



CALIFORNIA TAHOE CONSERVANCY PROPOSITION 1 – ROUND 3 GRANT PACKAGE

August 2020

The California Tahoe Conservancy announces the availability of funding through its Proposition 1 Grant Program. The *Water Quality, Supply, and Infrastructure Improvement Act of 2014* allocated funding to the Conservancy for a competitive grant program supporting multi-benefit ecosystem and watershed protection and restoration projects.

Funding Available:

Up to \$1.1 million for Stormwater Quality and Ecosystem and Watershed Management projects. While there is no grant request limit, the Conservancy seeks to award approximately three to five grants in Round 3.

Schedule and Key Dates:

August 26, 2020: Conservation Corps Consultation Review Forms Due to CCC/CALCC (Implementation and Monitoring Grants)

September 11, 2020, 5:00 PM: Final Complete Applications Due to Conservancy

September – November 2020: Conservancy and Review Team Evaluation Process

December 2020: Conservancy Board Authorizes Grant Awards

June 2022: All Grant Agreements Must Be Fully Executed

May 2024: Final Invoice Due and Grant Agreements Must Be Closed Out

Submittal Requirements:

All applications are due Friday September 11, 2020 by 5:00 PM. Applicants must submit an electronic version of their full grant application, including all attachments, to Prop1grants@tahoe.ca.gov.

<https://tahoe.ca.gov/conservancys-proposition-1-grant-program/>

Proposition 1 Grant Application Package Overview

This Grant Application Package provides instructions and all necessary materials to complete California Tahoe Conservancy (Conservancy) Proposition 1 – Round 3 Planning, Implementation, Acquisition, and Monitoring grant applications. Applicants should first read the Conservancy’s 2015 Proposition 1 Grant Guidelines, available on the Conservancy’s Proposition 1 website (<https://tahoe.ca.gov/conservancys-proposition-1-grant-program/>), for information regarding Focus Areas, eligible applicants, consultation requirements, guiding documents, performance measures, and the Conservancy’s evaluation process and criteria.

Grants are available only for projects that provide multiple benefits within or across Focus Areas and provide benefits greater than those required under applicable environmental mitigation measures or compliance obligations. The primary Focus Area for grant applications under Round 3 must be Stormwater Quality or Ecosystem and Watershed Management. Funding is limited to these two Focus Areas because there is only approximately \$1.1 million available, and there are alternative funding sources available to fund projects under other Focus Areas. Applicants should be aware that the requirements of SB 985 must be met for projects with a primary stormwater focus to be eligible for funding.

Eligible applicants include public agencies, including cities, counties, special districts, joint powers authorities, State agencies or departments; federally recognized Indian tribes; and eligible nonprofit organizations.

Applicants are strongly encouraged to consult with Conservancy staff prior to preparing an application to ensure that a project fits within the requirements of Proposition 1. To schedule a consultation, please contact Jen Greenberg at jen.greenberg@tahoe.ca.gov or (530) 543-6060.

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Proposition 1 Grant Application

In submitting your application, you must comply with these instructions. The following elements are required in all applications.

1. *Project Name:*
2. Has your organization applied for, or does it intend to apply for, funding from another public agency for this project? Yes OR No
If yes, indicate the agency/grant program/amount requested/date requested.
3. *Contact Information*
 - a. Applicant's Name (Official entity's name):
 - b. Official Mailing Address:
 - c. Other Address:
 - d. Authorized Signatory/Title:
 - e. Applicant Contact/Project Manager:
 - f. Contact's Phone:
 - g. Contact's Email:
 - h. Other key personnel who may represent the application (list names and contact info):
4. *Project Type:* Planning; Acquisition; Implementation; or Monitoring Grant
If a grant augmentation request, provide the CTA#:
5. *Primary Focus Area:* Ecosystem and Watershed Management; or Stormwater Quality
Secondary Focus Area(s):
6. Is this project on the current 5-year EIP list? Yes OR No
If no, describe your organization's strategy for adding it.
7. *Project Description, including Project Benefits and Consistency with Statewide Priorities and the Lake Tahoe Environmental Improvement Program (EIP)*
Provide the project's purpose and need statement.
Provide a short executive summary of the project.
Describe the Project's consistency with Proposition 1 Focus Area(s) and applicable Focus Area-Specific Guiding Documents.

Describe the project's multiple benefits, within or across Focus Areas, including any climate change benefits. Note: project benefits need not be limited to the primary focus areas above.

Indicate how the project provides fisheries or ecosystem benefits or improvements that are greater than required applicable environmental mitigation measures or compliance obligations.

8. *Project Schedule and Readiness/Feasibility*

Describe the current status of the project and the readiness to proceed (e.g., permit status, data needs, easements, etc.), completion dates for major project milestones/work products, and expected project completion date.

If project work extends beyond May 15, 2024, explain portions of work to be specifically funded by this grant.

9. *Innovation and Science*

Describe how the project applies the best available science to inform decisions regarding water resources.

Describe new or innovative technology or practices proposed for use, including decision support tools that support integrated resource management.

10. *Performance Measures*

Describe project-specific performance measures and quantities. Describe methods used to obtain quantities.

Indicate how project effectiveness will be assessed.

Describe the proposed monitoring and evaluation methods and data to be collected and evaluated.

11. *Project Budget; Leveraged Funding*

Provide a detailed budget for the funds requested (example layout below), as well as the total project cost, based upon estimates of eligible costs. *Attach detailed budget in Excel format including all columns in below example.*

EXAMPLE Budget Categories /Activities	Conservancy Request "A"	Cost Share (secured) "B"	Unfunded Amount "C"	Total Project Cost A+B+C
Project Administration				
Planning (add subcategories by task)				
Acquisition (add subcategories by task)				
Design (add subcategories by task)				
Construction (add subcategories by task)				
Monitoring (add subcategories by task)				
TOTAL				

Identify other funding sources that have been secured, applied for, or are being considered.

Describe any in-kind assistance by the applicant.

Does this budget request include a project administration and/or contingency amount of more than 10% of the total grant request? Yes OR No

If yes, provide a justification of the special circumstances that warrant consideration of the proposed amount.

12. Organizational Capacity

Describe your organization's experience and capacity to plan and deliver the project within the schedule and budget.

13. Public, Stakeholder, and Agency Support

Describe the role of the Environmental Improvement Program (EIP) workgroup, if any, and support of stakeholders. Indicate public involvement efforts to date and anticipated, and summarize public response to the project.

14. CEQA Environmental Documentation

Is the project exempt from CEQA? Yes OR No

If yes, list the exemption and describe why the project is exempt.

Is there a higher level CEQA document for the project? Yes OR No

If yes, is the CEQA document a negative declaration, mitigated negative declaration,

or environmental impact report?

Is the notice of exemption or notice of determination filed with the State Clearinghouse or County Clerk? (provide document only upon request) Yes OR No

If no, describe the status of CEQA documentation and/or approval.

15. *Corps Consultation*

Is Corps Consultation Complete? Yes OR No

Form attached? Yes OR No

Is the project exempt from consultation requirement? Yes OR No

By answering "Yes", applicant attests that this project is solely for planning or acquisition activities.

16. *Land Tenure*: Not applicable (such as Acquisition Grant); Applicant owns site; OR Land is not owned by applicant

If the applicant does not own the project site but has adequate site control to support the project, describe and attach documentation. "Adequate site control" includes a lease, special use permit, easement, joint powers agreement, or other suitable interest in the property (lasting at least for the duration of the grant operation and maintenance obligation).

If site control has not been obtained, describe the plan to obtain site control and how the project would be affected if it is not obtained.

Describe any plans to locate the project on or adjacent to Conservancy land, and how that land might be affected.

17. *Governing Body Resolution*

Attach a resolution by the governing body, or letter from an authorized officer, of the project sponsor confirming the organization's commitment to the project and to operate and maintain the project for its useful life following the completion of construction. (A sample can be provided upon request.)

If not attached, explain how resolution is in progress and date expected.

Required Attachments

All Applications:

- Project Location Map
- Map(s) Identifying Any Conservancy Land Located Within the Project Area
- Governing Body Resolution
- Site Control Documentation (if applicable)
- Support Letters (optional, no more than five)

Implementation Grants:

- Corps Consultation Review Form
- Engineer's Estimate (if available)
- Monitoring and Evaluation Plan (if available)

Monitoring Grants:

- Corps Consultation Review Form

Acquisition Grants:

- Land Acquisition Information Form(s) (for each parcel to be acquired)

Corps Consultation Process

For Implementation and Monitoring Grants

Applicants for Conservancy Proposition 1 Implementation and Monitoring grants must consult with representatives of the California Conservation Corps (CCC) and California Association of Local Conservation Corps (CALCC, the entity representing the certified community conservation corps), collectively “the Corps,” to determine the feasibility of the Corps’ participation in the project through the process described below. Examples of work that the Corps may be able to perform can be found at: <https://ccc.ca.gov/what-we-do/funding-opportunities/proposition-1-water-bond/>.

Step 1: By **August 26, 2020**, applicants for all Implementation and Monitoring grants must submit the Corps Consultation Review Form via email concurrently to both the CCC and CALCC representatives:

California Conservation Corps representative

Name: Andrea Gabriel

Email: prop1@ccc.ca.gov

Phone: (916) 341-3272

California Association of Local Conservation Corps representative

Name: Cailin Jessup

Email: inquiry@prop1communitycorps.org

Phone: (916) 426-9170 ext. 1

Step 2: The CCC and CALCC representatives will review the submitted information, contact the applicant and the Conservancy if necessary, and provide applicants with a completed Corps Consultation Review Form. Through this process, the Corps will inform applicants either that:

- a) It is NOT feasible for CCC and/or certified community conservation corps services to be used on the project; or
- b) It is feasible for the CCC and/or certified community conservation corps services to be used on the project and identifying the aspects of the project that can be accomplished with Corps services.

Step 3: By **September 11, 2020**, applicants must submit a complete Proposition 1 application to the Conservancy, including the completed Corps Consultation Review Form if project is not exempt.

- Step 4: The Conservancy reviews grant applications consistent with the process described in the Proposition 1 Grant Guidelines and prepares recommendations for Board approval in December 2020.
- Step 5: Successful grant applicants for projects using CCC or CALCC services must develop a scope of work and enter into a contract with the appropriate Corps and provide a copy of the contract to the Conservancy as part of the Grant Agreement.

Corps Consultation Review Form

California Conservation Corps and Certified Community Conservation Corps Proposition 1 - Water Bond

Unless an exempted project, this Corps Consultation Review Document must be completed by California Conservation Corps and Community Conservation Corps staff and accompany applications for projects or grants seeking funds through Proposition 1, Chapter 6, Protecting Rivers, Lakes, Streams, Coastal Waters and Watersheds. Non-exempt applications that do not include this document demonstrating that the Corps have been consulted will be deemed “noncompliant” and will not be considered for funding.

To be completed by Applicant:

1. Name of Applicant:

Project Title:

Department/Conservancy to which you are applying for funding: *California Tahoe Conservancy*

2. Please attach the following items to your email that transmits this form:

- a. Project Title and Primary Focus Area
- b. Project Description (identifying key project activities and deliverables)
- c. Project Map (showing project location)
- d. Project Implementation estimated start and end dates

To be completed by Corps:

This Consultation Review Document is being prepared by: *CCC or CALCC*

3. Applicant has submitted the required information by email to the CCC and CALCC:

Yes (applicant has submitted all necessary information to CCC and CALCC)

No (applicant has not submitted all information or did not submit information to both Corps – application is deemed non-compliant with Corps consultation process)

4. After consulting with the project applicant, the CCC and CALCC has determined that:

It is NOT feasible for CCC and/or certified community conservation corps services to be used on the project (deemed compliant)

It is feasible for the CCC and/or certified community conservation corps services to be used on the project and the following aspects of the project can be accomplished with Corps services (deemed compliant)

CCC comments below:

Land Acquisition Information Form

(Use one form for each parcel)

Project Title:

1. Assessor's Parcel Number:
2. Parcel Street Address:
3. Owner's Name:
4. Owner's Mailing Address:
5. Subdivision Name:
6. IPES Score or Land Capability:
7. Assessed Value
 - a. Land: \$
 - b. Improvements: \$
 - c. Approximate % of parcel needed:
 - d. Current fair market value of portion of parcel needed: \$
 - e. Fee or Easement?
8. Existing improvements, if any:
9. Owner Contact
 - a. Owner Contacts Made: (date)
 - b. Is the Owner a willing seller? (if the owner is willing but with conditions, list those conditions):
 - c. Alternatives to acquisition (such as permit or right-of-entry):
10. Is this a Nominal or Low Value Acquisition that you believe is eligible for the streamlined valuation process? Yes OR No
11. Attach annotated Assessor's Plat showing proposed acquisition and approximate location of project improvements that will affect the parcel. If a creek or other drainage crosses the property, sketch its approximate location.

Grant Funding and Administration Requirements

Eligible and Ineligible Costs. For costs to be eligible for reimbursement, the costs must be within the scope of the project, supported by appropriate documentation, and completed by the required deadline as identified in the grant agreement. Costs related to project-specific performance measures and project reporting are eligible, and if requested, must be included in the project budget. Grant funds must be spent consistent with General Obligation Bond Law, Government Code section 16727.

Eligible expenses may be incurred by the grantee after Conservancy Board approval. Grant applicants should detail their proposed budget and anticipated expenses in the grant application, which will be subject to review and possible negotiation as part of any grant agreement. The following represents a non-exclusive list of the types of activities and/or expenses that are generally eligible for reimbursement (subject to further negotiation and the type of grant agreement):

- Direct project management/administration, including detailed, well-documented staff costs agreed to during the development of the grant agreement
- Review of existing data
- Site analysis and base mapping
- Preliminary project design necessary for environmental documentation
- Opportunities and constraints analysis
- Environmental review and documentation (including surveys and other environmental assessments)
- Interagency and public coordination and consultation
- Preliminary specifications and cost estimates
- Pre-acquisition activities (such as obtaining title reports, appraisals, legal descriptions, and initial coordination with the property owners to determine if they are willing sellers)
- Pre-construction monitoring related to the goals of the project
- Preparation of permit applications
- Preparation of contract documents, including final design plans
- Preparation of grant-required documents
- Project specifications, engineering, and cost estimates
- Preparation and processing of permit applications, including SWPPPs
- Preparation of construction bid packages, project bidding, and award

- Other relevant costs approved by Conservancy staff

Ineligible activities and expenses generally include, but are not limited to:

- All costs incurred before Conservancy Board authorization of grant award
- All costs related to the preparation and submittal of the grant application
- Membership fees and associated costs for attendance at conferences
- Ongoing project site operations and maintenance
- Travel not expressly identified in the grant budget
- Per diem and mileage expenditures at levels above State-authorized per diem amounts. Current rates are available online in chapter 700 (Travel) of the *California State Administrative Manual*
- Food, refreshments, and decorations not associated with per diem or travel expenses
- Funding for a purchase price above the appraised fair market value
- Equipment that will be used for purposes that are unrelated to the project
- Costs that are not substantially related to the project
- Indirect costs (i.e., costs not directly attributable to the project such as shared costs or office space)

Grant Administration. Grants awarded by the Conservancy are administered in accordance with the terms and conditions of the Conservancy's Board authorization, staff recommendation, Grant Application Package, standard grant agreements, and State requirements. Additional information pertaining to allowable costs, financial reporting, and accounting may be found under the following:

- *State of California State Administrative Manual* section 700 Travel, section 900 Grants, and section 1600 Records Management

Conservancy grants may also be subject to additional State and federal requirements (e.g., California Public Contract Code) and compliance with the California Labor Code, including payment of prevailing wages for public works. These requirements may extend to subcontractors, or any other individuals or firms retained by the grant recipient to provide deliverables. Grantees should be familiar with and maintain financial operations, records, systems, and procedures, and maintain sufficient documentation to support their expenses.

Payment of Funds. Once the grant agreement is fully executed, Conservancy grants are generally reimbursed in arrears upon the submittal of invoices monthly or quarterly. Disbursements of grant funds are made incrementally, as work is satisfactorily

completed. Advance payment, to separately identifiable interest-bearing accounts, through an advance request for a percentage of the grant amount, may be approved in certain instances. Interest earned must be used consistent with the purposes of the project. All reimbursement requests must be supported by appropriate invoices, purchase orders, canceled warrants/checks, payroll documents, and other approved documents. Only actual and direct project-related costs incurred during the approved term of the grant agreement are eligible for reimbursement.

The Conservancy withholds the final ten percent (10%) of the total grant amount to ensure satisfactory completion of the work funded by the grant. Acquisition grants are not subject to the ten percent retention. Recipients of acquisition grants may request that land acquisition costs be paid directly to the escrow holder. All grant agreements must be fully executed by June 30, 2022 and closed out by May 15, 2024 because of funding restrictions.

Signage Requirement. Grant agreements will require, to the extent practicable, onsite signage indicating that the project was funded by the *Water Quality, Supply, and Infrastructure Improvement Act of 2014*.

Additional Requirements for Acquisition Grants. The Conservancy requires recipients of acquisition grants to:

- Determine the fair market value of the land or interests in land to be acquired through an appraisal, which must be approved by the Conservancy;
- Obtain title insurance; and
- Incorporate model deed language (**Exhibit 1**) to ensure the property is maintained in perpetuity in a manner consistent with Proposition 1 and the purposes of the grant.

Applicants may use an abbreviated value determination process for nominal value (\$2,500 or less) and low-value (\$2,501 to \$10,000) acquisitions. Applicants are eligible for this streamlined process when there is no serious question as to the highest and best use, when adequate market data is available to make an administrative determination of value, when substantial damages or benefits are not involved, and when there is no reason to believe hazardous materials/waste is present.

Applicants shall indicate in the *Land Acquisition Information Form* those acquisition(s) that they believe will be eligible for the streamlined valuation process. A final determination on which acquisitions are eligible for this process will be made in consultation with Conservancy staff, who will review and approve all title exceptions and valuation determinations as provided for in the grant agreement.

For nominal value acquisitions, title insurance is not required. However, a preliminary title report (PTR) is required for all acquisitions, including donations. In order to compensate for the lack of title insurance, an indemnification clause must be added to the purchase and sale agreement between the grantee and the seller. This clause must require the seller to indemnify the grantee against loss resulting from defects in the title in an amount sufficient to allow the project to be fully implemented.

Grantees may take title subject to a deed of trust or mortgage under the following conditions:

1. where a partial acquisition is a relatively small portion of a parcel, or of nominal value; and
2. the interest/easement is for improvements that are not essential to the overall functioning of the project, such as curb and gutter and pavement adjoining a right-of-way along the perimeter of a parcel. An indemnity clause will be required in the purchase agreement for loss resulting from defects in title.

Reports and Reporting.

Progress Reports: Grantees will be required to submit progress reports semi-annually, and a final report when work under the grant is completed. All reports should contain information consistent with **Exhibit 2**.

Operations and Maintenance Plan: Recipients of Implementation and Acquisition grants must submit an Operations and Maintenance Plan (**Exhibit 3**) prior to final payment. The Operations and Maintenance Plan must include annual reporting to the Conservancy related to inspections and ongoing maintenance activities. The plan should address frequency of inspection, staffing, season of operation, fire prevention, forest fuels management, maintenance of Best Management Practices, and other day-to-day operations for the project maintenance period.

Monitoring: If the project includes water quality monitoring data collection, the data must be reported to the State Water Resources Control Board in a manner that is compatible and consistent with their surface monitoring data systems (*i.e.*, California Environmental Data Exchange Network) or groundwater monitoring data systems. If the project includes watershed monitoring data collection, the data must be reported to the Department of Conservation in a manner compatible and consistent with their statewide watershed program.

Site Visits. The Conservancy conducts periodic site visits. For Implementation grants,

this will include a final inspection to determine if the work performed is in accordance with the terms of the grant agreement. Acquisitions will be inspected into perpetuity to ensure compliance with the purpose of acquisition.

Final Payment. Grantees must submit their final invoice to the Conservancy by the deadline identified in the grant agreement. This will provide adequate time for the Conservancy to review the final invoice for completeness, conduct the final inspection if necessary, verify that the project was completed in accordance with the grant agreement, and process the final payment (including retention).

Accounting and Audits. The Conservancy or its duly authorized representatives have the right of timely and unrestricted access to any books, documents, papers, or other records of recipients that are pertinent to awards, in order to make audits, examinations, excerpts, transcripts, and copies of such documents. An audit may be performed before or after final payment.

GRANT FUNDING AND ADMINISTRATION REQUIREMENTS

Exhibit 1 - Acquisition Model Deed Language

SUBJECT to a right of entry by the STATE OF CALIFORNIA ("State") in the event that any essential term or condition of that certain grant agreement for the acquisition of real property, No. _____ entered into between State, acting by and through the California Tahoe Conservancy and _____ (**jurisdiction**) on _____(**date**), 20____, is violated, or the property is ever used in a manner inconsistent with the provisions of the funding source (The Water Quality, Supply, and Infrastructure Improvement Act of 2014, Water Code Section 79700, et seq.). Exercise of said right of entry shall be by State's recordation of a notice of the default of _____ (**jurisdiction**) under said agreement, and shall have the effect of vesting full _____ (**jurisdiction**) title to the hereinabove described real property in State at the expiration of thirty (30) days from the recordation of said notice.

The right of entry created herein is subject to the provisions of California Civil Code Section 885.010 - 885.070, and shall be construed in accordance with said provisions (or successor statutes).

GRANT FUNDING AND ADMINISTRATION REQUIREMENTS

Exhibit 2 - Reporting Requirements

Progress Reporting

- Project Name
- CTA#
- Date Submitted
- Reporting Period
- Prepared by
- Summary of work completed during reporting period
- Discussion of any challenges or opportunities encountered
- Schedule Assessment (describe extent to which project is on track with the schedule of deliverables)
- Financial Analysis (describe extent to which the project costs are consistent with the submitted budget)
- Draft products, reports, interim findings, or other relevant materials produced
- Production Summary Table:

Product	Scheduled delivery date	Actual delivery date	Amount expended this period	Total amount expended to date	% of total budget expended to date	Percent of task complete	Status
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Final Reporting

- Project Name
- CTA#
- Date Submitted
- Prepared by
- Brief summary of the objectives of the project and how these objectives were accomplished
- Findings, conclusions, data, or recommendations for follow-up or ongoing activities
- Financial Analysis (Final project costs for all funding sources; e.g., identify cost overruns compared to the approved budget, any cost savings, unused funding to be returned, etc.)
- Statement, if applicable, of future intent of public and/or private support to maintain or further develop the project, including proposed submittal dates for

future funding

- Copies of all news articles and any other media coverage, as well as all promotional and educational materials produced
- Grant work products, as defined in the grant agreement, potentially including
 - Public and agency meeting summaries (electronic)
 - Recorded Notice of Completion
 - As-Built or Record drawings
 - First year and second year post construction monitoring reports. These reports include photographs (prints and electronic) of the completed project, with labels or annotations showing dates of photographs and briefly describing the subject of each picture.
 - Water quality monitoring data and an analysis of the significance of this data in regard to the effectiveness of the site improvements in improving water quality.
 - Reports to include data collected and obtained, maps and photographs of the areas studied, interpretation of the data relevant to the project goals and objectives, and recommendations for further study and utilization of the data and results.

GRANT FUNDING AND ADMINISTRATION REQUIREMENTS

Exhibit 3 - Operations and Maintenance Plan

Submit the following information, as appropriate, prior to final payment for all Implementation and Acquisition Grants. The Operations and Maintenance Plan must include annual reporting to the Conservancy related to inspections and ongoing maintenance activities.

Operations and Maintenance Plan

- Project Name, CTA#
- Date Submitted
- Prepared by
- Project Elements to include:
 - Facilities: structures, parking lots, tables, benches, etc.
 - Stormwater: storm drain pipes and inlets, channels, Best Management Practices, basins, etc.
 - Infrastructure: electrical, potable water plumbing, irrigation, sewer, etc.
 - Restoration: revegetation, riparian stabilization, source control, etc.
 - Land: fire prevention and forest fuels management activities, property inspections, etc.
- Operations:
 - Season of Operation – Months, Days and Hours of Operation:
 - Staffing levels during operation:
 - Operated by: Agency department, concessionaire, volunteers, etc.
 - Estimated annual operations costs:
 - Operations funded by: Collected revenues, donations, general fund, etc.
- Maintenance:
 - Maintenance inspections to be performed and frequency:
 - Routine maintenance needs and triggers:
 - Routine maintenance performed by:
 - Procedure for special repairs or maintenance needs:
 - Estimated annual inspection and maintenance costs:
 - Maintenance funded by:
- Reporting: A report of site conditions, operations, and maintenance should be provided to the Conservancy annually. Advise the Conservancy of any other regular reporting on the operations or maintenance that occurs or is expected to occur, e.g., TMDL reporting, annual report to Council or Board in (month), etc.