



SONOMA COUNTY
AGRICULTURAL PRESERVATION
AND OPEN SPACE DISTRICT

Thursday, April 27, 2017

REGULAR MEETING

**SONOMA COUNTY AGRICULTURAL PRESERVATION AND OPEN SPACE
DISTRICT ADVISORY COMMITTEE**

Meeting begins at 5:00 p.m.

MEMBERS PLEASE CALL IF UNABLE TO ATTEND

AGENDA

1. **Public Comment** - Comments on items not listed on the agenda
(*Time is limited to 3 minutes per person/item*)
2. **Approval of Minutes** [Attachment "A"] *ACTION*
March 23, 2017
3. **General Manager's Report** *INFORMATIONAL*
4. **Summer Break: July or August** *ACTION*
5. **Subcommittee Report Out** *INFORMATIONAL*
 - Matching Grant Program
 - Agricultural
 - Vital Lands Initiative
6. **Matching Grant Program & Guidelines** [Attachment "B"] *INFORMATIONAL*
Jennifer Kuszmar, Matching Grant Coordinator
7. **Vital Lands Initiative Update & Input** *INFORMATIONAL*
Karen Gaffney, Conservation Planning Program Manager
8. **Fee Study for Open Space Easements** *INFORMATIONAL*
Mary Dodge, Admin & Fiscal Services Manager
9. **Projects in Negotiation** [Attachment "C"] *INFORMATIONAL*
10. **Announcements from Advisory Committee Members** *INFORMATIONAL*
11. **Adjournment** Next Meeting: May 25, 2017

Future Meeting Topics
(subject to change)

5/25/17

Update on Cannabis Issues
Youth Recruitment

6/22/17

RCPP
Vital Lands Initiative Update

7/27/17

Ag and Open Space Center Options/Overview
Program Update: Administration & Fiscal

8/24/17

Summer Break?

9/28/17

Field Trip with FOC

PUBLIC COMMENT:

Any member of the audience desiring to address the Committee on a matter on the agenda will have an opportunity to speak. In order that all interested parties have an opportunity to speak, please be brief and limit your comments to the subject under discussion. Each person is usually granted 3 minutes to speak; time limitations are at the discretion of the Chair.

DISABLED ACCOMMODATION: If you have a disability which requires the agenda materials to be in an alternative format or requires an interpreter or other person to assist you while attending this meeting, please contact Mariah Robson at (707) 565-7363, at least 72 hours prior to the meeting to ensure arrangements for accommodation.



Attachment "A"

*SONOMA COUNTY AGRICULTURAL PRESERVATION AND OPEN SPACE
DISTRICT ADVISORY COMMITTEE*

March 23, 2017 MINUTES

5:05 pm Meeting convened at the District office, 747 Mendocino Avenue,
Suite 100, Santa Rosa, California

Members Present

Cary Fargo	Doug Lipton	Bill Smith
Jan McFarland	John Nagle	Elly Grogan
Don McEnhill	John Dell'Osso	

Members Absent

Curt Nichols	Kristin Thigpen	Regan Connell
Neysa Hinton	David Cook	Steve Rabinowitsh

Staff Present

Bill Keene, General Manager; Sheri Emerson, Stewardship Program Manager; Alex Roa, Associate Planner; Amy Ricard, Community Relations Specialist; Seamus Rafferty, Stewardship Technician; Bob Pittman, County Counsel; Mariah Robson, Advisory Committee Clerk

Chair Dell'Osso called the meeting to order at 5:05 pm.

Public Comment

Chair Dell'Osso asked for public comments on items not on the agenda. There were no public comments on items not on the agenda.

Approval of Minutes

Chair Dell'Osso asked for any corrections to the January 26, 2017 minutes. Seeing none, a motion was made by Don McEnhill to approve the minutes as is. Jan McFarland seconded the motion. A vote was taken, and all were in favor.

General Manager's Report Out

- The District has held three Vital Lands Initiative public meetings in the past two weeks. One in Healdsburg with 40 public attendees, one in Forestville with 50 public attendees, and one in Petaluma with 110 public attendees. There are two more meetings next week, one in Santa Rosa and one in Sonoma.

- There was an item in the Press Democrat on the Paulin Creek Preserve that has garnered a lot of public attention and inquiries. The District purchased nine acres of the preserve that connected a piece of property that is owned by the County (Parcel J) and another owned by the Water Agency. All three were originally planned to be managed jointly as a 46-acre preserve. The Board of Supervisors has included Parcel J in the Chanate Redevelopment property sale. The Redevelopment conceptual proposal includes developing housing and retail uses. The community has been using Parcel J as part of the 46-acre preserve for decades, and many people in the community are concerned about including Parcel J in the property sale. Mr. Keene has been attending meetings with Board Members and other County staff and the District will work on making sure the District property continues to be protected.
- The District is sponsoring the Artisan Cheese Festival in Petaluma that is taking place this weekend.
- Upcoming Board items: March 28 Property Maintenance, Repair and Management Services Agreement; April 25 Recommendations for Audit Services and Contract; May 16 Mitigation Policy, although this date may change.

Mr. Keene asked the chair to move agenda item #7 Comprehensive Plan Update to item #5.

Subcommittee Report Out & Election of New Members

There was no Ag Subcommittee before the meeting this evening and no report out and no report out on other subcommittees.

Election of new subcommittee members took place. Mr. Keene facilitated. There are three subcommittees currently active: Matching Grant Program, Comp Plan, which has changed its title to Vital Lands Initiative, and Agriculture. The Subcommittees can have up to six members. Current participation is as follows (which reflects current resignations of several members):

Matching Grant Program (room for four more participants)

Bill Smith
John Dell'Osso

Comp Plan (Vital Lands Initiative) (room for one more participant)

Jan McFarland
Don McEnhill
Steve Rabinowitsh
Kristin Thigpen
Cary Fargo

Agriculture (room for two more participants)

John Dell'Osso
John Nagle
Jan McFarland
Doug Lipton

Chair Dell'Osso asked for volunteers from the group. Elly Grogan volunteered to be on the Matching Grant Program subcommittee. Chair Dell'Osso appointed Ms. Grogan to the Matching Grant Program subcommittee.

Mariah will email the absent members to find out if anyone else would like to volunteer for any of the subcommittees.

Comp Plan Update (Vital Lands Initiative)

Alex Roa, Associate Planner, showed the members the Founders Film, a film that the District has been putting together for the last year.

He then presented a PowerPoint presentation on the status of the Comp Plan, which has been renamed to the Vital Lands Initiative.

The PowerPoint presentation is available at the District upon request or you can contact Mr. Roa with any questions.

Stewardship Reserve Update

Sheri Emerson, Stewardship Program Manager, presented a PowerPoint presentation on the Stewardship Reserve Update.

The PowerPoint presentation is available at the District upon request or you can contact Ms. Emerson with any questions.

Mitigation Guidelines Follow-Up

Ms. Emerson also presented a PowerPoint presentation on the Mitigation Guidelines Follow-Up. The Advisory Committee members were updated on the Fiscal Oversight Commissioners suggestions to District staff for the guidelines which included leaving out a 5th criterion. A discussion followed among members and public attendee. There was a motion from Don McEnhill to go forward with the guidelines with the Fiscal Oversight Commissioners suggestions, if language from the 5th criterion was added to the introduction to the Mitigation Guidelines. Jan McFarland seconded the motion. A vote was taken and all were in favor. The guidelines will move forward with comments and edits by the Fiscal Oversight Commissioners and Advisory Committee Members and will go to the Board.

Projects in Negotiations

Howlett Forest is close to closing.

Andy's Unity Park went to the Board and it is moving forward.

Announcements from Advisory Committee Members

Elly Grogan

The Southeast Greenway Preferred Alternative is on the agenda at the City of Santa Rosa Council meeting on Tuesday, March 28.

Adjournment: 7:21 pm

Next scheduled meeting date: April 27, 2017

Respectfully submitted,

Mariah Robson,
Advisory Committee Secretary



DATE: April 21, 2017 (Meeting April 27, 2017)
TO: District Advisory Committee
FROM: Jennifer Kuzmar, Matching Grant Coordinator
SUBJECT: Matching Grant Program and Guidelines Updates and Revisions

Background

The Sonoma County Agricultural Preservation and Open Space District (District) offers a competitive Matching Grant Program (Program) for projects within or near the County’s urban areas. The program is offered every-other year, and makes grants available to Cities, the County, other public agencies, and non-profit organizations for urban open space projects that provide open space preservation, community recreation, and/or restoration and enhancement of significant natural habitats.

The Program is borne out of the District’s enabling legislation, Measures A and F and the accompanying Expenditure Plan. The Program is described in paragraph 5 of the Expenditure Plan as follows:

“5. Other open space projects include but are not limited to, urban open space and recreation projects within and near incorporated cities and other urbanized areas of Sonoma County. Funds for these projects shall be available to cities, the County and other entities through a matching grant program, with preference given to acquisition and development of projects that link communities. Examples of these projects include creek restoration and enhancement, such as along the Petaluma River, Santa Rosa Creek and Laguna de Santa Rosa, trails, athletic fields, and urban greenspace.”

Since 1994, the Program has provided over \$30 million in funding toward all of the County’s nine incorporated cities and multiple unincorporated areas, allowing our partners to leverage funding to develop diverse and innovative projects throughout Sonoma County’s communities. To date, the Program has accepted 52 projects and has protected nearly 500 acres of urban open space land.

The Program is coordinated by District staff with support from a Matching Grant Subcommittee (Subcommittee) comprised of representatives from the Advisory Committee and Fiscal Oversight Commission. The Subcommittee assists staff in evaluating applications and recommending projects for funding and also participates in the development and revision of the Program Guidelines for eventual consideration and adoption by the District’s Board of Directors (Board).

Program Activity 2009 - present

As the Program has become more formalized and the District conducted numerous cycles, we continuously seek to identify ways to enhance and improve the Program. These improvements have been outcomes of both internal input as well as feedback we've heard from our partners. Over the last several years, there have been a number of updates and refinements to the Program to create a more formal, transparent, and efficient process.

In 2009, the Board accepted a number of revisions to the Program including updates to the match funding provisions to require applicants provide funding match of no less than a one-to-one ratio, imposing limits to the amount of match allowable for costs associated with operations and maintenance to no more than 50 percent, and placing limitations on impervious surfaces on Program-funded projects.

In 2011 a significant update of the Program was approved by the Board. This update reflected a number of updates to the Guidelines including administrative requirements such as demonstration of the applicant's governing body's approval to submit the funding application, project implementation requirements such as setting time limits for all projects, and revised and expanded criteria for evaluating projects. These programmatic updates affected all new and active projects at the time of Board approval.

In both the 2009 and 2011 Program updates, staff worked with the Subcommittee and solicited feedback from applicants, partners, members of the public, as well as the Advisory Committee, Fiscal Oversight Commission and Board of Directors to inform these revisions.

During the review of applications during the 2016 Program cycle, staff and the Subcommittee found that there may be a need for additional refinement to the Program - and Guidelines in particular - to provide additional clarity to applicants and the evaluation process.

On December 13, 2016, staff and the Subcommittee met to reflect and debrief on the 2016 Program cycle materials, processes and to discuss any refinements or revisions for consideration in preparation for the 2018 funding cycle. Additionally, staff solicited direct input on the Program from 2016 applicants and circulated an online survey to a mailing list of over 300 recipients. Twenty-seven survey responses were received.

In March of 2017, the District launched the Vital Lands Initiative (VLI) – a comprehensive plan that will guide the District's work for the next 15 years. The Matching Grant Program will be a component of the VLI as it relates to the District's work to protect urban open space and the development of the VLI provides a great opportunity to refine the Program. The District hosted five initial community meetings and will be hosting thematic workshops soon as well. The community meetings provided excellent opportunities to receive input related to the Program as well as to inform the participants about Program opportunities and constraints. Any relevant input received through the VLI process will also be considered during the revision of the Program Guidelines.

Proposed Process for Revision of the 2018 Matching Grant Program Guidelines

At the Advisory Committee meeting on April 27, 2017 District staff will provide a presentation to the Advisory Committee to summarize input received to date and solicit additional feedback to inform Guideline revisions. Staff will provide similar information and seek additional input from the Fiscal Oversight Commission at their meeting on May 4, 2017. Following these presentations, staff will work to develop

proposed Guideline revisions that will incorporate feedback received and will provide them to the Subcommittee, Advisory Committee, Fiscal Oversight Commission, Program partners, and the District's Board of Directors for review and comment. Staff anticipates completing draft proposed revisions this summer, with presentation to the Board in the fall. Ideally, the Board will consider adoption of revised Guidelines prior to the launch of the 2018 Program funding cycle. Staff anticipates launching the next application period in early 2018.

Summary of Input received to date

Overall the feedback received directly from conversations with applicants, the Subcommittee, participants in the Vital Lands' meetings, and through survey responses has been positive. People generally expressed their appreciation of the Program and the crucial funding it provides to protect urban open space. While there was general support for the Program, there were some suggestions for possible improvements to the Guidelines and Program processes. In an effort to gather additional input to inform potential revisions and refinements of the Program Guidelines, staff would like to hear from the Advisory Committee. The 2016 Program Guidelines are provided as an attachment to this document for your review. Topics for discussion include, but are not limited to:

- Intent of Matching Grant Program Funding
 - Considering the description of the Program in the Expenditure Plan (above) and in the Guidelines do you think it is clear the types of urban open space projects the Program is intended to fund?
 - The Expenditure Plan specifically lists athletic fields as a type of eligible Matching Grant Project. New technologies for fields have been developed in recent years using non-grass materials. Do synthetic turf projects meet the intent of the Program?
- Program Priorities
 - The Expenditure Plan states that acquisition and development projects that "link communities" will be given priority. However, the current version of the Guidelines doesn't explicitly state this. Should we be explicit about the prioritization of certain types of projects?
 - Are there certain types of projects you think should be prioritized? Examples project types include:
 - Acquisition of new lands
 - Acquisition of lands adjacent to existing protected properties
 - Projects located X distance from communities
 - Regional trails
 - Restoration of certain habitats
- Eligibility Requirements
 - The current Guidelines state that eligible development projects include those that construct "new or enhanced site improvements necessary for outdoor recreational facilities..." However, the Guidelines also describe "projects that solely rehabilitate existing facilities" as ineligible to receive Program funding.
 - Do you think that the Matching grant program should fund enhancement of existing recreational facilities?
 - The distinction between "new or enhanced" and "solely rehabilitation" projects may not be clear enough for applicants or reviewers to understand their eligibility.

How can we clarify this language to make it clear what is - and is not - eligible for funding?

- During the 2016 funding cycle, the District received four applications for funding for projects previously funded by the Program. Upon further investigation it was determined that the new funding request was for additional work on the "Project" as described in the applicant's previous Matching Grant Agreement. These projects were ultimately not very competitive against the field of applications received. However, the Guidelines do not explicitly state that these were ineligible projects.
 - Should an update to the Guidelines include revised language about the competitive nature of phased projects and/or eligibility of previously funding projects?

Finally, there were a number of suggestions received – both internally and externally – related to improvements to the Program's administration and processes. Staff is still considering this feedback and will bring this topic back at a later date along with draft revised Guidelines.



2016 MATCHING GRANT PROGRAM GUIDELINES

Applications Due: March 31, 2016

Questions and requests should be directed to:

Jennifer Kuszmar, Associate Planner – District Matching Grant Program Coordinator
(707)565.7266, jennifer.kuszmar@sonoma-county.org

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INTRODUCTION

Since its creation by Sonoma County voters in 1990, the Sonoma County Agricultural Preservation and Open Space District (District) has provided funds to Cities, the County, other public agencies and non-profit organizations for open space projects through its competitive Matching Grant Program (Program). Under the voter-approved 2006 Expenditure Plan, the Program provides funding for open space projects within or near incorporated and other urbanized areas of Sonoma County. The District's Program requires applicants to provide at least one-half of the proposed project's total cost.

The District administers the Program on a biennial basis and has provided over \$33 million in funding towards projects in all of the County's nine cities and in numerous unincorporated communities allowing our partners to leverage funding to develop diverse and innovative projects throughout Sonoma County's communities.

The 2016 Matching Grants Program budget for this cycle is \$2,500,000

SECTION A: 2016 APPLICATION PROCESS

The Sonoma County Agricultural Preservation and Open Space District operates a Matching Grants Program on a two-year cycle. A call for applications is announced on the District's website, www.sonomaopenspace.org/matching-grant-program, the County's website, www.sonomacounty.ca.gov, advertised in Sonoma County newspapers, on social media, and through direct solicitation by the District. Applications are available at the District website, at the District office, and can be sent by mail upon request. The 2016 Matching Grants Program will be accepting applications from January 28, 2016 through March 31, 2016. To commence the application period, the District will hold a public information workshop. The workshop will provide an overview of the Program including requirements, eligibility, evaluation and approvals. Participation is recommended for new applicants and applicants that did not attend a workshop for the previous cycle in 2014; however participation is not mandatory in order to apply.

Matching Grant Program Public Workshop

January 28, 2016. 9:00 a.m. – 11:00 a.m.

Permit & Resource Management Department – Public Hearing Room

2550 Ventura Ave.

Santa Rosa, CA 95403

All applications for funding must be received by 5:00 p.m. on March 31, 2016.

Packages should be delivered to:

Sonoma County Agricultural Preservation and Open Space District

Matching Grant Program

747 Mendocino Ave., Suite 100

Santa Rosa, CA 95401

To request an application, or for any questions, contact:

Jennifer Kuszmar, Associate Planner – District Matching Grant Program Coordinator

(707)565.7266, jennifer.kuszmar@sonoma-county.org

SECTION B: ELIGIBILITY AND PROJECT REQUIREMENTS

All projects must meet the eligibility requirements explained in this section in order to be considered for the Program.

1. Eligible Applicants

Eligible applicants include Sonoma County's nine Cities, the County, other public agencies, and non-profit organizations. The District encourages applications that include partnerships between or among Cities, County departments, public agencies, and non-profit organizations.

2. Eligible Projects

Projects eligible for the Program must include acquisition and/or development of real property for open space, agricultural, natural resource, or outdoor recreational use, or a combination thereof. Projects must be located within or near incorporated areas or other urbanized areas of Sonoma County.

To ensure preservation of open space consistent with the District's voter-approved 2006 Expenditure Plan, projects involving site development may be subject to limitations on impervious surfaces. Gravel trails, grass fields, and similar improvements that do not have impervious surfaces are not included in this calculation.

a. Acquisition Projects.

Eligible acquisition projects include, but are not limited to, acquisition of open space for:

- Public access to open space and outdoor recreational amenities, such as urban parks, greenways, athletic fields, and trails.
- Restoration, preservation and/or enhancement of significant natural areas, including oak woodlands, marshes, wetlands, uplands, riparian corridors, and other critical habitat areas.
- Agricultural lands near urban centers to provide for locally grown and produced food (does not include acquisition of land solely for community gardens).

Basic requirements for acquisition projects include the following:

- The current property owner must be a willing seller. The applicant is responsible for landowner negotiations, including obtaining an appraisal that meets the District's Guidelines and Standards (Refer to **Section E** below), securing a title report that covers all parcels in the proposed project, and performing all due diligence tasks.
- The property to be acquired must be free of significant title defects and obstacles to use, such as restrictive deeds and/or easements, restrictive water rights issues, restrictive cultural or historical resources, hazardous conditions and/or materials, public use conflicts, and in-holdings or property boundaries that limit or preclude management options.

b. Restoration Projects.

Eligible restoration projects include, but are not limited to, restoration, preservation and/or enhancement of significant natural areas, including oak woodlands, marshes, wetlands, uplands, riparian corridors, and other critical habitat areas.

c. Recreation Development Projects.

Eligible recreation development projects include, but are not limited to, development of:

- Trails, with preference given to those that are part of a regional trail system; provide connections between communities, public parks or public lands; or provide linkages within and adjacent to urban areas.
- Site improvements necessary for, and which facilitate, opening public access to open space and parks for outdoor recreational use including trailheads and staging areas.
- Construction of new or enhanced site improvements necessary for outdoor recreational facilities, including park amenities, trailheads, staging areas, picnic areas, and athletic fields.

Basic requirements for both restoration and recreation development projects include the following:

- There must be a plan (e.g., master plan, management plan, restoration plan) developed for the project. The plan can be conceptual or preliminary at the time of the application and the final plan will have to be reviewed and approved by the District prior to disbursement of funding.
- Projects should be within two years of project construction at the time of application submittal.
- Projects must involve restoration/recreation improvements that are long term in nature. Specifically, applicants must anticipate a project to be beneficial for more than 20 years.
- The property on which the restoration or development would occur must be free of significant title defects and obstacles to use, such as restrictive deeds and/or easements, restrictive water rights issues, restrictive cultural or historical resources, hazardous conditions and/or materials, public use conflicts, and in-holdings or property boundaries that limit or preclude management options.

3. Ineligible Projects

Projects that are not eligible for the Program include, but are not limited to:

- a. Projects that involve acquisition of property through the power of eminent domain.
- b. Projects that solely rehabilitate existing facilities.
- c. Projects that are intended to be used to fulfill mitigation requirements for a public or private development project.
- d. Acquisition of, or interest in, land that unlawfully restricts access to specific persons.
- e. Projects on property that the District owns in fee.
- f. Projects on property that the District has purchased in fee and transferred to another entity.
- g. Projects where the District has contributed to the fee purchase through the acquisition of a conservation easement.

[NOTE: Projects that have received acquisition funding through the District's Matching Grants Program are eligible for additional Matching Grant Program funding.]

4. Eligible Matching and District Funding Components

For eligible projects, specific components of the project may or may not be eligible for District funding. Additionally, there are some limitations on eligible match funding. Examples of typical components and their funding eligibility are listed in the table found in **Section F**.

5. Planning and Environmental Context

The project must be based on sound planning, as demonstrated by consistency with the applicable jurisdiction's (e.g., City, County) general plan, any relevant specific plan, area plan, habitat plan, and other applicable planning documents. The project must comply with the Federal Americans with Disabilities Act (ADA), the California Environmental Quality Act (CEQA), and all other local, State and federal environmental and permitting requirements. Any necessary approvals or permits must be able to be obtained in a timely manner.

Note: If a project involves development of, or change in use of a property, or if significant changes are proposed to existing improvements, applicants should coordinate with all applicable jurisdictions and agencies to determine in advance which land use entitlements or permits may be necessary to implement the project.

6. Community Support

There must be demonstrated broad community support for the project, as well as support from the appropriate governing body, such as the Board of Directors, the County Board of Supervisors or the City Council (see **9. Project Authorization** below).

7. Land Ownership

Applicants or a co-applicant must have a legal interest in the property (ownership or easement) that ensures their right to implement the project. To demonstrate this the following is required:

- For **acquisition** projects, applicants must submit documentation, such as a letter of intent or purchase agreement, demonstrating the willingness of the current landowner to negotiate the sale of the property to the applicant or co-applicant.
- The entity that holds title, has a legal interest in the property, or who will hold title to the property at closing must be an eligible applicant, sign as a co-applicant on the application, must be willing to be a signatory of the Matching Grant Agreement, and be willing to convey to the District a Conservation Easement over the property.

8. Co-Application

The District encourages partnerships between entities to apply for a grant and complete projects. To demonstrate a commitment to the project, all parties will be required to sign off on the application.

Further, the District requests that a written agreement between co-applicants (e.g. Memorandum of Understanding, land tenure agreement, lease) be in place at the time of application. This agreement establishes that the parties have committed to implementing the project. At a minimum, this agreement must include the following:

- Roles and Responsibilities - The agreement must authorize the co-applicants to proceed with the implementation of the project, operate the project, and must identify which co-applicant is responsible for maintenance of the project property. The agreement may allow the co-applicants to delegate activities to other entities. All activities must be in accordance with the District's Matching Grant Agreement.
- Term of the Agreement - The agreement should be long term in nature and at a minimum long enough to implement the project, provide public access (if applicable), and document match.

- Renewal Clause - The renewal clause should include an option for the co-applicants to renew the agreement beyond the original term.
- Termination - Any of the following are acceptable: 1) No termination clause; the agreement is irrevocable; 2) A termination clause that specifies that the agreement is revocable only for breach of the agreement or for cause; or 3) A termination clause that specifies that the agreement is revocable by mutual consent. A termination clause that allows the landowner to revoke the agreement without cause is not acceptable.
- Signatures of both parties.

If an agreement has not been executed by the time the application is submitted, a signed letter by the co-applicants, indicating their intent to enter into such an agreement is acceptable. If awarded funding, submittal of an agreement between all parties will be required prior to any disbursement of funds.

NOTE: Co-applicants will be required to submit authorization from their respective governing bodies (see **9. Project Authorization** below). If awarded, all co-applicants will be required to sign the Matching Grant Agreement.

9. Project Authorization

To be considered for the Program, all applicants must have the support of their governing body as evidenced in a formal resolution or formal statement. Resolutions or statements must include the following:

- Authorization by the governing body for submission of the application to the Program.
- Acknowledgement that the applicant has or will have available the required match and sufficient funds to complete the project.
- An explanation or analysis to demonstrate that the project is consistent with the jurisdiction's General Plan. For applicants representing a project in an unincorporated area of the county, a description of consistency with the County's General Plan is required.
- Acknowledgement that the applicant has or will have sufficient funds to operate and maintain the project.
- Acknowledgement that the applicant has reviewed, understands, and agrees to the provisions contained in the Program Guidelines.
- Delegation of an authority to conduct all negotiations and submit and sign all documents, including but not limited to, application, Matching Grant Agreement, Conservation Easement, Recreation Covenant, Irrevocable Offer(s) of Dedication, amendments, reimbursement requests and so on, which may be necessary for completion of the project.
- Agreement to comply with all applicable Federal, State and local laws, ordinances, rules, regulations and guidelines.

A draft Project Authorization Resolution can be found in the **Appendix**.

10. Requirements for Non-Profits

Applicants or co-applicants that are non-profit organizations must submit the following to be considered for acceptance into the Program:

- IRS 501(c)(3) exemption letter
- California Form 590 Withholding Exemption Certificate

- California Form 204 Payee Data Record
- Articles of Incorporation
- By-laws

11. Audit

The applicant is required to provide the most recent annual independent audit report and if applicable, the memorandum of internal control with their application. Additionally, the applicant’s annual audit report should be made available to the District until the project completion.

SECTION C: PROJECT EVALUATION CRITERIA

The Matching Grant Program is competitive and in a typical Program cycle, the District receives more well-qualified applications than it has available funding.

Once a project is deemed eligible for the Program, it will be evaluated for potential funding using the following criteria:

- **Project Need.** The project fulfills a well-identified and high-priority need within the geographic area where the project is located.
- **Project Benefits.** The project results in multiple benefits to the community and to native plants and wildlife.
- **Public Support.** The project enjoys broad community support.
- **Project Readiness.** The applicant has the ability to complete the project within the timelines imposed by the guidelines (refer to **Section E** for specific timelines).
- **Project Design.** The project design bears a direct relationship to the stated project need(s) and will result in the intended benefits.
- **Project Funding.** The grant request, combined with the match, provides for successful completion of the project.
- **Sound Planning.** Adequate steps have been taken to ensure project implementation and success.
- **Demonstrable Experience.** The applicant has the experience and ability to complete and maintain the project.
- **Quality of Application.** The application provides 1) all required information in the appropriate form; and 2) complete, clear, and concise answers to all questions.
- **Fiscal Capacity.** The applicant has adequate fiscal capacity to ensure project success, as shown in the submitted line-item budget and independent audit report.

SECTION D: EVALUATION, PROGRAM ACCEPTANCE & APPROVAL

1. Evaluation

Evaluation of applications may take 4-6 months, and includes the following steps:

- District staff conducts an initial review of all applications for completeness and eligibility. Incomplete or ineligible applications will not be evaluated further and will not be considered for funding.
- District staff and subcommittee of the District’s Citizens Advisory Committee and Fiscal Oversight Commission evaluate eligible applications using the Project Evaluation Criteria (see **Section C above**). During this period, staff may request a site visit of the project property or more information from applicants.
- In consultation with the subcommittee, District staff recommends to the full Advisory Committee selected projects to be accepted into the Program and associated funding amounts. The recommendations are presented and discussed at a public meeting of the Advisory Committee. District staff notifies applicants regarding the status of their application prior to Advisory Committee consideration.

2. Program Acceptance

District staff presents the recommended suite of projects, along with any comments and suggestions from the Advisory Committee, to the District’s Board of Directors. Based upon the information presented, the Board of Directors determines which projects, with recommended funding amounts, are accepted into the Program.

3. Approval Process

Following acceptance into the Program, District staff works with successful applicants on execution of a Matching Grant Agreement, a Conservation Easement, and in some cases a Recreation Covenant (refer to **Section E** below for more information) for each project. When the terms of these documents are agreed upon, the project will be presented to the District’s Board of Directors for final grant approval. All projects must be brought before the Fiscal Oversight Commission prior to presentation to the Board of Directors. See **Section E** below and the *Approval Process Flowchart* in the **Appendix** for more detail.

NOTE: An application that is not accepted into the Program during one funding cycle may be resubmitted for consideration during a subsequent funding cycle. It is also possible that projects may receive partial funding. If approved with funding less than the amount requested, the applicant will be asked to submit a revised project description, budget and timeline.

SECTION E: MATCHING GRANT PROGRAM FUNDING REQUIREMENTS

As described above, after a project is accepted into the Program by the District’s Board of Directors, District staff and the applicant will work together to complete the following required Program components, which must receive the District’s Board of Directors for Project approval prior to final execution and disbursement of funds.

1. Matching Grant Agreement

Applicants accepted into the Program must enter into a **Matching Grant Agreement** with the District. The provisions in the Matching Grant Agreement may vary slightly by project, however in general it includes funding terms and conditions including the conveyance of a Conservation Easement and Recreation Covenant (if applicable); standard indemnification, procurement, insurance and record-

keeping provisions; information on the requirement that the applicant submit a detailed Work Plan prior to the disbursement of funds; and information on Grant Reporting and Invoicing.

For more detailed information, a Matching Grant Agreement template can be found in the **Appendix**.

2. Conservation Easement

A condition of this funding requires that the applicant or co-applicant convey a **Conservation Easement** to the District. The Conservation Easement is a legal agreement between the landowner and the District that permanently limits the use of the land in order to protect its conservation values. Should the landowner sell or transfer the property to another owner, subsequent owners are obligated to use the land under the terms of the Conservation Easement. The Conservation Easement is binding in perpetuity – in other words, forever. All District Conservation Easements, including those required under the Matching Grant Program, must be approved by the District’s Board of Directors and recorded with the County Recorder.

A conservation easement is a flexible tool, and is tailored for each specific property based on the common preservation goals of the landowner and the District. A conservation easement on property containing rare wildlife habitat or scenic landscapes might prohibit any development, for example, while an easement on agricultural lands might allow continued farming and the addition of agricultural structures. A conservation easement over a property intended for public outdoor recreation might allow for the necessary infrastructure required for public access and enjoyment.

Conservation Easement templates are found in the **Appendix**.

3. Recreation Covenant

If the primary goal of the project is to provide outdoor recreation and public access opportunities the applicant or co-applicant will be required to convey a **Recreation Covenant** to the District in addition to a Conservation Easement. The Recreation Covenant encumbers the project property to ensure that it will be open to the public in perpetuity, and provides remedies in the event that public access is not provided at some point in the future. The Recreation Covenant must be approved by the District’s Board of Directors and recorded with the County Recorder.

In general, the Recreation Covenant requires that the property is available to the public for outdoor recreation and education in a manner consistent with the Conservation Easement. Further, the property must be continuously used, maintained and operated as a public park or open space preserve. In some cases, the District may require that the applicant convey an Irrevocable Offer of Dedication to the District of the fee interest and/or a 25-year recreational lease of the property. This is the remedy the District would utilize if the terms of the Recreation Covenant are not fulfilled.

A Recreation Covenant template can be found in the **Appendix**.

4. Property Appraisal

For **acquisition** projects, an appraisal of the subject property must be completed to establish the fair market value of the fee interest. The District can only contribute funds up to the appraised fair market value of the property. The appraised date of value shall be the date it was purchased, or within one year of Fiscal Oversight Commission approval.

It is preferable that the appraisal is completed before the application is submitted; it is acceptable to submit an opinion of value from an appraiser, rather than a full appraisal with the application. Appraisals that are one year or older at the time the Fiscal Oversight Commission conducts its review may be required to be updated. The applicant is responsible for coordinating the appraisal process and for any associated expenses. Appraisals must comply with the District's Appraisal Guidelines and Standards (refer to the Appraisal Guidelines and Requirements for Matching Grant Applicants, and the Guidelines and Standards for Preparation of Narrative Appraisal Reports, available at www.sonomaopenspace.org/matching-grant-program).

5. Schedule for Project Completion/Term of the Grant Agreement

For **acquisition** projects, applicants are expected to acquire the project property and expend the District's grant funds and matching funds within **three years** from the date the Board accepts the project into the Program. This timeframe accounts for the District's approval process, which includes:

- Appraisal review by the District's Fiscal Oversight Commission.
- Agreement on the terms of a Matching Grant Agreement, Conservation Easement and Recreation Covenant, if applicable.
- District's Board of Directors' approval of the project and grant funds.

For **restoration** and **recreation development** projects, applicants must expend the District's grant funds within **five years** from the date the Board accepts the project into the Program. This timeframe accounts for the District's approval process, which includes:

- Presentation to the District's Fiscal Oversight Commission.
- Agreement on the terms of a Matching Grant Agreement, Conservation Easement and Recreation Covenant, if applicable.
- District's Board of Directors' approval of the project and grant funds.

These time requirements will be set forth within the Matching Grant Agreement. The District may consider one request for extension of the time requirements up to two years, only upon the applicant's demonstration of reasonable progress on the project and proof that the extension will result in successful completion of the project.

6. Payment of Grant Funds

Acquisition Projects. Once an applicant has met the conditions for disbursement of funds, funding will be deposited into an escrow account. This typically occurs prior to purchase; however, in certain cases, the District may reimburse the applicant for property acquisition. In most cases, the acquisition is then completed in a single escrow in which the applicant takes fee title to the property and conveys a Conservation Easement to the District. Applicants are responsible for opening an escrow account, and the District and applicant each prepare their own escrow instructions. Through escrow, the applicant retains title policy insurance for the fee interest and the District retains title policy insurance for the Conservation Easement interest.

Conditions for disbursement of funds towards acquisition projects include acceptance of the appraisal and finalization of required Program documents (Matching Grant Agreement, Conservation Easement, and Recreation Covenant – if applicable) before funding will be deposited in an escrow account.

Restoration and Recreation Development Projects. Once an applicant has met the conditions for disbursement of funds, the applicant may submit invoices to the District for reimbursement pursuant to a District-approved Work Plan that includes a detailed description of project tasks including milestones/deliverables and specifics on the anticipated project schedule and budget.

Conditions for disbursement of funds toward restoration and/or recreation development projects include Board approval of Program documents (Matching Grant, Conservation Easement, Recreation Covenant, etc); District approval of the Work Plan described above; documentation of proof of insurance, acceptable procurement policy and all necessary permits and approvals, and CEQA completion.

Projects that are accepted into the Program will receive an orientation to the Program's processes including Work Plan approval, reimbursement and reporting prior to the disbursement of funds. Reimbursement forms as well as Work Plan templates with budgets and timelines can be found in the **Appendix**.

7. Reporting

Acquisition projects are required to submit a copy of the recorded deed after closing to support the disbursement of District and to document contribution of matching funds. If the project includes restoration and/or recreation development in addition to acquisition, quarterly progress reports will be required. See below for more information.

Restoration and recreation development projects are required to submit quarterly performance reports demonstrating project progress and achievement of milestones, and describing challenges/opportunities based on the approved Work Plan. Invoices shall be submitted alongside the report. Conformance with the reporting requirements of the Matching Grant Agreement are required. Applicants will be required to submit a final report demonstrating project completion consistent with the requirements of the Matching Grant Agreement and approved work plan.

Projects that are accepted into the Program will receive additional information and an orientation to the reporting process. Sample project reports are found in the **Appendix**.

8. Accounting Requirements

Applicants must maintain an accounting system for the project that is in accordance with generally-accepted accounting procedures and standards, and as such:

- Accurately reflects responsible fiscal transactions, with the necessary controls and safeguards.
- Provides a solid audit trail, including original paper or electronic source documents for transactions such as purchase orders, cash receipts, progress payments, invoices, timecards, and all evidence of payment.
- Provides accounting data so the total cost of the project and each individual component can be readily determined and isolated.

9. Fiscal and Project Monitoring

Projects accepted into the Program will be subject to compliance monitoring by the District. Monitoring may include examination of books, papers, accounts, documents, or other records of the applicant as they relate to the project for which the funds were granted.

10. Records Retention

The project records and related financial records must be retained and accessible to the District for no less than five years after the project is completed.

SECTION F: FUNDING COMPONENTS

This section lists examples of project costs and whether they would be considered eligible for District funding and/or as match funding. Please note that this is not a comprehensive list. Please consult with the Matching Grants Coordinator if your project includes activities not listed below.

Match Requirement

The Program requires applicants to provide a matching contribution at a ratio of **one-to-one**. The match may include both direct contribution and in-kind services and materials; however, no more than fifty percent (**50%**) of the match can be satisfied through operations and maintenance costs (O&M).

The applicant must identify all matching funds, including all anticipated in-kind contributions, in the project budget submitted in the application. The matching funds must be currently available or receivable in a timely manner. Applicants will be required to provide supporting documentation for all matching funds represented as secure in the submitted budget (e.g., grant award letters, letters of commitment). If some or all of the matching funds are not yet secure, the applicant must indicate **when funding is anticipated to be secured**, and must promptly inform the District when those matching funds are received. For all projects, the applicant's match must be secured and expended within **five years** of the project's acceptance into the Program (see Schedule for Project Completion under **Section E** for more information).

List of Example Project Activities and Funding Eligibility

The following table provides some examples of typical project activities and their eligibility for grant reimbursement or match funding. This is not an exhaustive list, just a sample. If a project requires activities that are not shown on this table, please contact District staff to discuss.

Example Activities	Eligible GRANT Expense	Eligible MATCH Expense
ACQUISITION COSTS		
Price or portion of price of acquisition (e.g., purchase or donation of project site)	✓	✓
Appraisal	✓	✓
Property surveys	✓	✓

Example Activities	Eligible GRANT Expense	Eligible MATCH Expense
ACQUISITION COSTS continued		
Title report	✓	✓
Initial hazardous materials investigations (e.g., Phase 1)	✓	✓
Standard County fees (e.g., voluntary merger, lot line adjustment)	✓	✓
Escrow/closing (e.g., title insurance fee, escrow fees, recording fees)	✓	✓
Broker/agent fees	no	no
Staff time for negotiations, closing, etc. with District	no	no
DESIGN COSTS - TOTAL of ALL design costs no to exceed 25% of Grant Funding		
Conceptual Plans	Limited to <25% of total Grant	Limited to <10% of total Match
Construction Drawings	Limited to <25% of total Grant	Limited to <10% of total Match
Regulatory Permits	Limited to <25% of total Grant	Limited to <10% of total Match
City and County Permits	Limited to <25% of total Grant	Limited to <10% of total Match
Project Management	Limited to <25% of total Grant	Limited to <10% of total Match
Restoration, planting and irrigation plans	Limited to <25% of total Grant	Limited to <10% of total Match
Stormwater Pollution Prevention Plans	Limited to <25% of total Grant	Limited to <10% of total Match
CEQA Analysis	Limited to <25% of total Grant	Limited to <10% of total Match
Insurance and bonds for construction	Limited to <25% of total Grant	Limited to <10% of total Match
Other Site Analysis (cultural studies, existing conditions reports, etc)	Limited to <25% of total Grant	Limited to <10% of total Match
Workshops, food, room rentals	no	no
IMPLEMENTATION COSTS		
Contractor labor for implementation of project components including but not limited to habitat restoration, invasive plan removal, native plant installation, placement of permanent outdoor recreation or park elements (e.g., signage, fencing, storage, greenhouse, walkways, ADA components), installation of outdoor recreation/park elements (e.g., turf, benches)	✓	✓
Materials (e.g., construction materials, plants, soil, erosion control, lumber)	✓	✓

Example Activities	Eligible GRANT Expenses	Eligible MATCH Expenses
IMPLEMENTATION COSTS continued		
Purchase of tools, equipment (e.g., shovels, tractors), and office equipment (e.g. computers, furniture)	no	no
Rental of tools, equipment (e.g., shovels, tractors)	✓	✓
Waste disposal fees (e.g., trash, green) during project	✓	✓
Construction or improvement of infrastructure outside project site boundaries	no	no
Purchase of permanent interpretive/educational elements (e.g., kiosk, signage)	✓	✓
Purchase of related structures such as small sheds for storage of materials to maintain property	✓	✓
Purchase of permanent elements for outdoor recreation/park facilities (e.g., turf, interpretive signage, benches, bike racks)	✓	✓
Significant structural improvements for recreation facilities (e.g., swimming pool, playgrounds, water parks, gymnasiums)	no	no
Planting monitoring and maintenance costs	✓	✓
Mitigation Costs on or offsite	no	no
Public access improvements costs such as walkways, trails, creek crossings, ADA components, and parking improvements that facilitate access	✓	✓
Utility infrastructure that supports project (e.g., water hooks-ups for planting irrigation)	✓	✓
Other permanent feature costs such as water-related infrastructure (e.g., fishing pier, dock, boat put-in), landscaping and gardening elements (e.g., greenhouses, plants, materials)	✓	✓
In-kind contributions of materials, professional services (non-applicant), and labor (non-applicant)	n/a	✓
OTHER		
A monetary contribution from any source (such as a public or private grant or donation, or funds from an organization or agency's allocated budget)	n/a	✓
Project management costs related directly to implementation of the project (including staff time)	✓	✓
Operations and maintenance of property	no	Limited to <50% of match
Non-project-specific expenses (e.g., utilities, rent, overhead)	no	no
Long-term leases	no	no
Fundraising, grant writing	no	no
Research	no	no
Costs incurred before project is accepted into the Program	no	may be considered for acquisition costs ONLY

APPENDIX

The Appendix is saved as a separate document available at sonomaopenspace.org/matching-grant-program and includes a number of sample and/or template documents. These documents are included for demonstrative purposes only and may be subject to change.

Sample and template documents in the Appendix include:

- ✓ Draft Board Resolution for Applicant
- ✓ Matching Grant Agreement Template – Acquisition Project
- ✓ Matching Grant Agreement Template – Restoration/Recreation
- ✓ Conservation Easement Template – Recreation
- ✓ Conservation Easement Template– Natural Resources
- ✓ Recreation Covenant Template
- ✓ Progress Report Template
- ✓ Work Plan Template, including budget and timeline
- ✓ Reimbursement Request Form
- ✓ Approval Process Flow Chart

PROJECT	Acreage (approximate)		Supervisory District	Acquisition Plan Category				Project Design	Appraisal Process	Approvals/Baseline	Escrow	Comments
Arrowhead-Maas Ranch	245	2	Farms & Ranches	x								CE under negotiation
Cresta III	46	1	Recreation & Education	x	x							offer made
Donnell	909	1	Greenbelts & Scenic Hillside	x								CE under negotiation
Foppiano Vineyards	160	4	Greenbelts & Scenic Hillside	x	x							FOC reviewed appraisal 3/5/15
Gloeckner-Turner Ranch	3,364	5	Water, Wildlife & Natural Areas	x								Project design
Hansen Ranch	330	2	Farms & Ranches	x	x							offer made
Howlett Forest	1,395	5	Water, Wildlife & Natural Areas	x	x							Closed April 19, 2017
Lafranconi	211	5	Greenbelts & Scenic Hillside	x								CE under negotiation
Mattos Dairy	866	2	Farms & Ranches	x								Appraisal underway
Rips Redwoods	1,850	5	Water, Wildlife & Natural Areas	x	x							Appraisal underway
Sonoma Developmental Ctr V (Transforma	945	1	Greenbelts & Scenic Hillside									Resource assessment underway
Terrilinda Dairy	175	2	Greenbelts & Scenic Hillside	x								Project on hold
Weeks Ranch - Rasmason	1,372	1	Water, Wildlife & Natural Areas	x								CE under negotiation
Wendle	47	1	Recreation & Education	x	x	x	x					Board approved 12/6/16 - in escrow to close

Total Acres: 11,915

Matching Grant Projects	Acreage (approximate)	Supervisory District	Location	Begin Grant Process	Appraisal Process	Approvals/Baseline	Escrow	Comments
Andy's Unity Park (2014 & 2016)	4	5	Southwest Santa Rosa	x				Drafting documents
Bayer Farm Site Development	6**	5	Southwest Santa Rosa	x	x	x	x	Reimbursement ongoing, Grant term extended
Colgan Creek Restoration (Ph 3)	7	5	Southwest Santa Rosa	x	n/a	x	x	Board approved 4/21/15
Crane Creek Regional Trail*	6	1	East of Rohnert Park	x	n/a			Initiating project
Creskide Park, Phase 1A	4**	5	Monte Rio	x	n/a	x	x	Reimbursement ongoing
Denman Reach Phase 3	2	2	North Petaluma	x	n/a			Drafting documents
Falletti Ranch	4	2	Cotati	x	x	x	x	Tracking match
Forever Forestville	4	5	Downtown Forestville	x	x	x	x	Tracking match
Graton Green Community Park	1	5	Downtown Graton	x	n/a			Initiating project
Guerneville River Park, Phase 2*	5	5	Central Guerneville	x	x	x		Initiating project
Irwin Creek Riparian Restoration	47**	5	West of Santa Rosa	x	n/a	x	n/a	Reimbursement ongoing
Maxwell Farms	79	1	Northwest of Sonoma	x	n/a			Initiating project
Nathanson Creek Preserve Restoration	1**	1	Sonoma	x	n/a			Reimbursement ongoing
Paula Lane OSP	11	2	West Petaluma	x	x	x	x	Tracking match
River Lane Acquisition	1	5	West of Guerneville	x				Initiating project
Riverfront Regional Park, Phase 3*	300**	4	West of Windsor	x	n/a			Initiating project
Roseland Creek Community Park - Phase 1	3	5	Southwest Santa Rosa	x				Initiating project
Roseland Village Public Space	1	5	Southwest Santa Rosa	x	n/a			Drafting documents
SE Santa Rosa Greenway	61	1	Southeast Santa Rosa	x		x		Initiating project
Sebastopol Skategarden Expansion	1	5	Sebastopol	x	n/a	x	x	tracking match
SMART Pathway – Hearn to Bellevue	6	5	Southwest Santa Rosa	x	n/a	x		FOC approved 7/21/16
SMART Pathway - Payran to S. Point	14	2	Petaluma	x	n/a			Initiating project
Sonoma Garden Park, Phase 2	5**	1	East of Sonoma	x	n/a	x	n/a	Reimbursement ongoing
Steamer Landing Park Development	27**	2	Downtown Petaluma	x	n/a			Initiating project
Total Acres:	188							

* District approved a 2-year extension
** Restoration/Development project on previous acquisition