DEPARTMENT: Public Works

BY: Dana Hertfelder
PHONE: 966-5356

RECOMMENDED ACTION AND JUSTIFICATION:

Authorize Public Works to Prepare Application for Proposition 50 (California River Parkways Grant) Funds for Mariposa Creek Parkway Phase III, 8th Street to 49 North Via A Revised Route to Include the Cemetery

The grant must be submitted by October 18th, but requires many components which show a project is ready to go. This is the first round of this grant and does not have a monetary cap.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

The Board adopted the Mariposa Creek Parkway as a County project in 1989. Projects were constructed in 1991, 2000, and 2004, which has brought the route from Highway 140 at 49 South up Mariposa Creek at 8th Street. The latest of these was the Arts Park at 4th Street.

ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

The Board could direct an application for a different portion or alternative route of the Mariposa Creek Parkway, the Merced River Trail, or other creek parkway in the County. Other portions or locations could be pursued, but would require much additional work to also be ready by the deadline for this year’s cycle. For example, the lower reach of Mariposa Creek between the Fairgrounds and Old Highway may be affected by plans for sewer or water service to that area from the existing MPUD service area. The Merced River Trail could require acquisition of land from an unwilling seller, which would delay the project.

Financial Impact? ( ) Yes ( ) No Current FY Cost: $  
Budgeted In Current FY? ( ) Yes ( ) No ( ) Partially Funded  
Amount in Budget: $***  
Additional Funding Needed: $  
Source:  

Internal Transfer  
Unanticipated Revenue: 4/5’s vote  
Transfer Between Funds: 4/5’s vote  
Contingency: 4/5’s vote
( ) General ( ) Other  

List Attachments, number pages consecutively  
Map of proposed route for Phase III  
Overall concept map (abbreviated) for Mariposa Creek Parkway  
Excerpts from the Ca River Parkways Grant Program  
Advantages of pursuing this route at this time

***county staff time to prepare grant components

CLERK’S USE ONLY:
Res. No.:  
Ord. No.  
Vote – Ayes:  
Noes:  
Absent:  
Approved  
Minute Order Attached ( ) No Action Necessary

The foregoing instrument is a correct copy of the original on file in this office.  
Date:  
Attest: MARGIE WILLIAMS, Clerk of the Board  
County of Mariposa, State of California  
By: Deputy

COUNTY ADMINISTRATIVE OFFICER:
✓ Requested Action Recommended  
No Opinion
Comments:  

CAO:  

Revised Dec. 2002
CALIFORNIA RIVER PARKWAYS GRANT PROGRAM

FUNDED BY

WATER SECURITY, CLEAN DRINKING WATER,
COASTAL AND BEACH PROTECTION
ACT OF 2002

PROPOSITION 50

GRANT GUIDELINES & APPLICATION

STATE OF CALIFORNIA
THE RESOURCES AGENCY
JULY 2005
I. INTRODUCTION

- California voters passed the Water Security, Clean Drinking Water, Coastal and Beach Protection Act of 2002 (Proposition 50) on November 5, 2002. It added to the California Water Code, Section 79541, authorizing the Legislature to appropriate $100 million for the Acquisition, Restoration, protection and Development of River Parkways.

- Chapter 240, Statutes of 2003, imposed specific requirements on Proposition 50 implementing departments.

- Chapter 230, Statutes of 2004, created the California River Parkways Program (Program) within the Office of the Secretary for Resources (see Appendix A). These guidelines establish the process that will be used to solicit applications, evaluate proposals and award grants under this competitive program.

Note: Capitalized words in the document have specific meanings – see Appendix P.

Eligible Applicants

Grant Funds will be awarded to Public Agencies and Nonprofit Organizations.

Statutory Requirements

River Parkway Projects must meet at least two of the following five statutory conditions:

1. Recreation - Provide Compatible Recreational Opportunities including trails for strolling, hiking, bicycling and equestrian uses along rivers and streams.

2. Habitat - Protect, improve, or Restore Riverine or Riparian Habitat, including benefits to wildlife habitat and water quality.

3. Flood Management - Maintain or Restore the open-space character of lands along rivers and streams so that they are compatible with periodic flooding as part of a flood management plan or project.

4. Conversion to River Parkways - Convert existing developed riverfront land into uses consistent with River Parkways.

5. Conservation and Interpretive Enhancement - Provide facilities to support or interpret river or stream Restoration or other conservation activities.

Other statutory requirements:

- Projects must provide Public Access or be a component of a Larger Parkway Plan that provides Public Access.

- Projects must comply with the California Environmental Quality Act (CEQA), Division 13 (commencing with Section 21000).

- Real property must be acquired from a willing seller.

- Projects must comply with Labor Code Section 1771.8 regarding the labor compliance program and prevailing wages.

- Additional requirements must be met if the Project is located in the CALFED solution area, or the San Gabriel or Los Angeles River watersheds (see Appendix D).
Priority will be given to River Parkway Projects that are implemented pursuant to approved Watershed Plans and include water quality and watershed protection benefits as required by Water Code (WC) 79541.

Application Timeframe

The application is due 90 days from the date the Guidelines are released. The Solicitation Notice is posted at: [http://www.resources.ca.gov/bonds_prop50riverparkway.html](http://www.resources.ca.gov/bonds_prop50riverparkway.html).

Applications must be received at the Office of the Secretary by 4:00 p.m. on Tuesday, October 18, 2005. Hand delivered applications will be accepted no later than 4:00 p.m. of the deadline workday.

Contact Information

Direct all inquires, correspondence and grant applications to:

California River Parkways Grant Program
The Resources Agency
Attn: Bonds and Grants Unit
1416 Ninth Street, Suite 1311
Sacramento, CA 95814
Telephone: (916) 654-9923
FAX: (916) 653-8102
Email: rp50@resources.ca.gov
### II. RIVER PARKWAY PROJECTS

<table>
<thead>
<tr>
<th>Eligible River Parkway Projects</th>
<th>Ineligible River Parkway Projects</th>
</tr>
</thead>
<tbody>
<tr>
<td>The items below provide examples of Project elements which meet statutory conditions. (This is not a comprehensive list.)</td>
<td>The items below provide examples of Projects and elements that will NOT be funded under this program. (This is not a comprehensive list.)</td>
</tr>
<tr>
<td><strong>Recreation</strong></td>
<td>Projects that do not meet all statutory requirements.</td>
</tr>
<tr>
<td>- Create or expand trails for walking, bicycling and/or equestrian activities that are compatible with other conservation objectives.</td>
<td>Projects with no river or stream linkage.</td>
</tr>
<tr>
<td>- Improve existing river parkways by providing amenities such as picnic and rest areas, shade ramadas, etc.</td>
<td>Projects that include Acquisition of property that cannot be purchased at Fair Market Value.</td>
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<tr>
<td>- Provide river access for non-motorized activities such as fishing, canoeing, etc.</td>
<td>Operations and maintenance projects.</td>
</tr>
<tr>
<td>- Acquire property along a river to be used for Compatible Recreational Opportunities such as picnics, nature viewing, etc.</td>
<td>Planning projects.</td>
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<tr>
<td>- Relocate or reconstruct existing trails to correct environmental damage.</td>
<td>Programmatic projects, such as education and outreach.</td>
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<tr>
<td><strong>Habitat</strong></td>
<td>Projects that exclusively fulfill mitigation requirements.</td>
</tr>
<tr>
<td>- Convert channelized streams or rivers to a more historical flow pattern that will promote the structure, function and dynamics of Riparian and Riverine habitat.</td>
<td>Active recreation projects (including playgrounds, skateboard parks, basketball courts and ball fields).</td>
</tr>
<tr>
<td>- Acquire land that will be managed to increase the size and quality of existing Riparian Habitat.</td>
<td>Recreational opportunities that are not compatible with the specific environment or location in which they are being situated.</td>
</tr>
<tr>
<td>- Remove exotic and/or invasive plants along stream corridors that damage habitat.</td>
<td>Projects that upgrade, expand or facilitate motorized use of trails (even when used by non-motorized trail users).</td>
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<td><strong>Flood Management</strong> – as part of a flood management plan or flood management project</td>
<td>Projects that create or improve roads for motorized use.</td>
</tr>
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<td>- Expand existing River Parkway by acquiring adjacent lands to accommodate periodic flooding.</td>
<td>Projects that will not be completed in the allotted timelines.</td>
</tr>
<tr>
<td>- Restore land to natural floodplain forms, including wetland areas that will accommodate periodic flooding.</td>
<td>Projects funding primarily infrastructure, which will not result in useable amenities for the public at the conclusion of the Project Performance Period.</td>
</tr>
<tr>
<td>- Acquire streamside parcels that have historically flooded to become a River Parkway.</td>
<td>Parking lots or bridges. (Parking areas may be funded only as a necessary but minor component of a larger Project that makes the River Parkway accessible to the public. Small bridges that provide non-motorized access over narrow portions of rivers/streams are permissible.)</td>
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<td><strong>Conversion to River Parkways</strong></td>
<td>Dredging behind dams to reduce siltation, or for other purposes.</td>
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<td>- Convert riverfront land from industrial use into multi-use areas such as floodplains, wetlands, public trails, etc.</td>
<td>Projects that construct multiple-use buildings, educational facilities or regional community centers.</td>
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<tr>
<td>- Revitalize urban neighborhoods by removing abandoned structures along the riverfront to provide open space with river access for the public.</td>
<td>Renovation or restoration of structures on converted riverfront land.</td>
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<tr>
<td>- Acquire commercial or agricultural property along a riverfront to expand existing River Parkways.</td>
<td></td>
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</tbody>
</table>
APPENDIX L - APPLICATION CHECK LIST

Application Packages should be organized in the following order. Clearly number and label each item and number all pages in sequential order. The appropriate number of copies should be provided. Staple or bind packages with binder clips only. Do not put in folders or notebooks. **Note: Incomplete applications will not be evaluated or considered for funding.**

Submit 7 copies (one unbound original and six copies) of items 1 - 13:

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
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<tbody>
<tr>
<td>1</td>
<td>Completed Application Form</td>
</tr>
<tr>
<td>2</td>
<td>One Page Summary</td>
</tr>
<tr>
<td>3</td>
<td>Project Proposal Narrative</td>
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<td>4</td>
<td>Proof of Environmental Compliance</td>
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<tr>
<td>5</td>
<td>Project Location Map</td>
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<tr>
<td>6</td>
<td>Assessor's Parcel Map</td>
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<tr>
<td>7</td>
<td>Site Plan</td>
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<tr>
<td>8</td>
<td>Operations &amp; Maintenance Documents</td>
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<tr>
<td>9</td>
<td>Stewardship Plan (for Conservation Easements)</td>
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<td>10</td>
<td>Flood Agency Concurrence (for Flood Management Projects)</td>
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<td>11</td>
<td>Cost Estimate (for Development Projects)</td>
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<tr>
<td>12</td>
<td>Project Timeline</td>
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<tr>
<td>13</td>
<td>Photographs</td>
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</tbody>
</table>

Submit 2 copies (1 unbound original and 1 copy) of items 14-24:

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<table>
<thead>
<tr>
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<tbody>
<tr>
<td>14</td>
<td>Signed Authorizing Resolution or Certification Letter from CEO</td>
</tr>
<tr>
<td>15</td>
<td>Land Acquisitions Form</td>
</tr>
<tr>
<td>16</td>
<td>Legal description of property</td>
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<tr>
<td>17</td>
<td>Restrictions/Encumbrances</td>
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<tr>
<td>18</td>
<td>USGS Quad map</td>
</tr>
<tr>
<td>19</td>
<td>Evidence of willing seller</td>
</tr>
<tr>
<td>20</td>
<td>Adequate Land Tenure</td>
</tr>
<tr>
<td>21</td>
<td>Other Sources of Funds</td>
</tr>
<tr>
<td>22</td>
<td>Local Support</td>
</tr>
<tr>
<td>23</td>
<td>Eligibility for nonprofit Applicants</td>
</tr>
<tr>
<td>24</td>
<td>Disadvantaged Community</td>
</tr>
</tbody>
</table>
August 3, 2005

Mariposa Creek Parkway Phase III
8th Street to Highway 49 North via the Cemetery

**Advantages of pursuing this route at this time:**

1. Have interested property owner at 8th Street.
2. Route would complete a non-motorized connection along Mariposa Creek between Highway 140 and Highway 49 North.
3. Improvements to the cemetery could be included, such as drinking fountain, restroom (depending on sewer availability), paved access road, parking at creek.
4. Does not require coordination with MPUD annexation project for lower part of town
5. Follows the creek
6. Gives opportunity for wetland and other creek habitat interpretation
7. Would allow tests of systems that could be extended to lower end of Creek Parkway for more remote portions of the trail
8. May allow clean up of some mosquito pools (depending on biologist recommendation)
9. Adds significant distance to the trail & Parkway.
10. Steers the public, for the near term, away from the west side of the creek, until such time as that area becomes more developed.
MARIPOSA COUNTY BOARD OF SUPERVISORS

MINUTE ORDER

TO: DANA HERTFELDER, Public Works Director
FROM: MARGIE WILLIAMS, Clerk of the Board

SUBJECT: AUTHORIZE PUBLIC WORKS TO PREPARE AN APPLICATION FOR PROPOSITION 50 FUNDS FOR MARIPOSA CREEK PARKWAY PHASE III Resolution 05-389

THE BOARD OF SUPERVISORS OF MARIPOSA COUNTY, CALIFORNIA

ADOPTED THIS Order on August 16, 2005

ACTION AND VOTE:

Authorize Public Works to Prepare an Application for Proposition 50 Funds for Mariposa Creek Parkway Phase III, Eighth Street to 49 North via a Revised Route to Include the Cemetery (Public Works Director);

BOARD ACTION: Supervisor Turpin expressed concern regarding sufficient staff to work on project. (M) Turpin, (S) Fritz, Res. 05-389. Item was approved/Ayes: Unanimous.

cc: File