

California Department of Conservation

Proposition 68 Guidelines
Working Lands and Riparian Corridors Program

FINAL

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California
**Department of
Conservation**

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At-A-Glance

Program

These Guidelines were approved on May 29, 2019 and are made pursuant to The California Drought, Water, Parks, Climate Coastal Protection, and Outdoor Access for All Act of 2018 (Proposition 68) on June 5th, 2018. Proposition 68 is codified as Division 45 of the Public Resources Code. The Guidelines establish the process and general requirements and criteria that will be used to solicit applications, evaluate applications, and award grants of Proposition 68 funds through the Department of Conservation's programs.

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Section 1: Introduction and Program Summary

Proposition 68

California voters approved The California Drought, Water, Parks, Climate Coastal Protection, and Outdoor Access for All Act of 2018 (Proposition 68) on June 5th, 2018. Proposition 68 is codified as Division 45 of the Public Resources Code. Proposition 68 aims to:

- invest state funds to protect, restore, and enhance natural resources of critical importance to the state; and,
- support the planning, development, and implementation of climate adaptation and resiliency projects.

Proposition 68 added section 80134(c)(1), which allocates \$20 million to the Department of Conservation “to protect, restore, or enhance working lands and riparian corridors through conservation easements or other conservation actions, including actions pursuant to [Public Resources Code section] 9084 and the California Farmland Conservancy Program [.]” Section 80134(c)(2) provides that up to \$10 million is available for “watershed restoration and conservation projects on agricultural lands pursuant to [Public Resources Code section] 9084.”

These Proposition 68 Guidelines establish the process, general requirements, and criteria that will be used to solicit applications, evaluate applications, and award grants of Proposition 68 funds through the Department of Conservation's programs. In accordance with Public Resources Code section 80010(b), the Department will post draft guidelines on its website for 30 days and hold at least three public meetings to consider comments prior to finalizing the guidelines. The California Natural Resources Agency will post the final guidelines on the bond accountability website.

Natural and Working Lands

In materials supporting the execution of Executive Order B-30-15, former Governor Edmund G. Brown Jr. identified natural and working lands as one of the five pillars in the effort to meet the state's greenhouse gas reduction goals, stating that we should manage “farm and rangelands, forest and wetlands so they can store carbon.¹” The California Air Resources Board's natural and working lands inventory data indicate that in 2014, California's natural and working lands contained an estimated 5.5 billion metric tons of total ecosystem carbon in above and below-ground biomass and

¹ <https://www.gov.ca.gov/2015/04/29/news18938/>

soils².

California's agricultural sector is a critical part of the state's environment and economy. Agricultural lands compromise about 25.3 million acres, or 25 percent, of the land within the state. As the Draft California 2030 Natural and Working Lands Climate Change Implementation Plan recognizes,

[I]and conversion also impedes California's ability to store carbon and maintain resilient ecosystems. When natural and agricultural lands are transformed to more intensive uses, the soil and biomass carbon on the land is often degraded or lost; at the same time, GHG emissions from the new land use – such as vehicle miles traveled, and other effects of a suburban landscape – may increase. On average, approximately 50,000 acres of farmland and rangeland are lost per year, of that 21,000 acres per year are lost to urbanization.³ If we are to depend on agricultural lands for food and fiber benefits as well as carbon sequestration and storage, it is important that farming and ranching remain robust and that rates of conversion diminish.⁴

Investments in natural and working lands provide an opportunity to help prepare for climate change. Protecting natural and working lands “will help maintain carbon sinks within California's land base, provide habitat for wildlife, and increase food security. Directing new growth to existing communities without displacing current residents can prevent the conversion of natural and working lands and foster compact development that reduces vehicle miles traveled.⁵”

California's Agricultural Lands

California agriculture generates over \$45 billion in commodities annually, which further generates approximately \$75 billion in related economic activities. California's agricultural sector produces over 400 commodities. Over one-third of the country's vegetables and two-thirds of the country's fruits and nuts are grown in California. The bulk of this production is located in the Central Valley (Sacramento and San Joaquin Valleys), the Imperial Valley, and numerous coastal valleys.

² California Air Resources Board. (2018) An Inventory of Ecosystem Carbon in California's Natural & Working Lands. <https://www.arb.ca.gov/cc/inventory/sectors/forest/forest.htm>.)

³ Estimate based on California Department of Conservation Farmland Mapping and Monitoring Program data from 1992-2016, <https://www.conservation.ca.gov/dlrp/fmmp/Pages/Farmland%20Conversion%20Reports.aspx>.

⁴ January 2019 Draft California 2030 Natural and Working Lands Climate Change Implementation Plan page 10 <https://www.arb.ca.gov/cc/natandworkinglands/draft-nwl-ip-1.3.19.pdf>.

⁵ January 2019 Draft California 2030 Natural and Working Lands Climate Change Implementation Plan page 15 <https://www.arb.ca.gov/cc/natandworkinglands/draft-nwl-ip-1.3.19.pdf>.

California's agricultural valleys are experiencing intense development pressure due to population growth and skyrocketing housing costs along the coast. In many cases, this development is occurring on the state's best agricultural soils. Between 1984 and 2014, over 1.4 million acres of farmland were lost to non-agricultural uses⁶ while projections suggest that by 2050 an additional 1.4 million acres of agricultural land will be converted⁷. Protecting agricultural lands surrounding California's cities safeguards the nation's long-term food security and supports rural economies. Protecting critical agricultural lands from conversion to urban or rural residential development promotes smart growth within existing jurisdictions, avoids a significant increase in greenhouse gas emissions, ensures open space remains available, and supports a healthy agricultural economy and resulting food security. A healthy and resilient agricultural sector is becoming increasingly important in meeting the challenges occurring and anticipated as a result of climate change. Protecting California's agricultural lands is an essential strategy in California's climate change policy.

The Department of Conservation

The Department of Conservation's Division of Land Resource Protection serves as the state's leader in conserving California's irreplaceable agricultural lands. The Division of Land Resource Protection provides information and technical and financial assistance to partners to protect California's agricultural land and promote sustainable growth.

The Division of Land Resource Protection currently administers:

- Agricultural Land Mitigation Program
- California Farmland Conservancy Program
- Farmland Mapping and Monitoring Program
- Resource Conservation District Assistance Program
- Sustainable Agricultural Lands Conservation Program
- Sustainable Communities Planning Grants & Incentives: Best Practices Pilot Program
- Transformative Climate Communities Program

⁶ California Department of Conservation, California Farmland Conversion Report, September 2015.

⁷Agricultural Land Conservation: An Important Part of California's Climate Strategy A White Paper by American Farmland Trust, April 2016.

- Regional Forest and Fire Capacity Program
- Watershed Coordinator Program
- Williamson Act

Section 2: Program Objectives

Program Objectives

Proposition 68 includes a variety of objectives and priorities depending on the chapter of the legislation under which funding is allocated. The following Public Resources Code sections set forth the objectives for funding allocated to the Department of Conservation:

- Section 80130, which authorizes the state to issue bonds and the Legislature to appropriate the proceeds “to plan, develop, and implement climate adaptation and resiliency projects. Eligible projects shall improve a community’s ability to adapt to the unavoidable impacts of climate change, improve and protect coastal and rural economies, agricultural viability, wildlife corridors, or habitat, develop future recreational opportunities, or enhance drought tolerance, landscape resilience, and water retention.”
- Section 80134(a), which provides funds to “plan, develop, and implement innovative farm and ranch management practices and protections that improve climate adaptation and resiliency by improving the soil health, carbon sequestration, and habitat of California’s farm and ranch lands and affiliated habitat, including working lands, open space, or riparian corridors, and that increase water retention and absorption, habitat values, species protection, and economic viability to reduce development pressure.”
- Section 80134(c)(1), which provides funds to protect, restore, or enhance working lands and riparian corridors through conservation easements or other conservation actions. Specific project types are identified below and in subsequent solicitations.
- Section 80134(c)(2), which provides for funds for watershed restoration and conservation projects on projects agricultural lands pursuant to Public Resources Code section 9084.

General Requirements

In addition, Proposition 68 sets forth general requirements and priorities for all programs that disburse bond proceeds. The general requirements for all programs are:

- Project funding will result in public benefits that address the most critical statewide needs and priorities. (Pub. Resources Code, § 80001(b)(1).)
- Priority must be given to projects that leverage private, federal, state, or local funding or produce the greatest public benefit. (Pub. Resources Code, § 80001(b)(2).)
- To the extent practicable, projects will provide workforce education and training, contractor, and job opportunities for disadvantaged communities. (Pub. Resources Code, § 80001(b)(5).)
- To the extent practicable, administering entities should measure or require measurement of greenhouse gas emissions reductions and carbon sequestration associated with projects that receive moneys pursuant to Proposition 68. (Pub. Resources Code, § 80001(b)(7).)
- To the extent feasible, programs shall encourage the inclusion of the following project components:
 - Efficient use and conservation of water supplies.
 - Use of recycled water.
 - The capture of stormwater to reduce stormwater runoff, reduce water pollution, or recharge groundwater supplies, or a combination thereof.
 - Provision of safe and reliable drinking water supplies to park and open-space visitors (Pub. Resources Code, § 80010(a)(2).)
- To the extent feasible, preference must be given to projects that include use of the California Conservation Corps or certified community conservation corps. (Pub. Resources Code, § 80016.)
- To the extent feasible, a project that includes water efficiencies, stormwater capture for infiltration or reuse, or carbon sequestration features in the project design may be given priority for grant funding. (Pub. Resources Code, § 80018.)
- Agencies shall seek to achieve wildlife conservation objectives through projects on public lands or voluntary projects on private lands. Projects on private lands shall be evaluated based on the durability of the benefits created by the investment. (Pub. Resources Code, § 80022)

Diversity, Equity and Inclusion

Proposition 68 directs agencies receiving funding, to the extent practicable, to "consider a range of actions" that derive from the Presidential Memorandum— Promoting Diversity and Inclusion in Our National Parks, National Forests, and Other Public Lands and Waters, January 12, 2017. These actions direct agencies to expand outreach efforts, create new partnerships and improve programs to increase access by diverse populations. In accordance with Public Resources Code section 80001(b)(8), to the extent practicable, the Department of Conservation will consider actions including:

- Conducting active outreach to diverse populations, particularly minority, low-income, and disabled populations and tribal communities, to increase awareness within those communities and the public generally about specific programs and opportunities;
- Mentoring new environmental, outdoor recreation, and conservation leaders to increase representation across these areas;
- Creating new partnerships with state, local, tribal, private, and nonprofit organizations to expand access for diverse populations;
- Expanding the use of multilingual and culturally appropriate materials in public communications and educational strategies, including through social media strategies, as appropriate, that target diverse populations;
- Developing or expanding coordinated efforts to promote youth engagement and empowerment, including fostering new partnerships with diversity-serving and youth-serving organizations, urban areas, and programs; and
- Identifying possible staff liaisons to diverse populations.

Proposition 68 provides that up to five percent of funds be available for community access projects to the extent permissible under the State General Bond Law and with the concurrence of the Department of Finance. (Pub. Resources Code, § 80008(c)(1).) Community access is defined as "engagement programs, technical assistance, or facilities that maximize safe and equitable physical admittance, especially for low-income communities, to natural and cultural resources, community education, or recreational amenities." (Pub. Resources Code, § 80002(b).) This includes transportation; physical activity programming; resource interpretation; multilingual translation; natural science; workforce development and career pathways; education; and communication related to water, parks, climate, coastal protection, and other outdoor pursuits. (Pub. Resources Code, § 80008(c)(1).)

At least 15 percent of the funds will be allocated for projects serving severely disadvantaged communities. (Pub. Resources Code, § 80008(a)(2).) A severely disadvantaged community is defined as a community with a median household income less than 60 percent of the statewide average. (Pub. Resources Code, § 80002(n).) Projects "serving a severely disadvantaged community" will include those located in a severely disadvantaged community or projects within 1 mile of a severely disadvantaged community. Applicants will be required to describe how, if at all, their project serves as severely disadvantaged community in their application.

Expenditures on projects serving severely disadvantaged communities will be tracked in the state bond expenditure database.

Furthermore, Proposition 68 allows that up to ten percent of funds available pursuant to each chapter may be allocated for technical assistance to disadvantaged communities; the moneys must operate a multidisciplinary technical assistance program for disadvantaged communities. Funds used for providing technical assistance to disadvantaged communities may exceed the ten percent cap if the administering agency determines there is a need (Pub. Resources Code, § 80008(b)(1).)

Section 3: Project Funding Eligibility Requirements

Eligible Projects

The Department of Conservation will award funds to the following project types:

- Projects that plan, develop, and/or implement innovative farm and ranch management practices and protections that improve climate adaptation and resilience by improving the soil health, carbon sequestration, and habitat of California's farm and ranch lands and affiliated habitat, including working lands, open space, or riparian corridors, and that increase water retention and absorption, habitat values, species protection, and economic viability to reduce development pressure;
- Projects that protect, restore, or enhance working lands and riparian corridors through conservation easements or other conservation actions; and
- Watershed restoration and conservation projects on agricultural lands pursuant to Public Resources Code section 9084;

To be considered eligible for funding, individual projects must do at least one of the following:

- Improve a community's ability to adapt to the unavoidable impacts of climate change;
- Improve and protect coastal and rural economies, agricultural viability, wildlife corridors, or habitat;
- Develop future recreational opportunities; or
- Enhance drought tolerance, landscape resilience, and water retention.

Additional specifics concerning eligible projects may vary and will be documented in separate solicitations. Each solicitation for grant applications will provide detailed information on eligibility criteria and restrictions on the use of funds. Funding for grants will be contingent upon funding availability.

For projects that affect land or property interests, if someone other than the grantee owns all or any part of the project site, the grantee will be required to secure a written agreement with the landowner(s) consenting to the proposed project on the property and allowing the grantee to access, implement, and when applicable monitor and maintain the project. Solicitations will detail the content and timing of landowner approval.

Proposition 68 funds cannot be used to fulfill any mitigation requirements imposed by

law. (Pub. Resources Code, § 80020.)

Eligible Applicants

Eligible entities include cities, counties, special districts, federally recognized Native American tribes or nonfederally recognized California Native American Tribes, nonprofit organizations, and local agency formation commissions. Individual solicitations may have further detail about who are eligible applicants.

Section 4: Project Solicitation

Notice

The Department of Conservation will solicit grant applications through the release of specific solicitations, which will provide the schedule and scoring criteria specific to that project type. Solicitations will be made available on the Department of Conservation's website. Each solicitation will provide the following information:

- How to apply, including the start and end date for submittal of pre-applications, if appropriate, and full applications;
- Funding priorities;
- Evaluation criteria; and,
- Maximum funding available for the solicitation and any maximum amount awarded per grant.

Application Submittal Process

Applications received by the solicitation deadline will be evaluated using the review process described below. Each solicitation may have variations in the review process and criteria, so applicants should review the processes and criteria defined in each solicitation prior to developing their application. Each application submitted to the Department of Conservation must comply with the requirements of the solicitation to which it relates.

Application Review

Applications will be evaluated and scored by Department of Conservation and a review panel comprised of individuals with appropriate qualifications, collectively "reviewers."

Eligibility Review

Department of Conservation will first review each application for eligibility and completeness. Applications must meet all eligibility criteria listed in the solicitation for which the application is submitted. All information requested in the solicitation is required unless otherwise stated and must be supplied in the format noted. Applications that are determined to be ineligible or incomplete will not be considered for funding.

Selection Review

Applications that pass the eligibility review will be subject to a “selection review.” Reviewers will score applications in accordance with the evaluation criteria documented in the solicitation. Reviewers will award points for each selection criterion on a sliding scale from zero to the maximum number of points available. More points will be given to concise applications with strong detail and support. Likewise, more points will be given to applications that provide more detail and support for fewer elements within each criterion compared to applications that provide superficial responses for all elements within each criterion. Applications will then be ranked based on their scores.

Table 1 presents a suite of selection criteria broadly representative of the types of criteria by which applications will be evaluated. Specific selection criteria and associated weighting factors established for each solicitation may vary.

Table 1. Selection Criteria

<p>Applicability to Program Objectives. The extent to which the application includes a clear description of the project's primary objectives, sufficient rationale to justify the project need, evidence that the application is based on the best available science relevant to the project, and alignment with the program objectives stated in these Guidelines and the solicitation the application relates to.</p>
<p>Project Outcomes – Significance of Benefits. The extent to which the application provides significant benefits relevant to the program. In considering the significance of benefits identified, the Department of Conservation may consider the extent of the documentation provided by the applicant relative to proposed benefits.</p>
<p>Climate Change Considerations. The extent to which the application provides identified climate benefits. In considering the significance of the climate benefits provided by an application, the Department may compare the GHG emissions reduced or avoided, as well as the carbon sequestration benefits associated with the application against those of other applications received through that solicitation.</p>
<p>Consistency with and Implementation of Regional, State and Federal Plans. The extent to which the proposed project meets the goals of an adopted local, regional, state, or federal conservation plan.</p>

Durability of Investment. The extent to which the benefits identified in the application are expected to last beyond the completion of the project. In considering the durability of benefits associated with an application, the Department of Conservation may evaluate the length of time the benefits are likely to last, as well as the type and extent of measures included in the application to ensure the durability of those benefits.

Project Team Qualifications. The extent to which the application demonstrates that the project team has the qualifications, experience, and capacity to perform the proposed tasks.

Schedule and Deliverables. The extent to which the proposed schedule demonstrates the sequence and timing of project tasks, milestones, and deliverables and is sufficiently detailed and reasonable.

Project Readiness. The extent to which the application is likely to be completed within the grant agreement timeframe based on the need to ensure compliance with all applicable environmental review planning, confirm engineering design, or perform other necessary preparations.

Budget. The extent to which the proposed budget is appropriate for the work proposed, is cost effective, is sufficiently detailed to describe project costs, and includes the California Conservation Corps, when appropriate.

Cost Share. The extent to which the application leverages other federal, state, local, or private funding as match.

Community Support and Collaboration. The extent to which the proposed project demonstrates stakeholder support for the project.

Monitoring and Reporting. The extent to which the application demonstrates a clear and reasonable approach for monitoring, assessing, and reporting project milestones.

As applicable, preference will be given to projects that:

- Emphasize efficient use and conservation of water supplies, use of recycled water, the capture of stormwater, facilitation of safe and reliable drinking water to park and open-space visitors, or carbon sequestration features in the project's design;
- Achieve wildlife conservation objectives on public lands or through voluntary projects on private lands;
- Include the use of services of the California Conservation Corps or certified conservation corps in project implementation;
- Address climate adaptation and resiliency to a greater extent than projects within the same application pool;
- Protect or restore natural resources; and,
- Address the State's diversity, equity, and inclusion goals.

Award

The projects and selection scoring will be presented to the Director of the Department of Conservation who will consider the comments and recommendations of the reviewers and make the final funding decision. The Director of the Department of Conservation will make the final determination as to which projects are approved for award. The Department will notify applicants within 10 days of the Director's determination as to whether their project was approved for funding.

Section 5: Grant Approval and Implementation

Grant Awards

Grants will be awarded in accordance with the process set forth above. Successful applicants will work with an assigned Department of Conservation grant manager to finalize their grant agreement.

Grant Agreements

All grantees will be required to enter into a grant agreement with the Department of Conservation. Grantees work with an assigned grant manager to develop their grant agreement. Grant agreements will not be executed until authorized by the Department of Conservation and will be effective upon execution by the Department of Conservation's authorized signatory. Work performed prior to a fully executed grant agreement is done at the expense of the grantee and may not be reimbursed. The Department may require modifications to project in the grant agreement.

Responsibility of the Grantee

The grantee will be responsible for carrying out the project and for managing finances, including invoicing; payments to contractors, subcontractors, and suppliers; accounting and financial auditing; and other project management duties such as monitoring and reporting requirements.

Invoicing and Payments

Funds cannot be disbursed until there is a fully executed grant agreement. Unless otherwise specified in the solicitation, expenses incurred prior to full execution of a grant agreement are not eligible for payment.

Reimbursement

Except for the funds deposited into an escrow account for purposes of acquiring an easement, grant agreements will be structured to provide for payment in arrears of work performed. For projects that serve a disadvantaged community or severely disadvantaged community, the Department of Conservation may provide advanced payments in the amount of 25 percent of the grant award to the recipient to initiate the project in a timely manner. The grant agreement will provide additional requirements regarding advancements to ensure the moneys are used properly. (Pub. Resources Code, § 80030.)

The Department of Conservation may retain an amount equal to 10 percent of the invoiced amount from the grantee's reimbursements for each period for which payment is made, pending satisfactory completion of the task or grant.

Easement Acquisitions

Grants for easement acquisition projects will include a contribution toward the purchase of the easement and reimbursement for eligible associated costs. The total easement purchase price shall not exceed the appraised fair market value of the easement. The easement purchase price will be disbursed into an escrow account. The methodology for calculating the easement purchase price and the definition of eligible associated costs will be set forth in the solicitation for easement acquisition projects.

The amount of funding awarded toward the easement purchase price may be limited to a certain percentage of the easement purchase price, with the remainder of the purchase price covered by a match contribution from another source. Match contribution funding will be detailed in the relevant solicitation.

Reporting and Monitoring

Grantees will be required to provide reports during their grant term.

A detailed plan for monitoring will be required as part of each application, and grantees will be required to monitor their projects following project completion. The length and type of required monitoring will be described in the solicitation for relevant project types. Types of monitoring that may be required include: compliance with the terms of the grant agreement or project deliverables (i.e., easement deed), or project impact.

Acquisition Projects

Following project completion, acquisition project grantees will be required to annually monitor properties conserved using Prop 68 funds. Following their annual monitoring visit, grantees will be required to submit an annual monitoring report that, at a minimum, includes: the method(s) of monitoring conducted, the condition of the Protected Property, the occurrence of any violations, any and all corrective action taken, resolution or outcome of all violations discovered, and any transfer of interest in the Protected Property.

Restoration and Enhancement Projects

The scope of monitoring following project completion will vary depending on the nature of the project but may include long-term monitoring to ensure durability of benefits. Additional specifications concerning performance measures, monitoring requirements, data management, quality assurance/quality control, and periodic reporting required will be described in each solicitation and provided in each grant agreement.

Loss of Funding

Work performed under the grant agreement is subject to availability of funds through the state's budget process. If funding for the grant agreement is reduced, eliminated, or

delayed by the Budget Act or through other budget control actions, the Department of Conservation will have the option to cancel the grant agreement, offer to the grantee a grant agreement amendment reflecting the reduced amount, or suspend work. In the event of cancellation of the grant agreement or suspension of work, the Department of Conservation will provide written notice to the grantee and be liable only for payment for any work completed pursuant to the grant agreement up to the date of the written notice. The Department of Conservation will have no liability for payment for work carried out or undertaken after the date of written notice of cancellation or suspension. In the event of a suspension of work, the Department of Conservation may remove the suspension of work by written notice to the grantee. The Department of Conservation will be liable for payment for work completed from the date of written notice of the removal of the suspension of work, consistent with other terms of the grant agreement. In no event will the Department of Conservation be liable to the grantee for any costs or damages associated with any period of suspension, nor will the Department of Conservation be liable for any costs in the event that, after a suspension, no funds are available and the grant agreement is then cancelled based on budget actions.

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

- Failure to execute an agreement within six months of receiving an official funding notification;
- Withdrawal from the grant program prior to completion of the work plan;
- Real property or interest therein cannot be acquired at approved fair market value;
- Loss of willing seller of real property;
- Failure to submit required documentation within the time periods specified in the grant agreement;
- Change in project scope, schedule, or budget without prior approval;
- Failure to complete the project within the grant agreement term;
- Failure to demonstrate sufficient progress toward deliverables based on milestones outlined in the work plan;
- Failure to submit evidence of environmental or permit compliance as specified by the grant agreement; or,
- Failure to comply with applicable laws or grant requirements.

State Audits

Projects are subject to audit by the state annually and for three (3) years following the final payment of grant funds. If the project is selected for audit, the grantee will be contacted in advance of the audit. The audit will include all books, papers, accounts, documents, or other records of grantee, as they relate to the project. All project expenditure documentation should be available for an audit, whether paid with grant funds or other funds.

The grantee must have project records, including source documents and evidence of payment, readily available and must provide an employee with knowledge of the project to assist the auditor. The grantee must provide a copy of any document, paper, record, etc., requested by the auditor.

Accounting Requirements

Grantees must maintain an accounting system that:

- Accurately reflects fiscal transactions, with the necessary controls and safeguards;
- Provides a good audit trail, including original source documents such as purchase orders, receipts, progress payments, invoices, employee paystubs and time cards, evidence of payment, etc.;
- Provides accounting data so the total cost of each individual project can be readily determined; and,
- Maintains records for a period of three (3) years after final payment is made by the state. Grantee must retain all project records at least one (1) year following an audit.

Section 6: General Requirements

California Conservation Corps

For restoration and ecosystem protection projects, applicants should consult with the California Conservation Corps or a certified local conservation corps as to the feasibility of using their services as defined in Public Resources Code section 14507.5 to implement projects. (Pub. Resources Code, § 80016). Preference will be provided to applications that include the use of services of the California Conservation Corps or certified community conservation corps. Please use the forms provided on the Department of Conservations website for consultation with the California Conservation Corps.

Confidentiality

Once the application has been submitted, any privacy rights, as well as other confidentiality protections afforded by law with respect to the application package may be waived. All applications, communications, or other documentation received by Department of Conservation are subject to the Public Records Act (Government Code § 6250, et seq.).

Conflict of Interest

All applicants and individuals who participate in the review of submitted applications are subject to applicable conflict of interest laws. Any individual who has participated in planning or setting priorities for a specific solicitation or who will participate in any part of the grant development and negotiation process on behalf of the public is ineligible to receive funds or personally benefit from funds awarded through these guidelines. Applicants should also be aware that certain local agencies may submit applications that will compete for funding. Failure to comply with the conflict of interest laws, including business and financial disclosure provisions, will result in rejection of the application and any subsequent grant agreement being declared void. Other legal actions may also be taken.

Compliance with Laws

Activities funded under these guidelines must be in compliance with applicable laws and regulations, and applications may include in their budgets the funding necessary for compliance-related tasks. As part of the application, applicants must identify expected required permits, state whether they have received the required permits or describe the process through which the permits will be obtained, and indicate which permits could significantly delay project implementation.

Environmental Compliance

Activities funded pursuant to these Guidelines must be in compliance with applicable environmental laws and regulations, including the California Environmental Quality Act, National Environmental Policy Act and other environmental permitting requirements. Applicants must consider whether their proposed project will trigger the need for an initial study, or whether a CEQA exemption applies. How CEQA applies and the status of CEQA compliance must be addressed in the grant application.

Prevailing Wage

Grants awarded consistent with these Guidelines may be subject to prevailing wage provisions of the California Labor Code commencing with section 1720. Any questions of interpretation regarding the California Labor Code should be directed to the Director of the Department of Industrial Relations, the state department having jurisdiction in these matters. For more details, please refer to the Department of Industrial Relations website.

Signage

All successful grantees must include signage, to the extent practicable, informing the public that the project received funds through the Department of Conservation and Proposition 68. (Pub. Resources Code, § 80001(b)(3).)