



SACRAMENTO - SAN JOAQUIN

**DELTA** CONSERVANCY

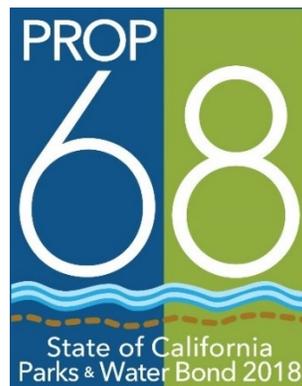
*A California State Agency*

**Community and Economic Enhancement  
Grant Program**

**DRAFT GRANT GUIDELINES**

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## **A. Purpose of this Document**

This document serves as the Grant Guidelines (Guidelines) for the Sacramento-San Joaquin Delta Conservancy's (Conservancy) Community and Economic Enhancement Grant Program (Grant Program) and provides guidance on how to apply. This non-competitive grant program focuses on increasing tourism and public access to recreational opportunities in order to promote a robust Delta economy.

## **B. Contact Information**

More information can be found at the Conservancy's Community and Economic Enhancement Grant Program website. <link to be inserted in final document>. For questions or assistance, please contact the Conservancy at prop68@deltaconservancy.ca.gov.

## **C. Background**

The Conservancy works collaboratively and in coordination with local communities, leading efforts to protect, enhance, and restore the Delta's economy, agriculture and working landscapes, and environment, for the benefit of the Delta region, its local communities, and the citizens of California.

The Sacramento-San Joaquin Delta (Delta) is a unique natural resource of local, state, and national significance, and possesses a distinct natural and cultural heritage. The Delta is a 1,300-square mile estuary, the largest on the west coast of North and South America. It is home to more than 500,000 people, and is a world-class recreational destination. The unique heritage of the Delta was recognized in March 2019, when the Sacramento-San Joaquin Delta National Heritage Area (NHA) was signed into legislation. An NHA is a "large lived-in landscape" where "natural, cultural, and historic resources combine to form a cohesive, nationally important landscape" (National Park Service, <https://www.nps.gov>). The factors that contribute to the Delta's importance are fundamentally intertwined: enhancing Delta communities and economies can play a valuable role in preserving the Delta's myriad natural, cultural, and historic values.

In June 2018, voters approved the California Drought, Water, Parks, Climate, Coastal Protection and Outdoor Access for All Act of 2018 (Proposition 68) (Division 45 of the Public Resources Code (PRC) Section 80000 et seq.), which identifies \$12 million for the Conservancy to use according to its governing statute for its specified purposes (PRC 45 Sec. 80110). Proposition 68 recognizes the importance of tourism to rural economies, the need for recreation for health and well-being, and a historic underinvestment in outdoor infrastructure in disadvantaged communities around the state.

## **D. Community and Economic Enhancement Program Priorities**

The Conservancy seeks to fund a breadth of projects that benefit Delta communities through the Community and Economic Enhancement Grant Program. The Conservancy will prioritize funding for projects that address recreation and tourism, historic and cultural preservation, and environmental education in order to sustain the Delta's heritage and enhance the unique values of the Delta today. All proposed projects must be consistent with statewide priorities as identified in Proposition 68, the Conservancy's governing statute (Division 22.3 of the PRC) and current strategic plan, the Delta Plan, and the Economic Sustainability Plan for the Sacramento-San Joaquin Delta. <links to be inserted in final document> The following provides information about program priorities. Examples are included for reference and are not all-inclusive.

### **1. Recreation and Tourism**

Expand recreation and tourism opportunities in the Delta that are compatible with the unique natural and cultural value of the Delta. Examples include:

- a. Design, construction, or expansion of:
  - i. Public docks
  - ii. Water or hiking trails
  - iii. Bike routes
  - iv. Community parks or picnic sites
  - v. Public boating infrastructure including ADA (Americans with Disabilities Act)-accessible boating facilities
  - vi. Sidewalks and other walking paths that promote tourism
- b. Design and installation of kiosks, visitor centers, or permanent signage that promote recreation and tourism
- c. Improvement of publicly-owned levees (other than routine or periodic maintenance activities) for better recreational access
- d. Development of agritourism that supports Delta communities and promotes public access to and education about agriculture and working landscapes in the Delta

### **2. Historic and Cultural Preservation**

Preserve the historic and cultural significance of the Delta to increase opportunities for community access to, and awareness of, those resources. Examples include:

- a. Renovation of a historic building for public use
- b. Development of a culturally-relevant historic district

### 3. Environmental Education

Increase awareness about the value of and challenges facing wildlife, ecosystems, and other natural aspects of the Delta.

- a. Design and installation of kiosks, visitor centers, or permanent signage that promote environmental education
- b. Permanent displays that promote education about the Delta as a region
- c. Design and installation of multilingual additions to existing educational signage

**NOTE:** The Conservancy may consider projects that do not directly address one of these priorities, but that provide significant benefit to the Delta and that are aligned with other requirements as outlined in these Grant Guidelines.

### E. Disadvantaged and Severely Disadvantaged Communities

Proposition 68 requires that at least 20 percent of all funding be spent on projects that serve severely disadvantaged communities (SDAC) (PRC 45 Sec. 80008(a)(1)). The Conservancy will actively seek to fund projects that benefit disadvantaged communities (DAC) and SDACs. An SDAC is a community with a median household income less than 60 percent of the statewide average. A DAC is a community with a median household income less than 80 percent of the statewide average (PRC 45 Sec. 80002). Mapping resources available for the purpose of identifying SDACs and DACs by census tract and/or block group are available on the Parks for All Californians website (<http://www.parksforcalifornia.org/communities>) and the Disadvantaged Communities Mapping Tool (<https://gis.water.ca.gov/app/dacs/>). The Conservancy may consider other means of identifying SDACs and DACs as well.

Conservancy-funded projects must be bond eligible (see Bond Eligibility under Section G. Program Eligibility). Examples of ways in which a bond-eligible project might benefit a DAC or SDAC include, but are not limited to, the following.

- Training and workforce education
- Job opportunities
- Recreational amenities
- Educational opportunities
- Increased resilience to climate change
- Reduced flooding
- Reduced pollution burden

The Conservancy will prioritize projects that serve DACs and SDACs for its technical assistance efforts.

## F. Project Types

The Conservancy will grant funds for the planning or implementation phase of a bond-eligible project.

### Planning Projects

Planning projects advance pre-project activities necessary for a specific, bond-eligible, on-the-ground implementation project. Please note that receiving a planning grant does not guarantee that an implementation grant will be awarded for the same project.

Examples of planning project activities include:

- Project scoping: partnership development, outreach to impacted parties, stakeholder coordination, negotiation of site access or land tenure
- Planning and design: engineering design, identifying appropriate best management practices
- Environmental compliance: permitting, California Environmental Quality Act (CEQA) activities, Delta Plan consistency

*Pilot projects* are a special type of planning project, and must inform the development of a specific, bond-eligible, on-the-ground implementation project. Pilot projects that are large in scale or duration may be considered implementation projects.

### Implementation Projects

Implementation projects are specific, bond-eligible, on-the-ground projects that result in the construction, improvement, or acquisition of a capital asset that will be maintained for a minimum of 15 years. Implementation projects are “shovel-ready” projects.

*Land acquisitions* are a special type of implementation project or may be a component of a larger implementation project. Property acquired through this program must be purchased from a willing seller and in compliance with current laws governing acquisition of real property by public agencies for an amount not to exceed fair market value (Government Code (GOV) Section 7260 et seq.).

**NOTE:** For implementation projects, California Environmental Quality Act (CEQA) compliance must be completed prior to grant award.

## G. Program Eligibility

To be considered for funding through the Conservancy’s Community and Economic Enhancement Grant Program, eligibility must be met in four areas: bond, geographic, applicant, and project eligibility.

### **Bond Eligibility**

Proposition 68 is a general obligation bond. General obligation bond funds must be spent on the construction, acquisition, or long-term improvement of capital assets. Capital assets are defined as tangible property that has an expected useful life of no less than 15 years (GOV Sec. 16727(a)).

### **Geographic Eligibility**

The Conservancy will fund projects within or benefitting the Delta and Suisun Marsh as defined in PRC Section 85058. A map can be found at this link: <link to be inserted in final document>

The Conservancy may fund a project outside the Delta and Suisun Marsh if the Conservancy Board makes all the findings described in the Sacramento-San Joaquin Delta Reform Act of 2009, Section 32360(g). <link to be inserted in final document> These include:

- The project implements the ecosystem goals of the Delta Plan.
- The project is consistent with the requirements of any applicable State and federal permits.
- The project will provide significant benefits to the Delta.

### **Applicant Eligibility**

Applicants eligible for funding under this program are:

- **California public agencies.** California public agencies include any city, county, district, or joint powers authority; State agencies; or California public colleges and universities.
- **Nonprofit organizations.** “Nonprofit organization” means an organization that is qualified to do business in California and qualified for exempt status under Section 501(c)(3) of Title 26 of the United States Code (PRC 45 Sec. 80002(j)). An eligible nonprofit organization has among its principal charitable purposes preservation of land for scientific, recreational, scenic, or open-space opportunities, protection of the natural environment, preservation or enhancement of wildlife, preservation of cultural and historical resources, or efforts to provide for the enjoyment of public lands (PRC 22.3 Sec. 32310(f)).

### **Project Eligibility**

To be eligible to receive a grant from the Conservancy under this program, projects must:

- Provide significant benefit to the Delta.
- Show consistency with program objectives and priorities as defined in these Grant Guidelines.
- Show consistency with the Conservancy’s mission and enabling legislation.

- Align with the Delta Plan.
- Comply with Proposition 68, State General Obligation Bond Law (GOV Sec. 16727), and other applicable State and federal laws.

### **Ineligible Projects**

Projects not eligible for funding under Proposition 68 include:

- Planning projects that do not advance an eligible implementation project.
- Projects dictated by a legal settlement or mandated to address a violation of, or an order (citation) to comply with, a law or regulation.
- Projects that subsidize or decrease the mitigation obligations of any party.

## **H. Cost Share**

Cost share is cash or in-kind contributions to the project borne by private, local, State, and federal funding partners other than the Conservancy. Cost share encourages and demonstrates collaboration and cooperation. Consistent with provisions of Proposition 68, all applicants are encouraged to provide cost share to support their project (PRC 45 Sec. 80001(b)(2)).

Conservancy staff will consult with applicants to determine if cost share is available. Applicants stating that they have a cost share component must provide commitment letters from cost share partners before a proposal is recommended for funding; these letters must specifically confirm the dollar amount committed, including cost share from in-kind contributions.

## **I. Eligible Expenses**

Only costs incurred during the Grant Funding Term are eligible for reimbursement (See Section N. Grant Awards and Agreements below).

### **Direct Costs**

Direct costs are for work specified in the scope of work, terms, and conditions of the grant agreement, and that are distinctly related to tasks and expenditures to implement the project as described in the grant agreement. The Conservancy will fund direct costs related to personnel services, operating expenses (general), operating expenses (subcontractor), operating expenses (equipment), and acquisition costs.

### **Indirect Costs**

Indirect costs do not have a specific direct relationship to the project but are required for completion of the project. The Conservancy funds indirect costs, not to exceed twenty (20) percent of the sum of grant-funded direct costs for personnel services and operating expenses (general).

## J. Ineligible Expenses

Grant funding may not be used to:

- Establish or increase an endowment or legal defense fund.
- Make a monetary donation.
- Pay for food or refreshments.
- Pay for tours.
- Purchase computer software that is not a component of a capital asset that is a project deliverable in the grant agreement.
- Pay for eminent domain processes.
- Subsidize or decrease the mitigation obligations of any party.

## K. Application Process

The Conservancy's Community and Economic Enhancement Grant Program is a non-competitive program without proposal submission deadlines. This section provides a summary of the application and review process.

### Concept Proposal

Concept proposals may be submitted at any time to initiate consideration of a project by the Conservancy. Applicants must submit a concept proposal using the Community and Economic Enhancement Grant Program Concept Proposal Form. (Program materials will be available on the Conservancy's website.) The Conservancy will review each concept proposal as it is submitted. Once reviewed, the Conservancy will confer with the applicant to discuss the project concept, request additional information as needed, and discuss next steps. An in-person meeting and/or a site visit may also be deemed necessary at this time.

### Viability Assessment

Based on information gathered during the concept proposal stage, along with input from technical experts if needed, Conservancy staff will evaluate the viability of the proposed project by assessing if the proposed project:

- Is technically and financially feasible;
- Is likely to provide locally-supported benefits to the Delta; and
- Will significantly advance the Conservancy's community and economic enhancement priorities.

## **Full Proposal**

If Conservancy staff determines that a project concept appears to be viable, staff will work with the applicant to develop the concept into a full proposal. The Conservancy may provide technical assistance to facilitate the development of project proposals. The Conservancy may also assist in project implementation. Projects benefitting DACs will receive priority for the Conservancy's technical assistance efforts.

## **Proposal Assessment**

Conservancy staff will continually assess the project as they work with the applicant to develop the project proposal. Conservancy staff will consult external experts as needed.

Conservancy staff will not recommend that the Conservancy Board fund a proposal unless the following criteria have been addressed to the satisfaction of the Conservancy and the applicant.

### **1. Project Design**

Are the project's purpose, goals, deliverables, and schedule clear? Is the project well designed to meet the needs that the project addresses?

### **2. Public Benefits**

Will the project provide multiple tangible, enduring, public benefits with a high likelihood of being realized? Does the project have reasonable performance measurements and a clear plan for tracking them? Will the project benefit disadvantaged or severely disadvantaged communities?

### **3. Alignment with State and Other Priorities**

Does the project align with priorities identified in the following? <links to be inserted in final document>:

- Proposition 68
- The Conservancy's mission, governing statute, and strategic plan
- The Delta Plan
- Economic Sustainability Plan for the Sacramento-San Joaquin Delta
- Other relevant local, regional, State, and federal plans

### **4. Project Readiness**

Is the project ready to proceed promptly if funded? For planning projects, will planning activities advance the project toward implementation in a timely manner? For implementation projects, how complete is project planning, including the status of CEQA and permitting efforts?

**5. Community and Institutional Support**

Does the project have public and relevant institutional support at the local, regional, State, or federal scale? Is the local community, or are other stakeholders, engaged in project planning or delivery? For planning projects, is there a plan to develop community support?

**6. Cost Share**

Is cost share provided for this project?

**7. Project Budget**

Is the budget adequate and reasonable for the project? Are costs clearly identified and justified?

**8. Project Team**

Does the project team have sufficient experience and capacity to implement the project and to manage a State grant? Have necessary partnerships been developed?

**9. Long-Term Management**

For planning projects, are next steps identified for movement towards a bond eligible implementation project? For implementation projects, is a plan clearly identified for long-term management and sustainability of the project for a minimum of 15 years?

**Board Consideration**

Once a proposal is assessed to be complete, Conservancy staff will make a recommendation to the Board for consideration of funding.

**NOTE:** The Conservancy will consider the geographic distribution of projects, project benefits related to disadvantaged and severely disadvantaged communities, reasonableness of costs, available funding, and diversity of project types, and may prioritize projects based on these considerations.

**Application Process Steps**

**Step 1:** Applicant completes concept proposal form and submits to the Conservancy.

**Step 2:** Conservancy staff reviews concept proposal and confers with applicant. Site visit conducted if necessary.

**Step 3:** Conservancy staff reviews information gathered, consults with technical experts if needed, and assesses if proposed project fits within the grant program and appears viable.

- Step 4:** If project appears to be viable, Conservancy staff works with applicant to develop full proposal.
- Step 5:** Conservancy staff completes proposal assessment and makes recommendation to the Board.
- Step 6:** Board considers approval of funding for final proposal.

## **L. Privacy Rights**

Please note: once an applicant has submitted a proposal to the Conservancy, any privacy rights, as well as other confidentiality protections afforded by law with respect to the application package, are waived. All proposals are public records under the California Government Code Sections 6250-6276.48 and will be provided to the public upon request.

## **M. Program Requirements**

### **Performance Monitoring**

Performance measures are used to track progress toward project goals and objectives. They provide a means of reliably measuring and reporting the implementation and effectiveness of a project and how it contributes value to the Delta and state. Performance measures will be developed to reflect the unique benefits of individual projects. Conservancy staff may provide assistance in development of performance measures.

All implementation, acquisition, and pilot project proposals will include a performance monitoring and assessment framework that identifies the performance measures that will be used to demonstrate public benefits for 15 years following the end of the Grant Funding Term (See Section N. Grant Awards and Agreements below), how they will be monitored and assessed, and how monitoring data will be reported.

### **Environmental Compliance**

Activities funded under this grant program must comply with applicable, local, State, and federal laws and regulations, including the California Environmental Quality Act (CEQA), the Delta Plan, and other environmental permitting requirements. Conservancy staff may assist the applicant with the compliance process; however, the applicant is solely responsible for project compliance. Applicants should be prepared to submit any permits, surveys, or reports that support the status of their environmental compliance.

If a project is subject to CEQA, compliance must be completed prior to grant award. Funds for construction will not be disbursed until all required environmental compliance and permitting documents have been received by the Conservancy, including certification of consistency with the Delta Plan.

### **Long-Term Management**

The goal of long-term management is to foster the ongoing success of the project, ensuring that the benefits arising from the project endure beyond the end of the Grant Funding Term.

Proposals will describe future project management or land management activities, explaining how the project, once implemented, will be stewarded for at least 15 years thereafter.

Properties restored, enhanced, or protected, and facilities constructed or enhanced with funds provided by the Conservancy shall be operated, used, and maintained consistent with the purposes of the grant.

### **California Conservation Corps**

Consistent with Proposition 68 recommendations, all implementation projects that involve a site improvement component shall consult with representatives of both the California Conservation Corps and California Association of Local Conservation Corps (Corps) to determine the feasibility of Corps participation. Projects that do not include a site improvement component are exempt, but applicants are still encouraged to consult with the Corps to explore opportunities for collaboration. The Corps' Bond Guidelines <link to be inserted in final document> describe the consultation process.

### **Local Notifications**

In compliance with the Conservancy's governing statute, the Conservancy will notify local government agencies – such as counties, cities, and local districts –and relevant tribal entities about projects in their area being considered for grant funding. The Conservancy will work with applicants to make all reasonable efforts to address concerns raised by local governments and tribal entities.

## **N. Grant Awards and Agreements**

For each awarded grant, the Conservancy will develop a grant agreement with detailed provisions and requirements specific to that project. (A draft grant agreement template will be available on the Conservancy's Grant Program web page.) Please be aware that for grants awarded by the Conservancy, the following apply.

- Grantees will receive funding only during the Grant Funding Term, generally three years, during which time grantees may incur and be reimbursed for grant-related expenses. For implementation projects, the Grant Term will extend for an additional 15 years beyond the end of the Grant Funding Term, during which time projects must be maintained. Grantees will be held to the terms of the grant agreement until the end of the Grant Term.
- Grant awards are conditional upon funds being available from the State.

- In all but the most extenuating circumstances, grant funding will be paid in arrears on a reimbursement basis (with the exception of acquisition costs). All expenses require supporting documentation and are subject to audit.
- Grantees must have adequate proof of land tenure allowing the grantee access to the property to construct and maintain the project. Land tenure must be in place prior to the disbursement of funds. Proof of permission to access the project site is required for planning projects for which site access is required and the grantee is not the landowner.
- The grantee is required to certify as part of the grant agreement that the grantee is responsible for complying with all federal, State, and local laws that apply to the project.
- Grantees will not be paid:
  - If the grantee has been non-responsive or does not meet the conditions outlined in the grant agreement;
  - For costs for which alternative funding has been received;
  - For project changes that are not eligible; or
  - For work done after the grantee requests to end the project.
- All grantees will be required to provide regular progress reports and a final report. The final report must be approved by Conservancy staff prior to the release of the final disbursement of grant funds. Specific reporting requirements will be included in the grant agreement.
- To the extent practicable, grantees shall inform the public that the project received funds through the Delta Conservancy and from the California Drought, Water, Parks, Climate, Coastal Protection, and Outdoor Access for All Act of 2018 (PRC 45 Sec. 80001(b)(3)). Grantees shall recognize the Conservancy, in a manner approved in advance by the Conservancy, on signs, websites, press or promotional materials, advertisements, publications, or exhibits that they prepare or approve and that reference the project. For implementation projects, grantees shall post signs at the project site acknowledging the source of the funds. Size, location, and number of signs shall be approved by the Conservancy before they are produced.
- Grants awarded through the Conservancy's Community and Economic Enhancement Grant Program may be subject to prevailing wage provisions of Part 7 of Division 2 of the California Labor Code (CLC), commencing with Section 1720. The grantee shall pay prevailing wage to all persons employed in the performance of any part of the project if required by law to do so. Any questions regarding interpretation of the CLC should be directed to the Director of the Department of Industrial Relations (DIR), the State department having jurisdiction in these matters. For details, please refer to the DIR website at <http://dir.ca.gov> <link to be inserted in final document>.