETLANDS	$500,000
	RIPARIAN	$500,000
2011/12	WETLANDS	$500,000
	RIPARIAN	$500,000
	TRAILS/PROGRAMS	$500,000
	ANADROMOUS/TROUT	$500,000
2012/13	TRAILS/PROGRAMS	$500,000
	ANADROMOUS/TROUT	$500,000
	DEER/LION	$500,000
	RT&E	$500,000
2013/14	DEER/LION	$500,000
	RT&E	$500,000
	WETLANDS	$500,000
	RIPARIAN	$500,000
2014/15	WETLANDS	$500,000
	RIPARIAN	$500,000
	TRAILS/PROGRAMS	$500,000
	ANADROMOUS/TROUT	$500,000
2015/16	TRAILS/PROGRAMS	$500,000
	ANADROMOUS/TROUT	$500,000
	DEER/LION	$500,000
	RT&E	$500,000
2016/17	DEER/LION	$500,000
	RT&E	$500,000
	WETLANDS	$500,000
	RIPARIAN	$500,000

2017/18	WETLANDS	$500,000
	RIPARIAN	$500,000
	TRAILS/PROGRAMS	$500,000
	ANADROMOUS/TROUT	$500,000
2018/19	TRAILS/PROGRAMS	$500,000
	ANADROMOUS/TROUT	$500,000
	DEER/LION	$500,000
	RT&E	$500,000
2019/20	DEER/LION	$500,000
	RT&E	$500,000
	WETLANDS	$500,000
	RIPARIAN	$500,000

APPENDIX H
ADDENDUM TO CEQA

The procedure for updating CEQA documents previously submitted to the Local Assistance Section is as follows:

1. If the project is substantially the same as the one previously submitted, and was exempt from CEQA, the applicant shall determine if it is still exempt, and attach that determination to the re-submitted application.

2. If the project is substantially the same as the one previously submitted, and Section 15164 of Title 14, Div. 6 of the Code of Regulations does not apply, the representative of the applicant's planning agency will certify by signing and attaching to the re-submitting application the following statement:

   I certify, to the best of my knowledge, that Section 15164 of Title 14, Div. 6 of the California Code of Regulations does not apply to the project described in the application for local assistance grant, re-submitted on _____.

   Signed _____.
   (Representative of Applicant's Planning Agency)

3. If the project is substantially the same as the one previously submitted, and Section 15164 does apply, an addendum to the EIR or negative declaration shall be prepared by the applicant, and attached to the re-submitted application.

4. If the project previously submitted has changed, a subsequent EIR/negative declaration per Section 15162 or supplement to an EIR/negative declaration per Section 15163 shall be attached to the re-submitted application. If the changed project is exempt, the applicant shall attach to the re-submitted application the new exemption form showing the county clerk's filed date stamp.