

# ARIZONA WATER PROTECTION FUND COMMISSION

## **Business Meeting – June 15, 2021**

Virtual Meeting via Cisco WebEx  
Meeting Number (Access Code): 133 842 7959  
Meeting Password: m3Pupm2nqH4  
1-404-397-1516 US Toll

### *Final Meeting Minutes*

#### **ATTENDANCE**

##### Commission Voting Members Present

Pat Jacobs – Chairman  
Rodney Held – Vice-Chairman  
Brian Biesemeyer  
Shelley Blackmore  
Paul Brick  
Lucinda Earven  
William Schock  
Stephen Turcotte

##### Arizona Water Protection Fund Staff

Sharon Scantlebury  
Kelly Brown  
Reuben Teran

##### Commission Voting Members Absent

None

#### **CALL TO ORDER**

Chairman Pat Jacobs called the meeting of the Arizona Water Protection Fund (AWPF) Commission to order at 10:00 a.m.

#### **COMMISSION MEMBER ROLL CALL**

Mr. Reuben Teran called the roll of the AWPF Commission. Commissioners present at the time of roll call included Chairman Pat Jacobs, Vice-Chairman Rodney Held, Commissioner Brian Biesemeyer, Commissioner Paul Brick, Commissioner Lucinda Earven, Commissioner William Schock, and Commissioner Stephen Turcotte. A quorum of voting Commission members was present.

Chairman Jacobs recognized and welcomed Commissioner Turcotte to his first meeting as a Water Protection Fund commissioner.

#### **REVIEW AND APPROVAL OF THE MARCH 16, 2021 MEETING MINUTES**

Chairman Jacobs asked if there were any questions or comments regarding the draft meeting minutes. Vice-Chairman Held stated that he does have a number of typographical corrections for the minutes, but nothing substantive. Chairman Jacobs responded that incorporating those technical corrections can be made as part of the motion to approve minutes. Vice-Chairman Held made a motion to approve the March 16, 2021 meeting minutes to include technical corrections, with a second from Commissioner Schock. Chairman Jacobs asked for a discussion on the motion. There was no discussion and Chairman Jacobs asked for a vote on the motion. The motion passed unanimously.

### **ELECTION OF CHAIRMAN AND VICE-CHAIRMAN**

Chairman Jacobs stated that June is the traditional month that AWPf officers are elected, and asked the Executive Director to remind the Commissioners about the terms for officers. Mr. Teran responded that the terms for both the Chairman and Vice-Chairman are generally one calendar year from June to the following June. Chairman Jacobs called for nominations for Chairman from June 2021 to June 2022. Vice-Chairman Held stated that he is interested in serving in the capacity as either the Chairman or Vice-Chairman, but inquired if the current Chairman was still interested in serving in his current position. Chairman Jacobs stated that he would be interested in serving as Chairman at least one more year. Vice-Chairman Held made a motion that Pat Jacobs continue serving in his current role as Chairman of the AWPf Commission, with a second from Commissioner Brick. Chairman Jacobs asked for any discussion on the motion. There was no discussion and a vote was called for on the motion. The motion passed unanimously. Chairman Jacobs asked for nominations for Vice-Chairman. Commissioner Brick made a motion to nominate Rodney Held to serve as Vice-Chairman of the AWPf Commission, with a second from Commissioner Biesemeyer. Chairman Jacobs asked for any discussion on the motion. There was no discussion and a vote was called for on the motion. The motion passed unanimously.

### **PROJECT CLOSEOUT PRESENTATION. AWPf GRANT 19-193WPF: VERDE RIVER-OAK CREEK CONFLUENCE HABITAT IMPROVEMENT PROJECT**

- Presenter - Tracy Stevens, Habitat Restoration Program Manager, Friends of the Verde River

Mr. Teran introduced Ms. Tracy Stevens, who then presented a slideshow of the project with its results and accomplishments.

Chairman Jacobs asked the Commission members if there were any comments or questions for the presenter or AWPf staff. There were no questions or comments from the Commission.

### **PROJECT CLOSEOUT PRESENTATION. AWPf GRANT 19-197WPF: BILL WILLIAMS MOUNTAIN FOREST AND WATERSHED RESTORATION PROJECT**

- Presenter – Rebecca Davidson, Southwest Region Director, National Forest Foundation

Mr. Teran introduced Ms. Rebecca Davidson, who then presented a slideshow of the project with its results and accomplishments.

Chairman Jacobs asked if there were any volunteer program activities within the project. Ms. Davidson responded that there were no volunteer opportunities for this particular project due to the difficult access and steep slopes that required special operations; however, there were a number of tours held for local community members to see the work being implemented. Chairman Jacobs asked if there were any private lands involved with this project. Ms. Davison responded that all the work was done on public lands managed by the Kaibab National Forest. Chairman Jacobs asked if this project provided a direct service for increasing water quantity and quality to those on the watershed. Ms. Davidson responded that from a watershed perspective there are direct benefits to local reservoirs and downstream communities, and commented that a benefit from the reduction of fire risk is a reduction of the post-fire flooding risk which results in improved water quality and long term water sustainability for water supplies throughout the Verde watershed.

Chairman Jacobs asked the Commission members if there were any other comments or questions for the presenter or AWPf staff. Commissioner Schock asked if there were any payments received for the wood

products like pallets and mulch created from the project. Ms. Davidson responded that the National Forest Foundation's contract with Markit! Forestry Management LLC. (Markit!) did contain provisions for some payments to be made to Novo Power and Southwest Forestry for wood products as part of the overall costs of fuel reduction actions of the project. Commissioner Schock asked if the runoff going into the reservoirs from rains was inhibited prior to forest thinning, or if there is evidence or anticipation of more rain runoff post thinning. Ms. Davidson responded that she does not have data to support an answer for Bill Williams Mountain, but stated there are studies that do suggest there is an increase in flow and runoff moving downstream for a short period of time post thinning and as forests regenerate that flow decreases. Ms. Davidson also commented that the intent for this project is that it will increase the long term sustainability of the mountains and water supply, and allow for a more natural reintroduction of fire that will sustain those treatments over time and lead to higher quality water, sustained use of water, and for some short term increased water yield. Commissioner Schock what plans are in place to keep these areas thinned. Ms. Davidson responded that they are working with the US Forest Service on the long-term strategy for these thinning projects and those on adjacent lands to reintroduce fire to support the maintenance of the historic and natural forest structure ecosystem. Commissioner Schock commented that logging in the past was halted due to concerns over the Mexican Spotted Owl, and inquired if special permits were necessary to essentially remove the same trees that would have most likely been commercially logged, and if through the removal of these trees if they have seen a decrease in the number of Mexican Spotted Owls. Ms. Davidson responded that work was done within a National Environmental Policy Act (NEPA) decision called the Bill Williams Mountain Restoration Project Record of Decision signed in 2015 that allowed the removal of dead and down material and small diameter ponderosa pine across a 15,000 acre landscape outside of the Mexican Spotted Owl breeding season.

Chairman Jacobs thanked Ms. Davidson for her time and the presentation.

#### **COMMISSION MEMBER ROLL CALL (cont.)**

Mr. Teran stated that Commissioner Shelly Blackmore was having issues joining prior to the start of the meeting and inquired if she was present at this time. There was no response from Commissioner Blackmore.

#### **AWPF GRANT 19-201WPF: WEBBER CREEK SEDIMENT CONTROL PROJECT**

Mr. Teran provided a brief background on the project explaining that the project was a joint funded sediment and erosion control project with the Arizona Department of Environmental Quality (ADEQ) that was to include various activities based on a master plan that was to be developed. He also stated that there were no specific project implementation actions identified in the AWPf grant application so the agreement was written that the grantee would develop the sediment control master plan at no cost to AWPf. The grant deliverable also included language to specifically identify the project actions that were to be implemented with AWPf funds. To date the master erosion control plan has been developed, but specific project actions for AWPf have not yet been identified due to the fact that most of the proposed sediment control measures identified in the AWPf grant application and master plan have already been implemented through the funding available from ADEQ. Mr. Teran then referred the Commission to the letter from the Boy Scouts of America – Grand Canyon Council (BSA) provided in the meeting materials, and introduced Mr. Gregory Harmon who further explained the information in the letter. Mr. Harmon stated that the BSA is requesting to move funds from Task #3 to Task #4 for public outreach implementation, and to use a majority of the grant funds to construct and install 1 or 2 bridges across Webber Creek. He stated that the BSA was able to leverage many volunteer hours to help complete the erosion control projects throughout the property, and the biggest issue that is now causing the most erosion into Webber Creek is the vehicle water crossing that goes to west side of the property. BSA estimated that Webber Creek is crossed approximately 5,000 times

per year by vehicles. The BSA is requesting funding for a vehicular bridge across Webber Creek to reduce erosion and protect the riparian habitat along the banks. The bridge would also provide BSA a high-water crossing access point to the west side of the property in the event of an emergency due to heavy rain or floods. The BSA is also requesting funding to install a pedestrian bridge for additional foot traffic access between the east and west sides of the property across Webber Creek.

Chairman Jacobs asked the Commission if there were any questions or comments for Mr. Harmon. Vice-Chairman Held requested clarification if the \$8,000 in Task #3 budgeted for the outreach and education plan was going to be moved to Task #4 for bridge construction activities. Mr. Harmon responded that the \$8,000 would be moving from the design of the education plan to purchase the signage and materials to implement the outreach and education plan. Vice-Chairman Held then requested clarification if the BSA is requesting permission to use AWPf funds to purchase and construct the 2 bridges. Mr. Harmon responded that no grant money from AWPf has been used to date since ADEQ funds have been used to complete the majority of the erosion control projects, and they would like permission to use AWPf for the bridge construction activities under the existing budget for Task #4. Mr. Teran commented that the reason this request was brought before the Commission today is because the construction and installation of bridges is a change in the Scope of Work activities of the grant award contract, and a concept that was not presented to the Commission during the grant application review period. Vice-Chairman Held asked if a budget has been developed for the construction and installation of the bridges. Mr. Harmon responded that BSA has been in contact with a contractor and the initial costs for the vehicular bridge are approximately \$120,000, but they are looking into creative solutions to have enough funds to install both bridges. One potential solution Mr. Harmon mentioned was to use a retired railroad bridge from Colorado, and that he has been in contact with the Department of Transportation in Colorado.

Commissioner Biesemeyer stated that he is little concerned because it appears that all the costs to implement the proposed changes have not yet been figured out. He also asked what long-term maintenance plans BSA has for these bridges. Mr. Harmon responded that that BSA would build the maintenance costs into their capital needs assessment model, and stated that the BSA Council allocates a certain amount of maintenance funds every year to maintain operations.

Commissioner Brick stated that in the past the AWPf Commission has supported funding vehicular water crossing projects to eliminate silt, but doesn't believe that the construction of bridges has ever been funded by the Commission or in the Commission's scope of funding. Mr. Teran commented that he was not aware of any vehicular bridge construction projects funded by AWPf. Vice-Chairman Held commented that he recalls several pedestrian water crossing projects being funded by AWPf, and has that he also has concerns if AWPf should be funding a bridge construction project unless it could be tied back to enhancing the riparian corridor or stream bed.

Mr. Harmon stated that the intent of the grant is to improve water quality in Webber Creek by providing nutrient cycling and streambank stabilization. He also stated that he believes BSA has done a good job of implementing their erosion control master plan, but during the application phase the master plan was not yet developed. He further stated that he understands the BSA request is not typical, and that this issue was not known until the master erosion control plan was developed.

Chairman Jacobs asked Mr. Teran and Vice-Chairman Held if they had any notion that the construction or installation of a bridge is prohibited by statute or Commission policy. Mr. Teran that he is not aware if there are any prohibitions and that he would need to investigate this matter further with AWPf legal staff. Vice-Chairman Held stated that he was also not aware if there are prohibitions on bridge installations, but stated

that in the past the Commission has generally not been supportive of these types of construction activities because they wanted to see AWPf funding focused on actual restoration efforts.

Vice-Chairman stated that he is uncomfortable moving forward at this point, and that he would like to see a budget for the bridge construction activities before anything get approved so the Commission could evaluate if it would be reasonable. He also suggested that there may be a need for the Commission to have a discussion about funding these types of expenditures.

Commissioner Biesemeyer stated that he is also uncomfortable moving forward with seeing a budget, and did not see any issues with supporting the bridge construction provided that it does create the erosion control stated. He also asked if the master plan is available to evaluate and substantiate the amount of erosion control that would occur with the construction of both the pedestrian and vehicle bridges. Mr. Teran commented that a copy of the master plan is available in the project file.

Commissioner Biesemeyer made a motion that a decision on this request be tabled, and requested a copy of the detailed construction budget and the master plan designs for both the pedestrian and vehicle bridges be provided to the Commission for evaluation. Vice-Chairman Held and Commissioner Brick both seconded the motion. Chairman Jacobs requested that staff also evaluate if the grantee's request meets legal and Commission grant provision requirements. Commissioner Schock commented that the current budget for erosion control activities in the grant is approximately \$153,000 and that this funding is now being requested to construct bridges. He stated that he has reservations about the proposed actions and supports tabling the decision. He then asked for clarification about the original intent for the \$153,000. Mr. Teran responded that the original intent of the project was to implement various erosion control practices on the BSA property, and referred the Commission to page 14 of the grant award contract to the Introduction and Purpose language. He further stated that the grantee also received an ADEQ grant to implement erosion control and other water quality related projects on the property, and with those ADEQ funds they were essentially able to complete all the erosion control projects originally intended to be completed with AWPf funds. Commissioner Brick commented that Camp Geronimo is primarily used during the summertime and the proposed bridges would only be used when the camp is open and during monsoon season. He also commented that he was not sure if a pedestrian bridge would be used much by campers. Mr. Harmon responded that Webber Creek flows year-round and there are over 7 pedestrian bridge crossings that connect various trails on the property. He further stated that Camp Geronimo is used throughout the year for various activities, and the proposed pedestrian bridge would fix a major erosion issue on a large bank slope that their engineer's do not have a good solution to fix, and by installing a pedestrian bride it would allow BSA to close off this slope from further use. With no other discussion or comments Chairman Jacobs called for a vote on the motion. The motion passed unanimously.

#### **COMMISSION MEMBER ROLL CALL (cont.)**

Commissioner Blackmore announced that she is present for the meeting.

#### **AWPF GRANT 19-199WPF: HEADWATER STREAM RESTORATION - COYOTE SPRINGS, MUSEUM OF NORTHERN ARIZONA, FLAGSTAFF**

Mr. Teran reminded the Commission that this project was discussed at the March 2021 Commission business meeting, and the grantee's request to amend the grant award contract to remove the requirement to sever and transfer their existing certificate of water right for the purposes of this project was tabled. He then stated that he did coordinate with Arizona Department of Water Resources (ADWR) staff to answer the 3 questions

the Commission requested clarification, and made reference to the privileged and confidential attorney work product provided to the Commission members.

Mr. Teran then introduced Mr. Larry Stevens who is representing the grantee. Mr. Stevens stated that the Museum of Northern Arizona is in the process of applying to ADWR for an assignment of the certificate of water right to their name, and also stated that there are no other water right claims to Coyote Springs which is located on Museum on Northern Arizona property. Mr. Stevens commented that a requirement to go through a sever and transfer process would be financially difficult for the non-profit organization. He also requested the Commission to identify how many previous AWPf grants have required a sever and transfer of water rights as part of the grant award contract to determine if they were being treated fairly.

Chairman Jacobs asked staff has a response to Mr. Stevens' inquires. Mr. Teran responded that he does not have a formal response to the number of projects that have required a sever and transfer of water rights, but stated that each AWPf project is unique in the scope of work, land ownership, and project details and permitting issues or requirements are handled within the grant award contract on a case by case basis based on all the variables related to that particular project.

Vice-Chairman Held stated that his initial concerns with this project was that the certificate of water right was issues in someone else's name and understands this is currently being addressed. He also stated that this is a unique situation because a sever and transfer process through ADWR is required to change the beneficial water use for a certificate of water right that has been issued and understands this can be an expensive process. He commented that because there are no other known surface water claimants on Coyote Springs that may be affected by the spring water use, there may be an opportunity for the grantee or landowner to file for a new surface water right claim for Coyote Springs through a separate process and not require a sever and transfer of the domestic use under the existing certificate of water right.

Vice-Chairman Held stated that based on the current situation and available information he does not think the Commission can waive the current requirements as stated in the grant award contract, but if the grantee filed for a separate surface water right claim then the Commission may be able to consider the grantee's request again. Vice-Chairman Held made a motion to table this agenda item until the next meeting to allow Mr. Stevens to follow up with ADWR and to determine if the suggestions provided would be a feasible option for the Museum of Northern Arizona, with a second from Commissioner Brick. The motion passed unanimously.

## **ARIZONA WATER PROTECTION FUND PROGRAM UPDATES**

### *Commission and Executive Committee Activity Updates*

Mr. Teran provided the following updates:

- Mr. Stephen Turcotte was appointed to the AWPf Commission by the Speaker of the House of Representatives Russel Bowers in October 2020, and stated that Mr. Turcotte's appointment has replaced Mr. Roy Pierpoint on the AWPf Commission.
- Open Meeting Law Training for the AWPf Commission and staff was provided through the State Ombudsmen's office on May 4, 2021.
- Commissioner Brian Biesemeyer was appointed to the AWPf Executive Committee on April 27, 2021.

- AWPf Executive Committee met on May 18, 2021 and made recommendations to update the AWPf Commission Policy and Procedures manual. A copy of the draft meeting minutes was provided to Commissioner members for reference to agenda item #14.
- Executive Committee provided direction to use eCivis Grant Management Network as the AWPf grant application submittal portal to replace the traditional paper copy submittal process.

### *Legislative Update*

- Under the proposed Governor’s and Legislative budgets for FY 2022, there is a Water Protection Fund deposit of \$1.25 million into the ADWR budget for the AWPf program. This appropriation includes the continued annual appropriation of \$250,000, with an additional one-time appropriation of \$1 million for FY 2022. Mr. Teran clarified that the original AWPf Legislative appropriation bill HB2035 was modified and renamed by a strike-everything amendment, but the AWPf appropriation was rolled into the larger ADWR budget discussion process.

### *Financial Update*

- Mr. Teran provided an update the AWPf fund balance from July 1, 2020 through May 31, 2021 and described the current totals for revenues and expenditures for both the grant fund account and administration account. The fund balance on July 1, 2020 was \$3,428,028.

Revenues from July 1, 2020 – May 31, 2021 totaled \$198,623 and Mr. Teran explained that this total does reflect a transfer of \$161,720 from the grant account to the administration account that was approved by the Commission in June 2020. Mr. Teran also stated that there was a \$250,000 Legislative appropriation to the fund through ADWR’s budget, and clarified that deposits from this appropriation are only made on a quarterly basis and that is why the General Fund Appropriation line item only shows deposits totaling \$187,500 as of May 31, 2021, and the additional \$62,500 will be credited to AWPf in June 2021.

Expenditures from July 1, 2020 – May 31, 2021 totaled \$1,343,840. The fund cash balance on May 31, 2021 was \$2,282,811. This total includes \$2,227,106 from the grant account, and \$55,705 from the administration account.

Mr. Teran identified existing grant award contract obligations as \$1,552,603. The uncommitted AWPf fund balance is \$730,208 which includes \$674,503 from the grant account, and \$55,705 from the administration account.

Chairman Jacobs asked for any questions or comments from Commission members regarding the program updates presented. There were no questions or comments from the Commission.

### **ARIZONA WATER PROTECTION FUND ADMINISTRATION FUND TRANSFER REQUEST**

Mr. Teran stated that as of May 31, 2021 there is a balance of \$55,705 available for program administration, and fiscal projections show that this balance would be depleted by mid-October 2021. Staff requested the Commission’s authorization to transfer \$161,720 of the unobligated fund balance to support administration needs for FY 2022. Mr. Teran further stated that the actual transfer would take place within the FY 2022 timeframe, most likely in August or September 2021.

Commissioner Schock asked for clarification if the \$250,000 appropriation for FY 2020 was already included in the FY 2021 beginning fund balance of \$3,387,615. Mr. Teran responded that that the \$250,000 appropriation was not included in the beginning fund balance, but that \$62,500 is deposited quarterly between July 1, 2020 to June 30, 2021.

Commissioner Schock asked if the FY 2022 \$1,250,000 appropriation is approved, would \$1,000,000 be credited immediately and the \$250,000 be credited quarterly. Mr. Teran responded that he does not have a definitive answer at this time, but if the appropriation was approved the Commission could consider that amount as available for budgeting purposes.

Commissioner Schock requested clarification if the \$161,720 requested will then come from the unobligated grant fund balance of \$674,503. Mr. Teran responded in the affirmative.

Commissioner Schock made a motion to transfer \$161,720 of the AWPf unobligated grant account fund balance to the AWPf program administration account for FY 2022, with a second from Commissioner Brick. The motion passed unanimously.

Chairman Jacobs asked if there were any concerns from the Commission to move item XI. Fiscal Year 2022 Grant Cycle up in agenda to discuss it next. There were no objections from the Commission.

### **FISCAL YEAR 2022 GRANT CYCLE**

Chairman Jacobs stated that the Governor's budget has supported an additional \$1,000,000 in addition to the ongoing \$250,000 appropriation for AWPf, and sees this as a good sign that the Commission should not hesitate to consider implementing a grant cycle this next fiscal year if the funding is approved by the Legislature.

Vice-Chairman Held made a motion for the Commission to move forward with implementing a grant cycle for fiscal year 2022, with a second from Commissioner Blackmore. Chairman Jacobs asked for any comments or discussion on the motion.

Mr. Teran described the proposed FY 2022 grant application schedule. Chairman Jacobs stated that the final State budget should be in place by July 1, 2021, and asked Commission members if there were any conflicts or scheduling issues for the November 16-18, 2021 grant application selection meeting. No scheduling conflicts were identified. Chairman Jacobs called for a vote on the motion. The motion passed unanimously.

### **FISCAL YEAR 2021 ARIZONA WATER PROTECTION FUND ANNUAL REPORT**

Chairman Jacobs stated that the AWPf Commission is required by law to submit an annual report to the Governor and Legislature by July 1st, and that a draft of the report has been provided to Commission members for review. Chairman Jacobs stated that the cover letter from the Chairman will be developed in incorporated for the final submittal, and asked the Commission for any comments regarding the report. Mr. Teran stated that he needs the end of the fiscal year financial report which will be provided by ADWR, and this will also be incorporated into the report for the final submittal when it become available. Vice-Chairman Held requested that a typographical error be corrected in the second paragraph on page 8.

Vice-Chairman Held made a motion to approve the fiscal year 2021 annual report, with a second from Commissioner Brick. Chairman Jacobs called for a vote on the motion. The motion passed unanimously.

Chairman Jacobs called for a recess from 12:27pm – 12:45pm. At 12:45pm the Executive Director called the roll of the Commission. Commissioners present at the time of roll call included Chairman Pat Jacobs, Vice-Chairman Rodney Held, Commissioner Brian Biesemeyer, Commissioners Shelley Blackmore, Commissioner Paul Brick, Commissioner Lucinda Earven, Commissioner William Schock, and Commissioner Stephen Turcotte.

### **FISCAL YEAR 2022 GRANT APPLICATION MANUAL**

Mr. Teran stated that each time a grant cycle is initiated the Commission reviews and updates the grant application manual for the upcoming cycle. He mentioned that the Commission made updates to the manual for the proposed FY 2021 grant cycle which did not take place due to budget issues, and that the current manual does incorporate those updates.

Mr. Teran stated that the substantive changes in the current draft of the manual are on page 13 under the grant application submission requirements, and these updates refer to the electronic application submittal process that will be facilitated through the eCivis Grant Management System.

Chairman Jacobs asked for any comments or questions from the Commission. Commissioner Biesemeyer asked if the proposed webinar will be for training purposes and for clarification when this training would occur. Mr. Teran responded that the webinar will include a brief overview of the AWPf program and application requirements, and referred to the FY 2021 grant application process schedule that the tentative date for the webinar is July 21, 2021 if the portal is ready for use. Commissioner Biesemeyer commented that the webinar link in the application manual is blank and asked if that will be populated if the manual is approved. Mr. Teran responded in the affirmative, and that highlighted items in the manual will be populated with the final information, dates, links, etc. prior to publishing.

Commissioners Schock stated that there have been instances where applicants don't have all the required permits when the application is submitted, but intend to get them as part of the grant when they know their project has been funded. He also stated that there have been instances where grant funds were ultimately turned back because the grantee could not get the permits needed. He inquired if Commission members should be reviewing the permitting requirements for grant applications in more detail, and commented that during his experience on the Commission he has noted that permitting requirements for projects takes a lot of time, effort and costs on the grantee's part to obtain them. Vice-Chairman Held commented that grant applicants are not required to provide all necessary permits with a grant application, but if a project is awarded a grant all permits need to be submitted prior to implementing any on-the-ground work or applicable permitted activity. Commissioner Schock commented that the example Task on page 15 of the manual should also include references to State Land and State Historic Preservation Office permits. Vice-Chairman stated that during the last update of the grant application manual he believed there was specific language included for proposed projects on State Trust lands, and inquired if there were any other stipulations regarding permitting requirements include in the manual. Mr. Teran responded that page 18 of grant application manual does include required application contents if a proposed project is located on Arizona State Trust lands. He also stated that as part of the application review period if additional permits or clearances are identified for the proposed project, those will be identified in the AWPf staff review and noted as contract conditions that the Commission can incorporate into a grant award contract. Commissioner

Blackmore commented that she understands the State Trust Land Office is now trying to keep permitting approvals/disapprovals to 90 days or less. Chairman Jacobs requested clarification if grantees can be working on other project related Tasks such as reporting or monitoring, but are not able to break ground until the applicable permits or clearances are in place. Mr. Teran responded that permitting requirements can vary greatly between projects, but in general staff tracks projects to ensure that the applicable permits are in place for the specific project action to be implemented.

Commissioner Brick made a motion to approve the Fiscal Year 2022 grant application manual, with a second from Commissioner Turcotte. Chairman Jacobs called for a vote. The motion passed unanimously.

### **ARIZONA WATER PROTECTION FUND POLICY AND PROCEDURE MANUAL UPDATES**

Mr. Teran stated that the policies in the AWPFC Commission's Policies and Procedure Manual that needed to be reviewed and discussed include Section 320: Compensation and Reimbursement for Commissioners, Section 411.10 Executive Committee members, and Section 411.15 Quorum. He also stated the AWPFC Executive Committee has made draft recommendations for these policies that were provided in the meeting materials for their review, along with the Executive's Committees draft meeting minutes that included their discussion on the policies. Mr. Teran further stated that updates to sections 411.10 & 411.15 have been made based on clarification provided to staff and the Commission following the recent Open Meeting Law training session and current Open Meeting Law provisions, and have been reviewed by AWPFC legal staff.

#### **Section 320: Compensation and Reimbursement for Commissioners**

Vice-Chairman Held stated that during the Executive Committee discussions on the compensation policy it was noted that all 3 Executive Committee members are currently reimbursed for Commission related services by their respective organizations so it was difficult to fully develop recommendations on a reimbursement policy for other Commission members when there was not input from the Commission members who would actually be affected by this policy. He also stated that other Commissioner's input is needed on the amount of time and other activities that would trigger the eligibility for compensation.

Commissioner Earven stated that she is not reimbursed by any organization for her time or expenses, and commented that costs for overnight travel to meetings in Phoenix can be quite expensive. Mr. Teran explained that all Commission members are eligible for reimbursement of travel expenses, but Commission members need to expressly request reimbursement via a travel claim and also be set up as a vendor with the State of Arizona. Mr. Teran referred the Commission to the page 5, Section 321 of the policy that begins to explain the process for Commission members who elect to receive compensation.

Chairman Jacobs asked for clarification regarding travel expenses and daily reimbursement. Mr. Teran responded that each Commission member is eligible for the \$30/day compensation as described in statute, and also eligible for reimbursement of travel expenses when engaging in AWPFC Commission business.

Commissioner Schock stated that he has previously requested reimbursement for travel expenses, but asked how Commission members proceed with requesting the \$30/day compensation for services. Mr. Teran referred the Commission to page 6, section 324-Compensation for Services that outlines the process for requesting the \$30/day compensation. Commissioner Schock stated that traveling to Phoenix for meetings and reviewing grant application materials takes up a lot of personal time, and inquired if this Commission has reviewed policies for other commissions in Arizona to see what is included in their compensation policies. Vice-Chairman Held commented that State statute limits AWPFC Commissioner compensation to \$30/day and since this cannot be changed, he did not feel there would be a need to review other Arizona commission policies at this time. He further stated that the need at this time is to identify what amount of

time is fair and justifiable for the \$30/day compensation with input from the full Commission because this would not necessarily affect the Executive Committee members who had input on the initial draft of the policy.

Vice-Chairman Held commented that in previous years the Commission member meeting sign-in sheets had a check box where members could identify if they are requesting compensation for their meeting attendance. A copy of the sign-in sheet would then be forwarded to the ADWR Human Resources office and they would process the compensation payments for those Commission members that requested it.

Commissioner Brick asked for clarification to the exceptions described under Section 324 on page 6. Mr. Teran responded that these exceptions are intended to include any other Commission member's activities or services that are not affiliated with specific Commission meeting services. Commissioner Brick asked where the funding for the compensation and travel reimbursements comes from. Mr. Teran responded that the funds would come from the AWPf administration account.

Commissioner Blackmore stated that she agrees this Commission should have some type of reasonable compensation, and commented that while people do donate their time, they should remember that they are also paying forward their time to fellow Arizonans.

Chairman Jacobs stated that the definition of "Day" on page 6, Section 323 needs to be agreed upon by the Commission to identify the minimum amount of time required for Commissioners to be eligible for the \$30/day compensation. Commissioner Biesemeyer suggested that a minimum of 2 hours of work be considered to count for a day of work eligible for compensation to start the discussion. Commissioner Brick suggested 1 hour. Commissioner Schock suggested 2 hours. Commissioners Turcotte suggested that a 2 to 8-hour block of time sounds reasonable for compensation. Chairman Jacobs asked if there was a motion or any other discussion of the definition of a day. Commissioner Turcotte made a motion to define "Day" under section 323-Definitions to read "Day means from two hours, up to eight hours of time worked in the same calendar day", with a second from Commissioner Brick. The motion passed unanimously.

Chairman Jacobs asked the Commission for any comments or discussion on the remaining red-lined text in the Policy and Procedures manual. Vice-Chairman Held suggested to update the language under Section 324, sentence two to read: "Exceptions to this authorization include attendance or participation in non-official events when completed on days not affiliated with Commission meeting services." The Commission had no issues or comments with the proposed change. Mr. Teran inquired if there were any other activities that needed to be identified for compensation under "Services" under Section 323-Definitions. None were identified or added.

Vice-Chairman Held made a motion to approve the language for AWPf Commission policies Sections 320 through 325 with all updates and final recommendations as presented, with a second from Commissioner Brick. The motion passed unanimously.

#### Section 411.10 Executive Committee members, and Section 411.15 Quorum

Chairman Jacobs stated that Open Meeting Law requirements have to be met by the Commission and updates to the AWPf Commission policies and procedures manual have been suggested based on recent training and clarifications provided to the AWPf Commission by the State Ombudsman Office. Mr. Teran stated that all suggested updates have been reviewed by AWPf legal staff.

Mr. Teran presented suggested updates to Section 411.10 Executive Committee members. Chairman Jacobs stated that the AWPf Executive Committee is made up of three members and two members make up a quorum, and other members of the Commission may attend Executive Committee meetings but are not allowed to participate since the Executive Committee is a formal standing committee. Vice-Chairman Held requested clarification on the public noticing requirements and what needs to be done if other Commission members plan to attend an Executive Committee meeting. Mr. Teran responded that while other AWPf Commission members may attend Executive Committee meetings, Executive Committee meeting public notices will need to include a notice of a possible quorum of the AWPf Commission and explain that AWPf Commission members that are not part of the AWPf Executive Committee will not participate or vote on business discussions in accordance with the Open Meeting Law.

Mr. Teran presented suggested updates to Section 411.15 Quorum. Chairman Jacobs asked if there were any comments on the suggested updates for this section. There were no comments from the Commission.

Chairman Jacobs stated that all suggested updates have been made to reflect compliance with Open Meeting Law requirements and ask if there is any further discussion on the proposed updates to the policies and procedures manual. There were no other comments from the Commission. Vice-Chairman Held made a motion to approve the updates to the AWPf Policies and Procedures manual Sections 411.10 and 411.15 as presented, with a second from Commissioner Brick. The motion passed unanimously.

### **CALL TO THE PUBLIC**

Chairman Jacob made a call to the public. No public comments were made.

### **CALL FOR FUTURE AGENDA ITEMS**

Chairman Jacobs made a call for future agenda items. Mr. Teran stated that there were two agenda items from today's meeting that were tabled by the Commission for future discussion. These included AWPf grants 19-201WPF: Webber Creek Sediment Control Project and 19-199WPF: Headwater Stream Restoration - Coyote Springs, Museum of Northern Arizona, Flagstaff.

### **FUTURE MEETING DATE(S)**

The Commission selected September 14, 2021 at 10:00 a.m., and November 16 – 18, 2021 as the next Commission meeting dates. Mr. Teran stated that at this time ADWR is currently anticipating on opening its doors to the public by August 30, 2021 and that public meetings would potentially be allowed to take place within the ADWR office. He also stated that based on the use of the virtual meeting formats and the increased opportunity for public participation at meetings, it is likely that future meetings will be held in a hybrid format to include both in-person and virtual meeting attendance options.

### **ADJOURN**

With no other agenda items, the meeting adjourned at 2:17 p.m.

**Commission Members**

Pat Jacobs, Chairman  
Rodney Held, Vice Chairman  
Brian Biesemeyer  
Shelley Blackmore  
Paul Brick  
Lucinda Earven  
William Schock  
Stephen Turcotte

**Arizona Water Protection Fund Commission**

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**Ex-Officio Members**

Thomas Buschatzke  
Director  
AZ Department of Water Resources

Lisa Atkins  
State Land Commissioner  
AZ State Land Department

**Advisory Members**

The Honorable Sine Kerr  
AZ State Senate

The Honorable David L. Cook  
AZ House of Representatives

**Executive Director**

Reuben Teran

**NOTICE OF PUBLIC MEETING**

Pursuant to A.R.S. § 38-431.02, notice is hereby given that there will be a meeting of the Arizona Water Protection Fund (AWPF) Commission on **Tuesday, June 15, 2021 at 10:00 a.m.** This meeting is open to the public. Due to safety considerations during the COVID-19 pandemic and guidance from the Centers for Disease Control and Prevention for large events and mass gatherings, the AWPF Commission will be conducting this meeting in a virtual format. The meeting information and agenda are described below.

**Cisco Webex Meeting Information**

Link: <https://azgov.webex.com/azgov/j.php?MTID=mb343e849c1953fe022fe38db04dec83f>

Meeting Number (Access Code): 133 842 7959

Meeting Password: m3Pupm2nqH4

or

**Join by Phone**

877-309-3457 US Toll Free

1-404-397-1516 US Toll

Access Code: 133 842 7959

Dated this 8th day of June 2021

**Arizona Water Protection Fund Commission  
Meeting Agenda**

- I. Call to Order –Chairman Pat Jacobs
- II. Commission Member Roll Call – Executive Director
- III. Review and Approval of the March 16, 2021 Meeting Minutes – Chairman Pat Jacobs
- IV. Election of Chairman and Vice-Chairman – Chairman Pat Jacobs
- V. Project Closeout Presentation. AWPF Grant 19-193WPF: Verde River-Oak Creek Confluence Habitat Improvement Project – Friends of the Verde River
  - The Commission will be updated on the final status and results of the project.
- VI. Project Closeout Presentation. AWPF Grant 19-197WPF: Bill Williams Mountain Forest and Watershed Restoration Project – National Forest Foundation
  - The Commission will be updated on the final status and results of the project.

**Arizona Water Protection Fund Commission**  
**Notice of Public Meeting and June 15, 2021 Meeting Agenda (continued)**

- VII. AWPB Grant 19-201WPF: Webber Creek Sediment Control Project – Boy Scouts of America – Grand Canyon Council
- The Commission will discuss and may take action on the request from the Grantee to modify the scope of work of the grant award contract.
- VIII. AWPB Grant 19-199WPF: Headwater Stream Restoration - Coyote Springs, Museum of Northern Arizona, Flagstaff – The Museum of Northern Arizona, Inc.
- The Commission will be updated on the water rights status of the project and may take action to amend the scope of work of the grant award contract.
- IX. Arizona Water Protection Fund Program Updates – Executive Director
- Commission and Executive Committee Activity Updates
  - Legislative Update
  - Financial Update
- X. Arizona Water Protection Fund Administration Fund Transfer Request – Executive Director
- The Commission will discuss and may approve a transfer of \$161,720 of the unobligated Water Protection Fund balance to the program administration account for Fiscal Year 2022.
- XI. Fiscal Year 2021 Arizona Water Protection Fund Annual Report – Chairman
- The Commission will discuss and may provide direction on revising and/or approve the Fiscal Year 2021 Annual Report.
- XII. Fiscal Year 2022 Grant Cycle – Chairman
- The Commission will discuss and may provide direction and/or approve implementing a grant cycle for Fiscal Year 2022.
- XIII. Fiscal Year 2022 Grant Application Manual – Chairman
- The Commission will discuss and may provide direction on revising and/or approve the Fiscal Year 2022 grant application manual and grant application process schedule.
- XIV. Arizona Water Protection Fund Policy and Procedure Manual Updates – Chairman
- The Commission will discuss and may provide direction on revising and/or approve policy update recommendations for section 320: Compensation and Reimbursement for Commissioners.
  - The Commission will discuss and may provide direction on revising and/or approve policy update recommendations pertaining to section 411.10 Executive Committee members and section 411.15 Quorum in accordance with the Open Meeting Law.
- XV. Call to the Public – Chairman
- Comments from the public will be limited to 3 minutes per speaker.

**Arizona Water Protection Fund Commission**  
**Notice of Public Meeting and June 15, 2021 Meeting Agenda (continued)**

XVI. Call for Future Agenda Items

XVII. Future Meeting Date(s) – Chairman

XVIII. Adjourn – Chairman

- *The Arizona Water Protection Fund Commission may elect to go into Executive Session for the purposes of obtaining legal advice from its attorney on any of the listed agenda items pursuant to A.R.S. § 38-431.03(A)(3). Executive sessions are not open to the public.*
- *Agenda items may be taken out of order. No action may be taken on items unless specifically noted on the agenda.*
- *Members of the Arizona Water Protection Fund Commission may appear by telephone.*
- *Agenda and backup/supporting documents can be obtained by contacting Sharon Scantlebury at 602-771-3957 or [sscantlebury@azwater.gov](mailto:sscantlebury@azwater.gov).*
- *People with disabilities may request reasonable accommodations such as interpreters, alternate formats, or assistant with physical accessibility. If you require accommodations, please contact Jennifer Marteniez at (602) 771-8426 or by e-mailing [jkmarteniez@azwater.gov](mailto:jkmarteniez@azwater.gov) Please make requests as soon as possible to allow time to arrange the accommodation.*

# ARIZONA WATER PROTECTION FUND COMMISSION

## Business Meeting – March 16, 2021

Virtual Meeting via Cisco WebEx  
Meeting Number (Access Code): 133 752 9400  
Meeting Password: yGDWv28yRM8  
1-404-397-1516 US Toll

### *DRAFT Meeting Minutes*

#### **ATTENDANCE**

##### Commission Voting Members Present

Pat Jacobs – Chairman  
Rodney Held – Vice-Chairman  
Brian Biesemeyer  
Shelley Blackmore  
Paul Brick  
Roy Pierpoint  
William Schock

##### Arizona Water Protection Fund Staff

Sharon Scantlebury  
Reuben Teran

##### Commission Voting Members Absent

Lucinda Earven

#### **CALL TO ORDER**

Chairman Pat Jacobs called the meeting of the Arizona Water Protection Fund (AWPF) Commission to order at 9:01 a.m.

#### **COMMISSION MEMBER ROLL CALL**

Mr. Reuben Teran called the roll of the AWPF Commission. Only 3 voting members of the Commission were present at the time of the roll call (Chairman Pat Jacobs, Commissioner Brian Biesemeyer, and Commissioner Roy Pierpoint). Chairman Jacobs stated that without a formal quorum of the Commission no formal business actions will be taken.

Chairman Jacobs commented that several groups have been invited to speak or present at this meeting and asked the Executive Director to introduce these groups. Mr. Teran replied that Sandhill Farm, L.L.C. is present and will only provide a presentation and update on the grant award project associated with agenda item IV. which does not require any formal Commission action. Chairman Jacobs then stated that agenda item IV. Project Closeout Presentation. AWPF Grant 20-203WPF: Sandhill Farm Water and Wildlife Conservation Project will be moved up on the agenda to be heard at this time.

#### **PROJECT CLOSEOUT PRESENTATION. AWPF GRANT 20-203WPF: SANDHILL FARM WATER AND WILDLIFE CONSERVATION PROJECT**

- Presenter –James Davenport, Construction Manager for Sandhill Farm, L.L.C

Ms. Katie Belk-Arenas introduced Mr. John Blanton Belk and Mr. James Davenport. Mr. Belk thanked Mr. Teran for his grant administration support during the project, and thanked the Sandhill Farm team for

their work on the project. Mr. Davenport then presented a slideshow of the project with its results and accomplishments.

Chairman Jacobs thanked the members from Sandhill Farm, L.L.C. for their presentation and asked Commission members if they had any questions or comments for the presenter. There were no questions or comments from the Commission.

### **COMMISSION MEMBER ROLL CALL (continued)**

Chairman Jacobs asked for another roll call of Commission members to determine if there was a quorum of voting members. Vice-Chairman Rodney Held commented that he had joined the meeting late but that he is present now. Mr. Reuben Teran called the roll of the AWPFC Commission. Based on the roll call there were only 4 voting members of the Commission present (Chairman Jacobs, Vice-Chairman Held, Commissioner Biesemeyer, and Commissioner Pierpoint) and a formal quorum was not yet reached.

Chairman Jacobs stated that he will continue the meeting informally and that any agenda items that require formal Commission action will not be discussed. He then stated that agenda item VII. Arizona Water Protection Fund Program Updates will be moved up on the agenda to be heard at this time.

### **ARIZONA WATER PROTECTION FUND PROGRAM UPDATES**

- **Commission Membership Update**

Mr. Teran stated that currently there is only one voting member vacancy on the Commission which is the Indian Tribe representative whose appointing authority is the Chairman of the Inter Tribal Council of Arizona. He further stated that he has been in contact with the Executive Director of Inter Tribal Council and notified her that there is a Commission member vacancy and provided her with a brief background on the AWPFC program.

Mr. Teran then provided updates to the Commission membership that occurred in February 2021:

#### Appointments:

- Mr. Brian K. Biesemeyer, affiliated with the City of Scottsdale was appointed by Governor Ducey. The statutory category he represents is a Member of the Public – B.S. in Hydrology – City Served by the Central Arizona Project. Commissioner Biesemeyer's appointment filled a 2-year vacancy following the resignation of Commissioner Mark Holmes in 2018. This appointment is through June 30, 2022.

Chairman Jacobs welcomed Mr. Biesemeyer to the Commission and asked if there was any other information he would like to share about himself with the Commission. Commissioner Biesemeyer stated that he is the Executive Director for Scottsdale Water and has been working in the water industry for 30+ years, and commented that he is looking forward to working with the Commission to improve water resources and watershed health in the State.

#### Re-Appointments:

- Chairman Pat Jacobs, affiliated with the Central Arizona Project, was re-appointed by the Central Arizona Water Conservation District Board. The statutory category he represents is Multi-County Water Conservation District and this is a re-appointment of his current position through December 31, 2022.

- Mr. Rodney Held, affiliated with Salt River Project, was re-appointed by Governor Ducey. The statutory category he represents is Agricultural Improvement District, and this is a re-appointment of his current position through June 30, 2023.
- Mr. William Schock, affiliated with the Santa Cruz Natural Resource Conservation District, was re-appointed by Governor Ducey. The statutory category he represents is State Association of Natural Resource Conservation Districts, and this is a re-appointment of his current position through June 30, 2022.

### **COMMISSION MEMBER ROLL CALL (continued)**

Mr. Reuben Teran again called the roll of the AWPFC Commission to determine if a formal quorum of the Commission was now present. 5 voting members of the Commission were present at the time of the roll call (Chairman Pat Jacobs, Vice-Chairman Held, Commissioner Brian Biesemeyer, Commissioner Paul Brick, and Commissioner Pierpoint) and a quorum of the Commission was now present.

Chairman Jacobs stated that with a quorum of the Commission he is formally calling to order the meeting where business actions can now be taken.

### **REVIEW AND APPROVAL OF THE NOVEMBER 10, 2020 MEETING MINUTES**

Chairman Jacobs asked for any discussion or comments on the draft meeting minutes. Mr. Teran stated that he did receive an email from Commissioner Schock with some minor editorial comments and offered to read those suggested edits to the Commission. Chairman Jacobs inquired if they were substantive changes or typographical in nature. Mr. Teran responded that they were typographical errors on two words and one misspelled name.

Vice-Chairman Held made a motion to approve the November 10, 2020 meeting minutes with the three corrections as presented, with a second from Commissioner Biesemeyer. The motion passed unanimously.

### **AWPFC GRANT 20-205WPF: UPPER, MIDDLE, AND LOWER FOSSIL CREEK INVASIVE PLANT REMOVAL**

Commissioner Biesemeyer stated that he is recusing himself from this discussion because the City of Scottsdale was previously invested in this project.

Mr. Teran introduced Ms. Sasha Stortz, Arizona Program Manager for the National Forest Foundation, and Ms. Tracy Stephens with Friends of the Verde River. Ms. Stortz stated that due to unforeseen circumstances there is a need to extend the grant award contract expiration date, and provided slideshow presentation on the project.

Chairman asked Commission members for any questions or comments. Vice-Chairman Held inquired if this was the project that was discussed at a previous Commission meeting to add additional treatments to the scope of work. Mr. Teran responded that this project was discussed at the March 2020 Commission meeting and stated that the original grant application included monitoring and treatments for Upper and Middle sections of Fossil Creek. During the grant award contract negotiations, the National Forest Foundation requested to slightly modify the overall scope of work and extend the project area to include

additional treatments to approximately six river miles of lower Fossil Creek, with no additional grant funding requested.

Chairman Jacobs asked if there are any budget revisions with the request presented to the Commission today. Mr. Teran responded that there is no budget revision requested, and the changes requested to the grant award contract include extending the expiration date from December 31, 2022 to July 31, 2023 and modifying deliverable due dates within the scope of work to accommodate the extended time period.

With no other comments or questions Chairman Jacobs asked if there was a motion to extend the grant award contract date. Vice-Chairman made a motion to approve the request to extend the grant award contract expiration date, with a second from Commissioner Brick. Chairman Jacobs called for a vote on the motion. Chairman Jacobs, Vice-Chairman Held, Commissioner Brick, and Commissioner Pierpoint voted (Aye), and one Commissioner has recused himself. The motion passed.

**GRANT 19-199WPF: HEADWATER STREAM RESTORATION - COYOTE SPRINGS, MUSEUM OF NORTHERN ARIZONA, FLAGSTAFF**

Mr. Teran presented a letter that was submitted by the Museum of Northern Arizona that explains the current status of the project including the request to remove the Task 1a water right sever and transfer clause from the scope of work for the project. He also briefed the Commission on the history of the project from the grant application review phase to the execution of the grant award contract.

Mr. Teran stated that during the grant application review period comments from the Arizona Department of Water Resources (ADWR) Surface Water Program found that a surface water report included with the grant application showed that Ms. Mary Colton was the holder of Certificate of Water Right (CWR) No. 2919 for Coyote Spring. Based on the information in the application, it appeared that CWR 2919 would no longer be used for domestic purposes. If the place of use listed in CWR No. 2919 is owned by the Museum of Northern Arizona (MNA), the applicant would then need to file a Request for Assignment with the ADWR to transfer ownership of the CWR pursuant to Arizona Revised Statute § 45-164. In order to use the CWR for other beneficial uses at different places of use MNA would also have to file an Application to Sever and Transfer with ADWR. Per recent discussion with the grantee, Staff was informed that CWR originally held by Ms. Colton has since been conveyed to the Museum of Northern Arizona through wills and/or deeds. However, the water use description has not been changed.

Mr. Teran stated that the grantee has requested to remove the section pertaining to the severance and transfer language from the grant award contract. He then introduced Mr. Larry Steven from the Springs Stewardship Institute and The Museum of Northern Arizona, Inc. who is available to answer any questions or provide further clarification.

Mr. Stevens stated that the water right was originally held by Mary Russell Colton who was the founder of the museum. He explained that the land and water rights was deeded to her son, who then deeded them to The Museum of Northern Arizona, Inc. He further stated that as they were researching the sever and transfer process for the water right they found the process could be very lengthy and cost a substantial amount of money so they began to reconsider the need for that verses simply maintaining the domestic use water right for the site. He stated that the water right from Coyote Springs was originally established for uses which are no longer permitted in the City of Flagstaff, which included livestock maintenance, and The Museum of Northern Arizona, Inc. is now committed to using the City's water supply. He further commented that The Museum of Northern Arizona, Inc. does use the project site for educational purposes which include elementary school, high school, and professional trainings at the spring site.

Mr. Stevens stated that The Museum of Northern Arizona, Inc. is requesting that the sever and transfer language in the grant award contract be removed, and that they be allowed to continue to maintain their existing domestic water right to be used as the legal application to continue with the project activities.

Mr. Teran stated that the reason this is being brought before the Commission today is because a grant award contract deliverable includes documentation of the severance and transfer of CWR No. 2919 that identifies The Museum of Northern Arizona as the legal owner of the CWR No. 2919, and documents the water as legally available for the intended purpose of spring and wetland restoration pursuant to Arizona Revised Statute § 45-164. Also included in the contract was a clause that if the severance and transfer of CRW No. 2919 cannot be completed, no further work shall be implemented under this agreement without the consent of the Commission, and the parties shall re-assess the feasibility of the completing the remaining scope of work and overall project as proposed in Arizona Water Protection Fund Application WPF1914.

Vice-Chairman Held commented that his concern from a legal standpoint is that the CWR is not in The Museum of Northern Arizona, Inc. name, and that it appears they are changing the beneficial use from domestic to habitat so the legal use of water would be in question. He then requested further clarification on how it was determined that there is now not a need to transfer the CWR to the name of The Museum of Northern Arizona, Inc. if they are the entity that is actually going to be using the water because otherwise they do not have a legal basis for using the water. Mr. Teran responded that there was a meeting a few weeks ago between ADWR staff, Mr. Stevens, and himself regarding the current status of the water right, and Mr. Stevens was informed that although water coming from the spring will not be diverted and continue to flow in the natural channel as is currently does, there will be no long term protections of that water source or the proposed habitat improvements to be implemented through this project should water be diverted from the spring source itself by another water right holder in the future. Mr. Teran then asked Mr. Stevens for clarification if other water right holders to the water take their allotments from a diversion point downstream of the project area. Mr. Stevens stated his understanding is that there are no other water right holders at the spring source except for them, but the water from the spring is currently used for landscaping purposes by the Coyote Springs development downstream and they would not change the amount of flow going to that purpose. Mr. Stevens stated that The Museum of Northern Arizona, Inc. is cited in a series of wills pertaining to the land and water resources, and they believe that the deeds through the wills give them jurisdiction to the water rights.

Vice-Chairman stated that his concern is that the current CWR with a date of 1952, which is the legal basis for use of that water, is not in the name of The Museum of Northern Arizona, Inc., and commented that even if they have the deeds there is still a means by which that certificate would need to be transferred. He further stated he would be more comfortable if he knows the ADWR's position if The Museum of Northern Arizona, Inc. has the legal right to that water for this project before the Commission would move forward with approving the project to continue. He would also like to know if there are any other claimants, and their priority date, who have a CWR or claim to the water from the spring source. He also stated that he is not comfortable with approving this request based on the information that is available, due to the fact that the CWR is not in their name and the stated beneficial use on the CWR is for domestic purposes and not for habitat or wetland protection. He further commented that he would like to have documentation or buy-in from the ADWR that there are no legal concerns regarding the stated beneficial use and CWR ownership for the project prior to any further discussions or approval from the Commission.

Commissioner Biesemeyer stated that he shares the concerns of the Vice-Chairman and would also like something in writing from ADWR on the legal status of water rights and if they would have an impact on the project or not.

Commissioner Brick stated that he also shares the Vice-Chairman's concerns.

Vice-Chairman Held made a request to have formal opinion from the ADWR if The Museum of Northern Arizona, Inc. 1) has the legal right to use the CWR as a basis for the beneficial use for this project, and 2) if there needs to be any assignment or sever and transfer of the water right.

Chairman Jacobs tabled this agenda item and directed AWPf staff to work with ADWR staff to address Vice-Chairman Held's questions and report back to the Commission at the next meeting.

### **COMMISSION MEMBER ROLL CALL (continued)**

A quorum of the Commission was present, but Mr. Teran again called the roll of the AWPf Commission to determine if any other Commission members were in attendance. 7 voting members of the Commission were present at the time of this roll call (Chairman Pat Jacobs, Vice-Chairman Held, Commissioner Brian Biesemeyer, Commissioner Shelley Blackmore, Commissioner Paul Brick, Commissioner Pierpoint, and Commissioner William Schock).

### **ARIZONA WATER PROTECTION FUND PROGRAM UPDATES (continued)**

- **Financial Update**

Mr. Teran provided an update the AWPf fund balance from July 1, 2020 through February 28, 2021, and described the current totals for revenues and expenditures for both the grant fund account and administration account. The fund balance on July 1, 2020 was \$3,428,028.

Total revenues for the grant account from July 1, 2020 – February 28, 2021 were \$25,780 and Mr. Teran explained that this total does reflect a transfer of \$161,720 from the grant account to the administration account that was approved by the Commission in June 2020. Mr. Teran also stated that there was a \$250,000 appropriation to the fund through ADWR's budget, and clarified that deposits from this appropriation are only made on a quarterly basis and that is why the General Fund Appropriation line item only shows deposits totaling \$187,500 as of February 28, 2021.

Total expenditures from July 1, 2020 – February 28, 2021 totaled \$1,122,548. The fund cash balance on February 28, 2021 was \$2,501,883. This total includes \$2,400,933 from the grant account, and \$100,900 from the administration account.

Mr. Teran identified existing grant award contract obligations as \$1,765,321. He explained that these are funds that have been obligated by the Commission for grants, but are not accounted for in the available fund cash balance. Considering this information, the uncommitted AWPf fund balance is \$736,512 which includes \$635,611 from the grant account, and \$100,900 from the administration account.

Chairman Jacobs commented that the \$250,000 appropriation through the Department of Water Resources budget has typically been used to help cover the program administration costs, and any other appropriations through the Legislative process are typically used for grant awards. Chairman Jacobs asked for any other comments or questions from the Commission. No questions or comments were made.

- **Legislative Update – Ben Altener, ADWR Chief Legislative Liaison**

Mr. Teran introduced Mr. Ben Altener who provided a legislative update and slide show presentation to the Commission.

Chairman Jacobs asked if there were any questions or comments from the Commission. No question or comments were made.

- **Opportunity for Commission Compensation Policy Development**

Mr. Teran stated that this is an informational item and no Commission action is requested at this time. He then stated that over the last 2 years the State Auditor's Office has been conducting annual reviews of per diem compensation and reimbursement of expenses for members of state boards, commissions, councils, and advisory committees and 2020 included the Arizona Water Protection Fund Commission. The review consisted of a short phone conversation between AWPf staff, ADWR Chief Financial Officer, and State Auditor's Office about the controls over payments made to Commission members.

Mr. Teran stated that auditor asked if Commission members are requesting and being reimbursed the \$30/day as noted in statute. Our response was that reimbursements are made if and when a Commission member specifically requests reimbursement, and that in recent history the \$30/day has not been requested by any Commission members, but a few have requested reimbursement for travel and per diem expenses related to AWPf Commission meetings. He stated that following the review one specific Commission member reimbursement transaction was audited and to date he has not heard of any concerns or follow-up questions.

Mr. Teran also stated that the State auditor made a recommendation for the Commission to consider developing policies and procedures identifying what Commission related business activities would be acceptable for the \$30/day payments should members start requesting these payments.

Chairman Jacobs asked if there were any questions or comments from Commission members. Commissioner Schock stated that he supports moving forward with this process, and commented that there are 5 Natural Resource Conservation District members on this Commission who are not paid for their time to attend these meetings, and that it is time that others started to value their time. Vice-Chairman Held stated that he supports developing a policy as well, and commented that this reimbursement to Commission members has always been available since the program began but it was a Commission member's responsibility to fill out the paperwork to get reimbursed. Commissioner Schock stated that he was not aware that this reimbursement was possible and was appreciative to know that the opportunity exists.

Chairman Jacobs commented that it was the State auditors that recommended the Commission develop this type of policy and asked Mr. Teran to verify if this was correct. Mr. Teran responded that the State auditors did recommend a policy development for clarification purposes as to what activities, and time spent on these activities, would be acceptable for reimbursement. He also stated he believes that reimbursements for these activities would come from the AWPf administration account. He further clarified that the \$30/day reimbursements would be in addition to approved lodging, travel, and per diem reimbursement requests from Commission members.

Vice-Chairman Held stated that although a formal AWPf Executive Committee has not yet been established and will be discussed later in the agenda, he suggested that this item be placed on a future Executive Committee meeting agenda to develop a draft policy and then take those recommendations to the full Commission for a discussion and action. Chairman Jacobs supported that recommendation, and directed staff to move forward with planning next steps.

- **Opportunity for Open Meeting Law Training**

Mr. Teran stated that ADWR legal division has recommended that all boards and commissions affiliated with the agency should consider open meeting law training at a future meeting, and given that we have had

several new appointments in the last year he suggested it may be pertinent for the Commission to consider scheduling a training for all Commission members. He commented that he did inquire if ADWR legal staff could provide the training, but was informed that any trainings should be coordinated through the State Ombudsmen's office. He also stated that he has contacted the trainer from the Ombudsman office and was notified that the training will last approximately 60 minutes with time for questions.

Chairman Jacobs asked if there were any questions or comments from the Commission. Vice-Chairman Held stated that it may be confusing to the public to have a training as part of a public Commission meeting, and recommended that a stand-alone training session be scheduled for Commission members to attend and keeping it separate from a public meeting. Mr. Teran stated that he will confer with AWPf legal staff on how best to proceed and provide public notice for this type of training session where a quorum of the Commission may be present.

Chairman Jacobs commented that the Central Arizona Water Conservation District has open meeting law training every two years and it is included as part of the meeting agenda conducted during the public meeting. He then stated that he will defer to ADWR legal staff guidance on proceeding with noticing for this training session, and directed the Executive Director to move forward with planning an open meeting law training session.

### **GRANT CYCLE PLANNING**

Mr. Teran stated that although the program's budget is not yet known for the next fiscal year, this is the time that staff needs to begin the preliminary planning process for a potential grant cycle. He then presented a draft fiscal year 2022 grant application process schedule that would begin in July 2021, have grant applications due in September 2021, include a 45-day public comment period, and have Commission grant selections in November 2021.

Chairman Jacobs asked if there were any questions or comments from the Commission. Vice-Chairman Held stated that he supports planning for a grant cycle, given the potential for a legislative appropriation for the program in fiscal year 2022. Commissioner Biesemeyer stated that he also supports planning for a future grant cycle. Commissioner Schock commented that the proposed date to submit grant applications is September 2021, and inquired what part of September it was anticipated applications would be due. Mr. Teran responded that in previous grant cycles the deadline was within the first week of September and this will most likely be the case for fiscal year 2022, considering the 45-day public comment and grant selections to be completed by mid-November.

Commissioner Schock inquired if the 45-day public comment period was required by the State or by statute. Mr. Teran responded that the 45-day public comment period is required by statute. He also stated that many notices are required to be sent out to entities that may be affected that include, but are not limited to, counties, cities, towns, special districts, and Indian Tribes. Commissioner Schock inquired if many public comments are received. Mr. Teran responded that in general, very few public comments are received as part of the 45-day public comment period and any letters that are received during that time are provided to Commission members with the AWPf staff review of the grant applications.

Vice-Chairman Held made a motion to accept the proposed schedule and begin planning for a fiscal year 2022 grant cycle, with a second from both Commissioner Schock and Commissioner Brick. The motion passed unanimously.

### **AWPF EXECUTIVE COMMITTEE MEMBER APPOINTMENT**

Mr. Teran stated that per the AWPf Commission Policy and Procedures Manual section *411.10 Executive Committee Members*, the Chairman may appoint a Commission member to serve on the AWPf Executive Committee. Chairman Jacobs stated that since he has been on the Commission, he was not aware if any appointments have been made to the AWPf Executive Committee, and that this committee has not been active in recent years. He commented that based on discussions at today's meeting there is a need to re-establish an Executive Committee. He then stated that any Commission member interested in serving on the AWPf Executive Committee please respond to the Executive Director by March 23, 2021, and he would then make an appointment based on the list of interested Commissioners.

Vice-Chairman Held commented that it may be helpful to remind Commission members about the role of the Executive Committee. For reference Mr. Teran then read excerpts from the current AWPf Policy and Procedures manual section *411.10 Executive Committee Members*. Chairman Jacobs then requested that a copy of the policy and procedure manual be sent to each Commission member for their reference following the meeting.

Mr. Teran stated that based on today's discussion he understands no formal action will be taken by the Commission, but the item will be tabled and discussed at the next full Commission meeting.

### **CALL TO THE PUBLIC**

Chairman Jacobs made a call to the public and requested that comments be limited to 3-minutes.

### **CALL FOR FUTURE AGENDA ITEMS**

Chairman Jacobs asked the Commission members for any suggested future agenda items. No agenda items were suggested by the Commission, but Mr. Teran reiterated the list of future agenda items he captured based on today's meeting:

- Water rights status update for grant 19-199WPF: Headwater Stream Restoration - Coyote Springs, Museum of Northern Arizona, Flagstaff
- Commission member compensation policy development suggested for the next Executive Committee meeting
- Open meeting law training
- Executive Committee member appointment. Vice-Chairman Held stated that he does not believe an appointment to the Executive Committee needs to be done during a public meeting, but can be made by the Chairman after he receives a list of interested candidates. Mr. Teran stated that he will then plan on presenting this item as an informational update at the next full Commission meeting.

### **FUTURE MEETING DATE(S)**

The Commission selected Tuesday, June 15, 2021 at 10:00 a.m. as the next Commission meeting date. The meeting is planned to be held virtually.

### **ADJOURN**

With no other agenda items Chairman Jacobs asked if there is a motion to adjourn. Commissioner Schock made a motion to adjourn, with a second from Commissioner Biesemeyer. The motion passed unanimously, and the meeting adjourned at 11:05 p.m.

# Verde River – Oak Creek Confluence Habitat Improvement Project Arizona Water Protection Fund Grant #19-193

Friends of the Verde River  
Habitat Restoration Program  
Tracy Stephens, Program Manager  
Elaine Nichols, Program Coordinator

# Project Partners

- Arizona Water Protection Fund
- Verde Watershed Restoration Coalition (VWRC)
- Coconino National Forest
- Arizona Conservation Corps
- Vetraplex
- EcoPlateau Research
- Walton Family Foundation
- Alcantara Winery
- Thousand Trails Verde Valley RV Resort



Friends of Verde River works collaboratively to restore habitat, sustain flows, and promote community stewardship to support a healthy Verde River system.



# Verde Watershed Restoration Coalition

- Since 2012, VWRC has been hard at work removing invasive plant species from the Verde River Watershed, an initiative led by Friends of the Verde River.
- Collaboration
  - Private landowners
  - Organizations
  - Municipalities
  - Tribal, State, and Federal agencies





Russian Olive



Tree of Heaven



Saltcedar



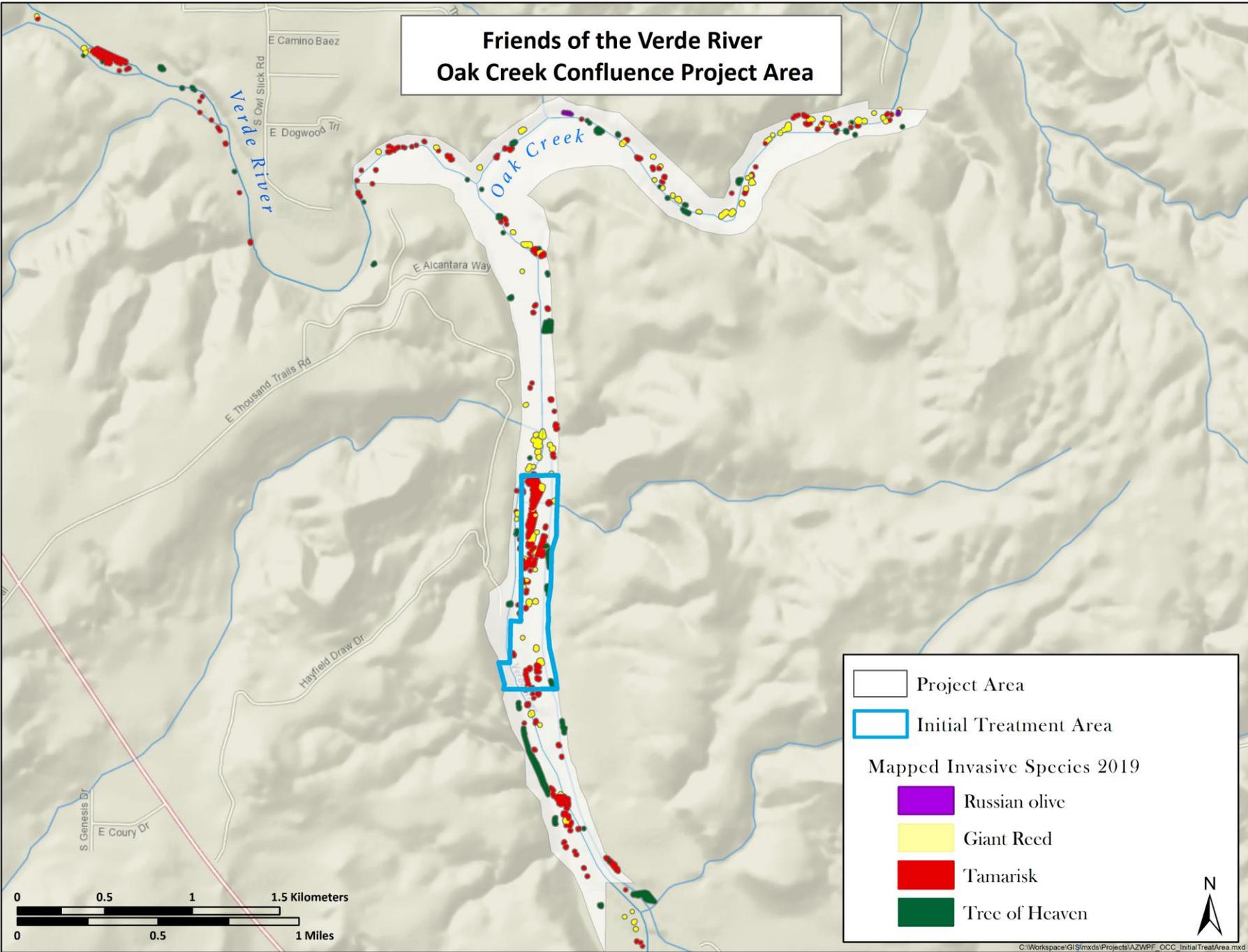
Giant Reed

# Verde River – Oak Creek Confluence Habitat Improvement Project

- Grant #19-193, 2019-2021
- Treatment and Monitoring Invasive Plants
  - Verde River – Oak Creek Confluence
- Two-year cycle of monitoring and retreatment
- 275 acres
  - 3.2 miles of the Verde River
  - 1.4 miles of Oak Creek
- Volunteer events



# Friends of the Verde River Oak Creek Confluence Project Area



Project Area

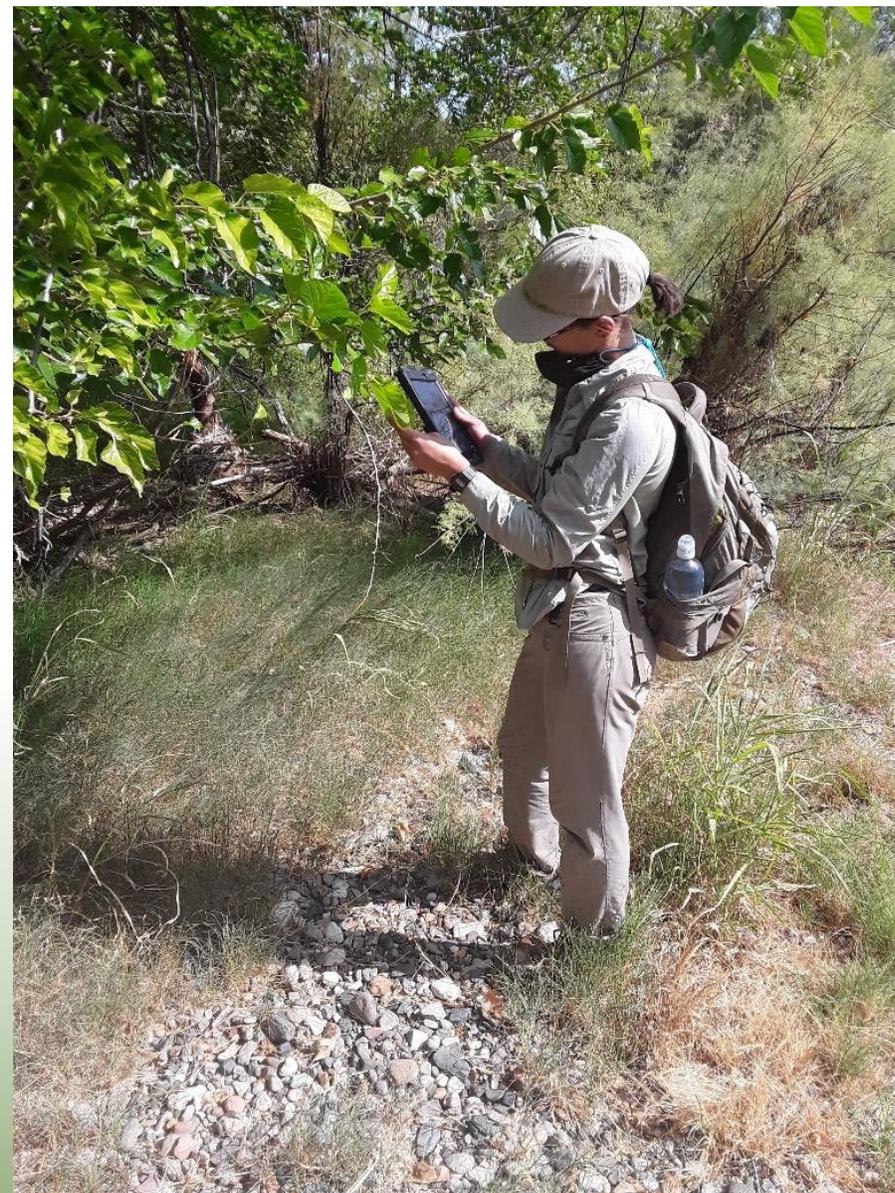
Initial Treatment Area

Mapped Invasive Species 2019

- Russian olive
- Giant Reed
- Tamarisk
- Tree of Heaven

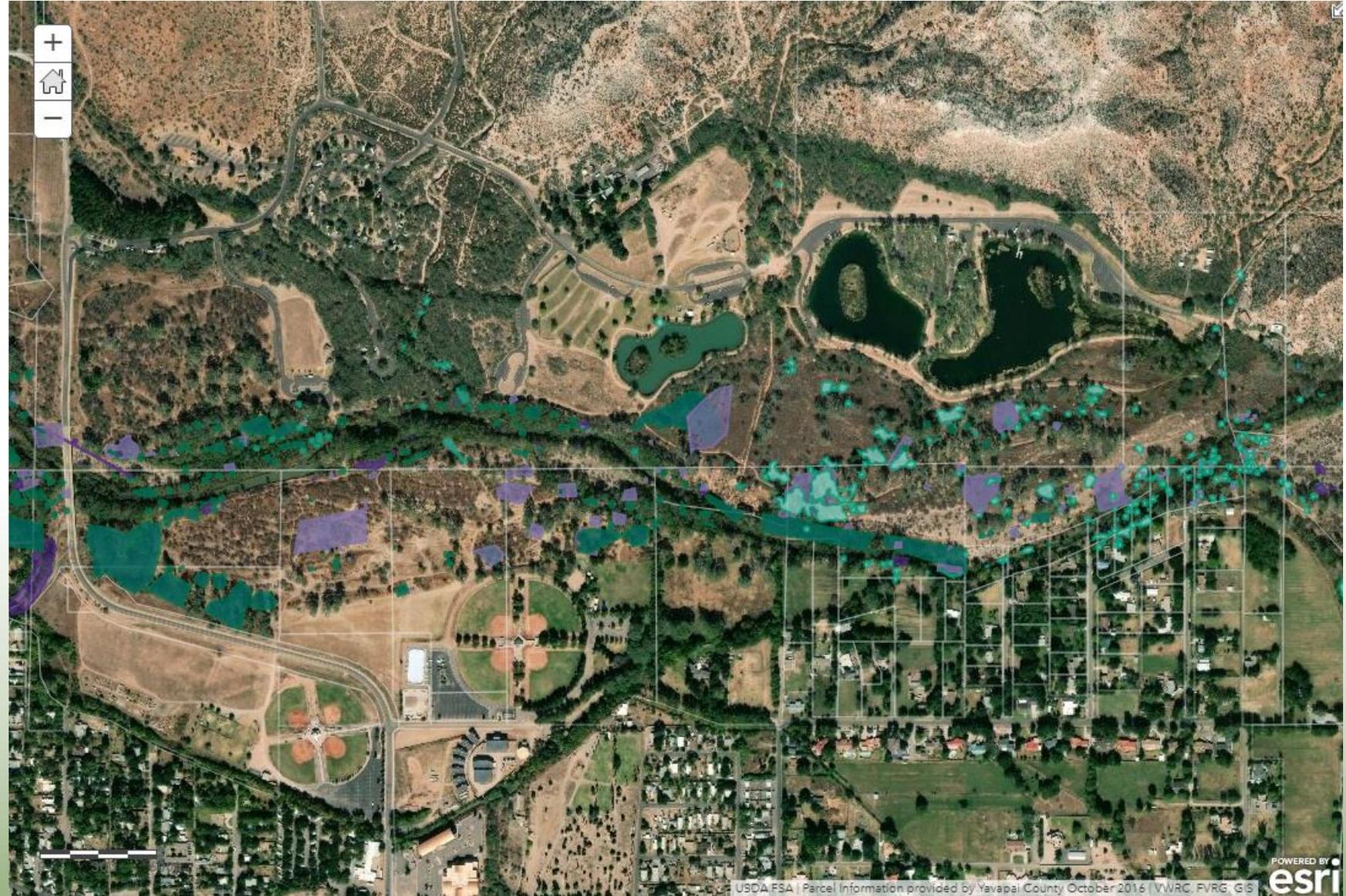
## Verde River – Oak Creek Habitat Improvement Project

- Initial treatment and retreatment
- Mapping and monitoring
- Southwestern willow flycatcher and Western yellow-billed cuckoo surveys
- Volunteer events



# Methods

- Map



# Methods

- Map
- Treat



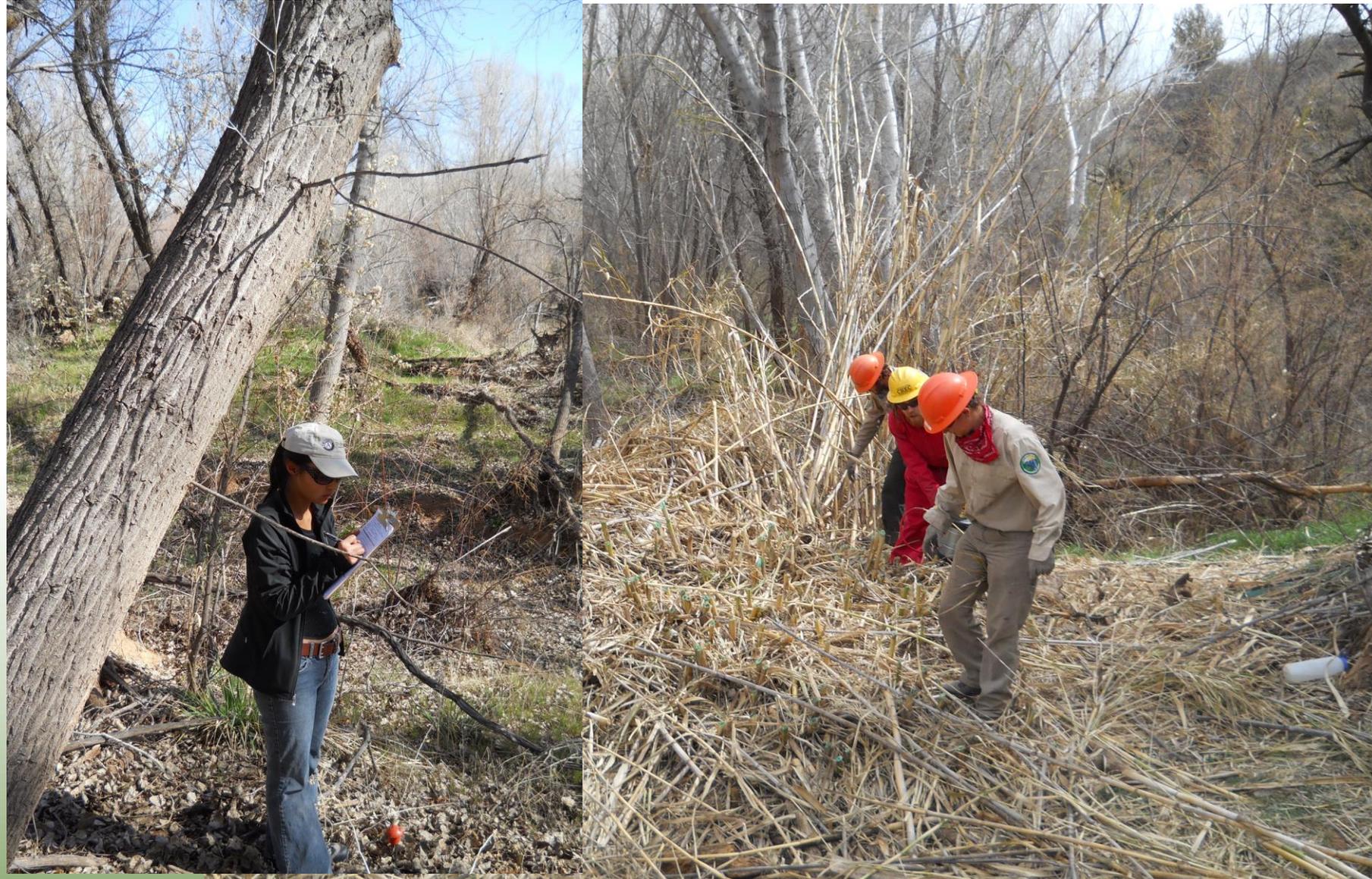
## Methods

- Map
- Treat
- Monitor
  - Regrowth
  - Native Recruitment



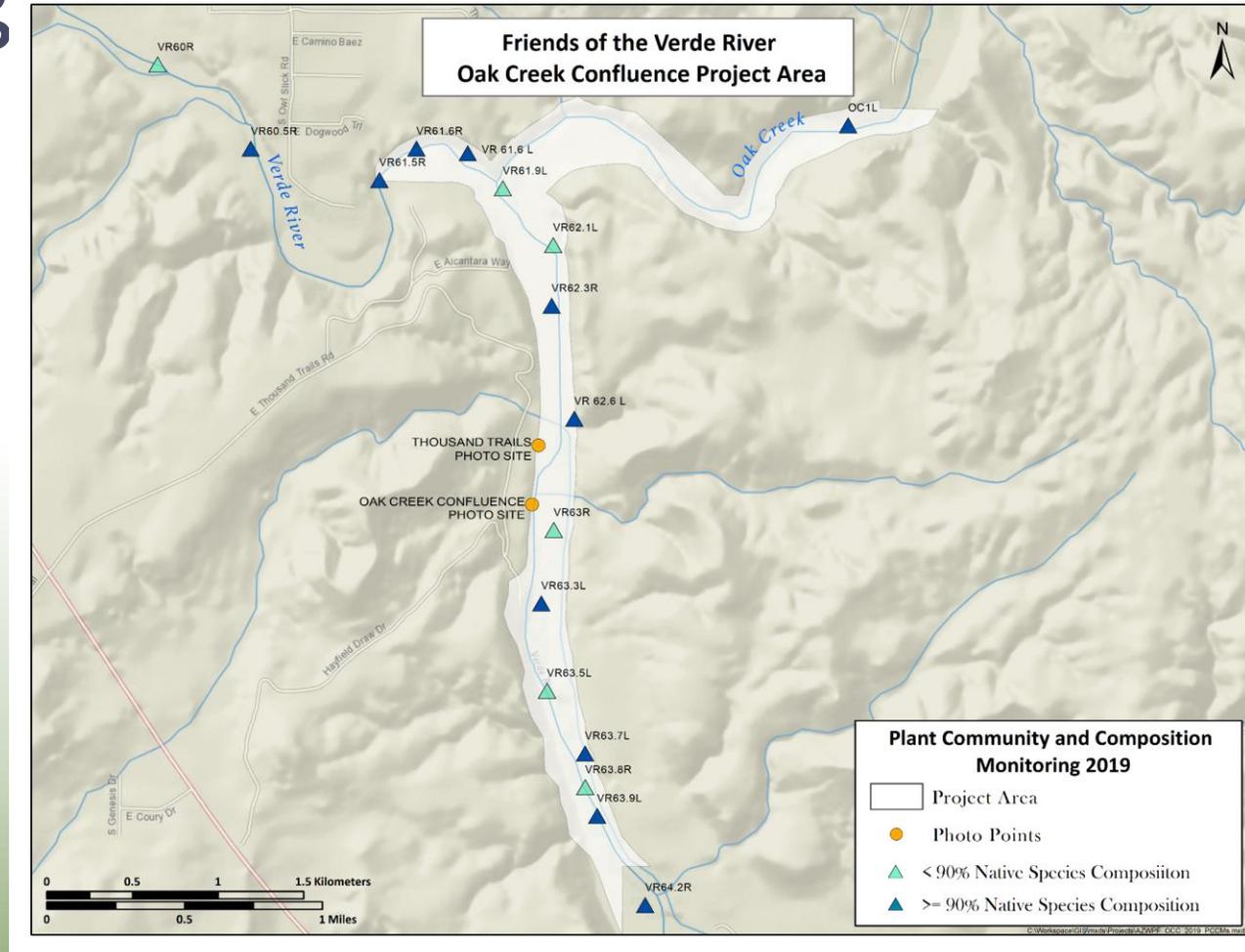
## Methods

- Map
- Treat
- Monitor
- Retreat
- Monitor



# Long-term Monitoring

- Fourteen Plant Community Composition Monitoring (PCCM) plots in project area
  - Established where invasive plants were removed
  - Quantify native growth and canopy structure
- Established two before and after photo points



# Plant Community Composition Monitoring (PCCM)

- Fourteen plots in project area
- Nine had a relative canopy cover of  $\geq 90\%$  native vegetation
- Five did not meet native recruitment goals
  - May need future native tree planting



# Oak Creek Confluence Tamarisk Before and After photos

2017 Before



2017 After



2019



2020



# Oak Creek Confluence Giant Reed Before and After Photos



2019 Before



2019 After



2019  
Spring



2020  
spring

# Before and After photos



# Before and After photos



2020



2020

# Flycatcher and Cuckoo surveys



## Survey Results

### Southwestern Willow Flycatcher

- 2019 – one detection
  - stopover
- 2020 – four detections
  - Could not determine breeding status, possibly migrants

### Yellow-billed Cuckoo

- 2019 – 13 detections
  - Probable breeding site
- 2020 – 11 detections
  - Probable breeding site

## Tamarisk Leaf Beetle

- First detected near Clarkdale in June, 2019
- Surveys of project area did not find any in 2019
- Detected at Sheep's Crossing in 2020
  - Moderate defoliation was observed
  - Adult, late larvae, and early larvae



***Diorhabda* spp.**

# Volunteer event

- Advertised through social media and email list
- One event held at the project site
- Nine volunteers contributed 27 hours



# Volunteer event



# Challenges

- Tree of heaven
- Tamarisk leaf beetle?



# Successes

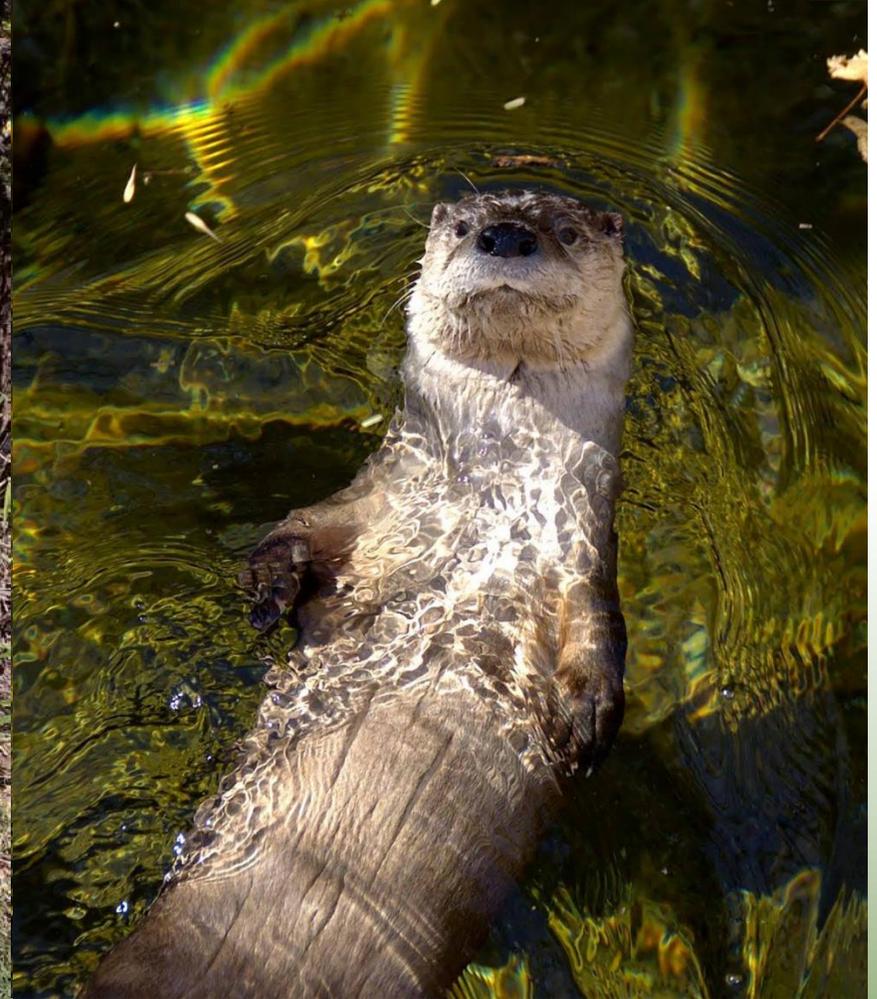
- Entire project area complete
- Native recruitment
- Coordination with partners
- Volunteer event



**Friends of the  
VERDE RIVER**

*Working Collaboratively for a Healthy Verde River*

# Thank you!



# Bill Williams Mountain Forest and Watershed Protection Project

Grant No. 19-197WPF  
Final Presentation to the AWPFC Commission

June 15, 2021



# National Forest Foundation

Chartered by Congress, the National Forest Foundation was created in 1993 with a simple mission: *bring people together to restore and enhance our National Forests and Grasslands.*

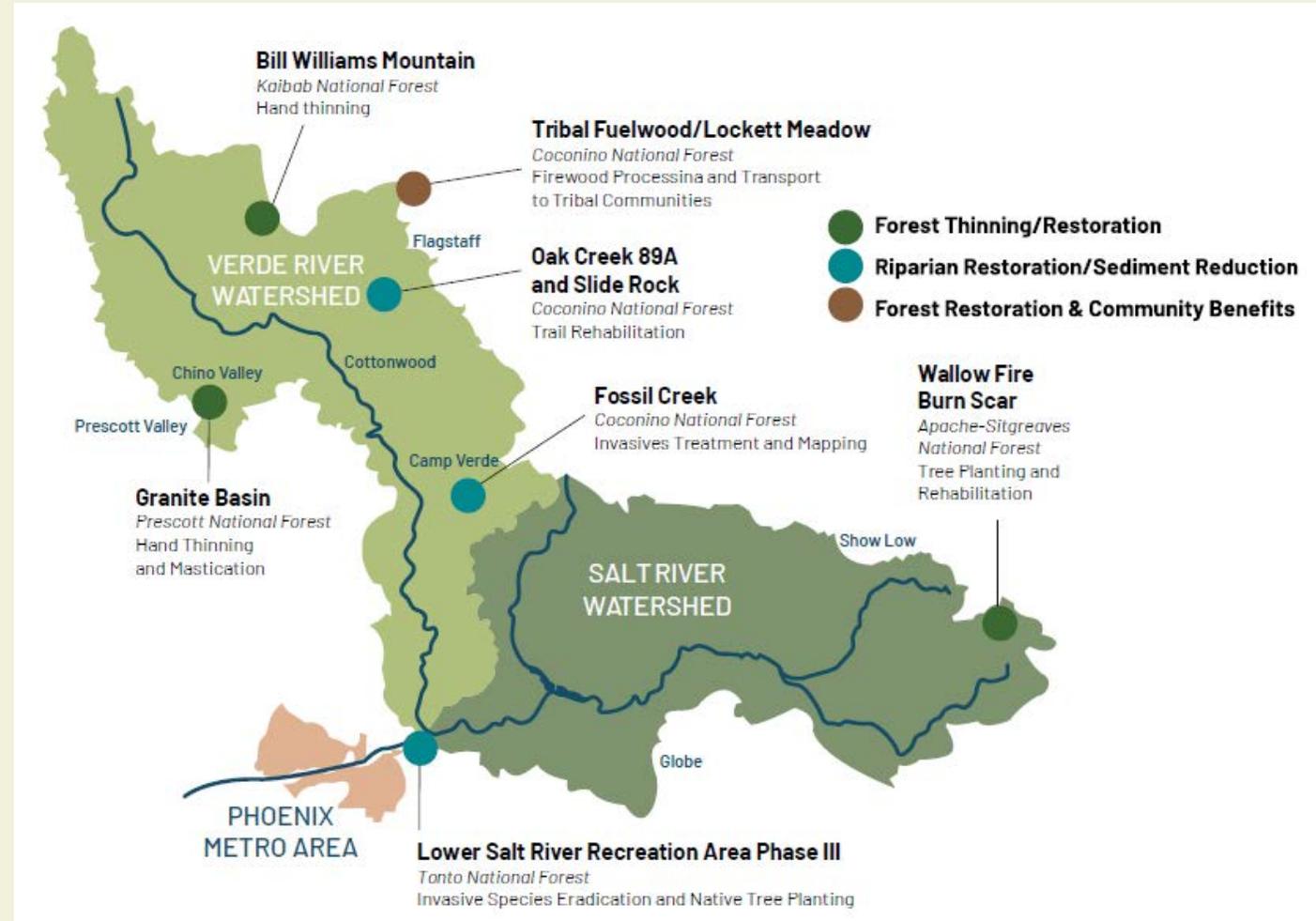


# Northern Arizona Forest Fund

Since 2015, partnering to support **watershed restoration projects** across the Apache-Sitgreaves, Coconino, Kaibab, Prescott and Tonto National Forests.

## Accomplishments 2015 – 2020:

- Reducing extreme fire and flood risk, reducing volume of sediment moving downstream, and replenishing water into meadows, springs and wetlands.
- Invested over \$6.2 million over 5 years across 5 National Forests.
- Completed 32 restoration projects.

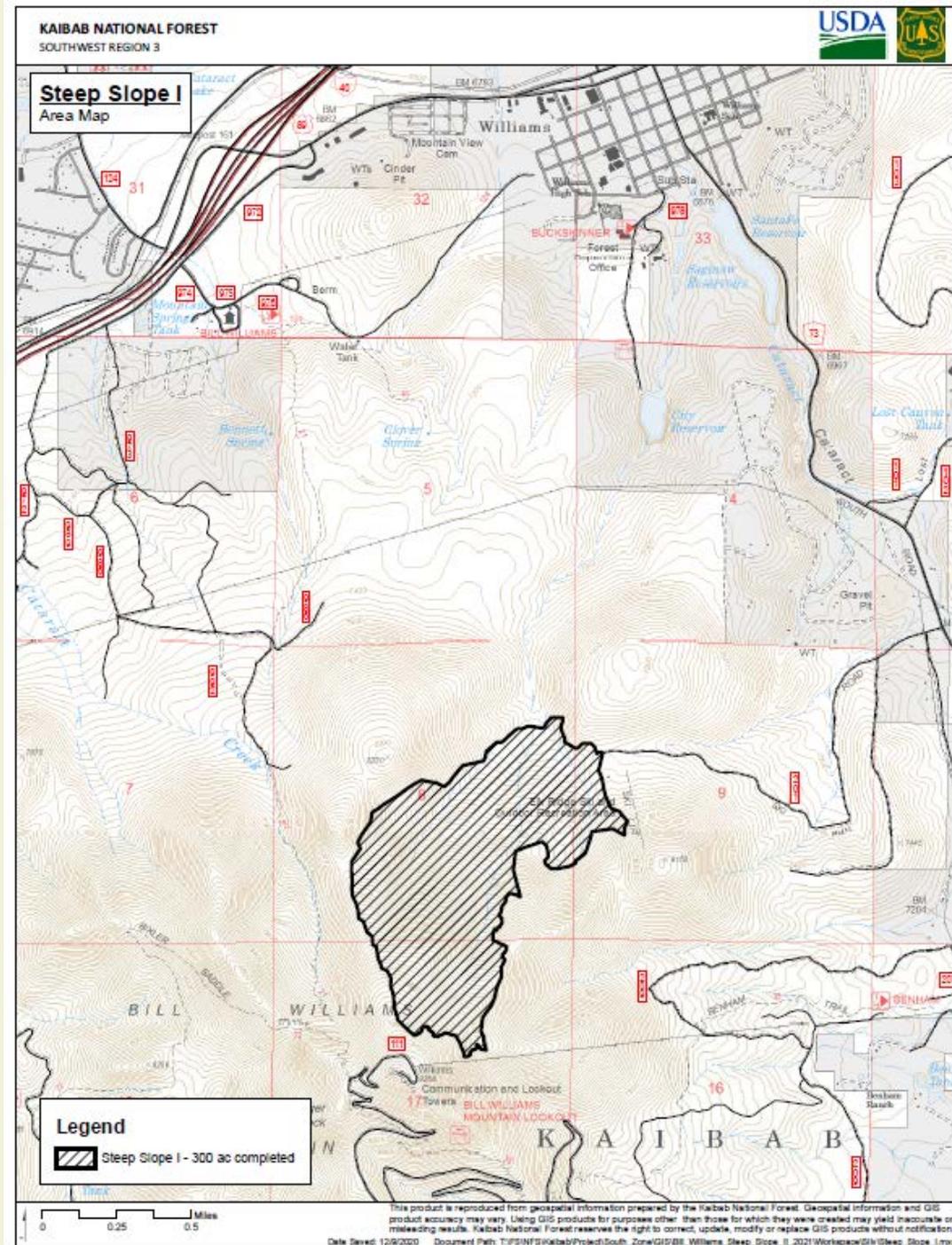


# Bill Williams Mountain Project

Project Area: Kaibab National Forest, Bill Williams Mountain, south of I-40 and Williams, AZ – Gateway to the Grand Canyon.

Direct Benefits: Treatment of 300 high priority steep slope acres, removing over 6,000 tons of excess fuel to reduce fire risk and improve forest resiliency. Estimating 37% decrease in crown fire activity, and fire behavior post-treatment shift from crown to surface fire.

Additional Benefits: Protects surface water supplies for the City of William and throughout the Verde Watershed; Reduces flood and debris flow risk to the City of Williams and maintaining critical economies (such as rail transport and tourism); Protects important communication and power infrastructure at the top of Bill Williams; Protects the federally listed Mexican Spotted Owl.



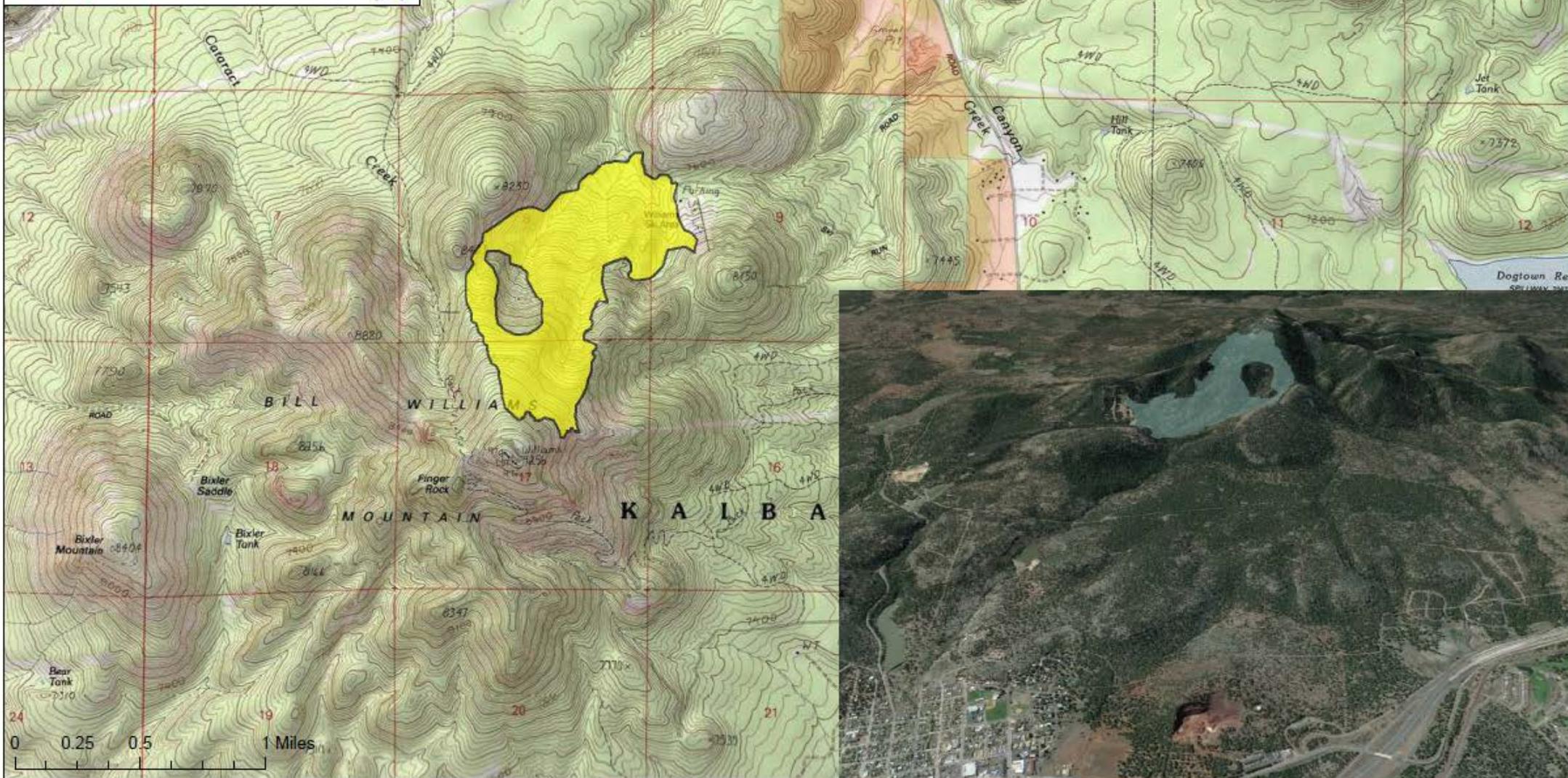
# Thinning Forests to Protect Communities

- The *Economic Impact of Post Fire Flooding: Bill Williams Mountain* report indicates, "Potential damages from a catastrophic wildfire and the post-fire flooding in the Bill Williams Mountain watershed are estimated to be between **\$379 million and \$694 million.**"
- JE Fuller analyzed flood potential in the *Coconino County Post-Wildfire Debris-Flow and Flooding Assessment* and helped identify **priority areas on the mountain recommended for treatment.**



# Bill Williams Project Steep Slope Unit 1

-  SS1 300 acres
-  Private land



# AWPF List of Tasks and Timelines

Task		Date
Task #1	Permits, clearances, authorizations and agreements	Prior to initiation of activities
Task # 2	Develop and submit project work plans	Sept. 2019
Task # 3	Request for Proposals and Contractor Selection	Sept. 2019
Task # 4	Implement Steep Slope treatments	June 2020
Task # 5	Implement Remote Sensing Monitoring Plan	December 2020
Task # 6	Final Report, Documentation of Coordination Regarding Post-Treatment Prescribed Burning, and Oral Presentation	<ul style="list-style-type: none"><li>- Report June 2021</li><li>- Presentation 2021</li><li>- Burn plan when available</li></ul>



# Accomplishments

- 300 high priority Steep Slope acres treated
- Funds leveraged with support from DFFM to treat an additional 614 acres at the base of the mountain
- Total Funds leveraged on SS1: \$3.2M







# End Markets

- 534 loads of wood shipped to:
  - NovoBiopower for electrical energy generation
  - SW Forest Products pallets and landscaping mulch
  - Wood for Life tribal fuelwood initiative

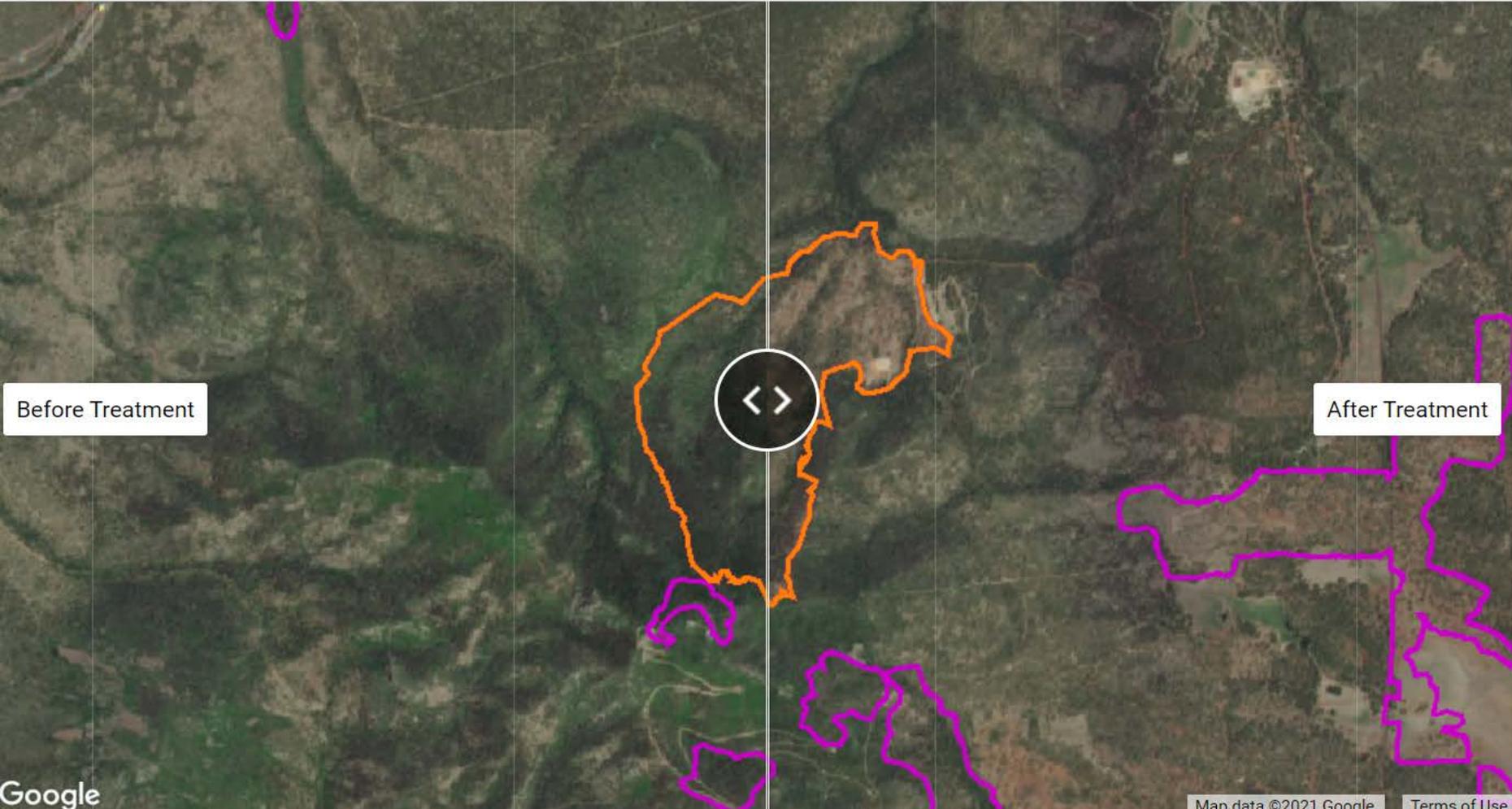


# Remote Sensing

<https://gee-csp.earthengine.app/view/nff-az>

Earth Engine Apps Experimental

Search places



Before Treatment

After Treatment

Select a location

Steep Slope

Select a map

Sentinel

Change map opacity

1

Select a basemap

Roads

Stats

Steep Slope

Median biomass before treatment: 92 Mg/ha

Median biomass after treatment: 59 Mg/ha

Median percent decrease: 39%

Percentage of area with reduced fire activity: 10%

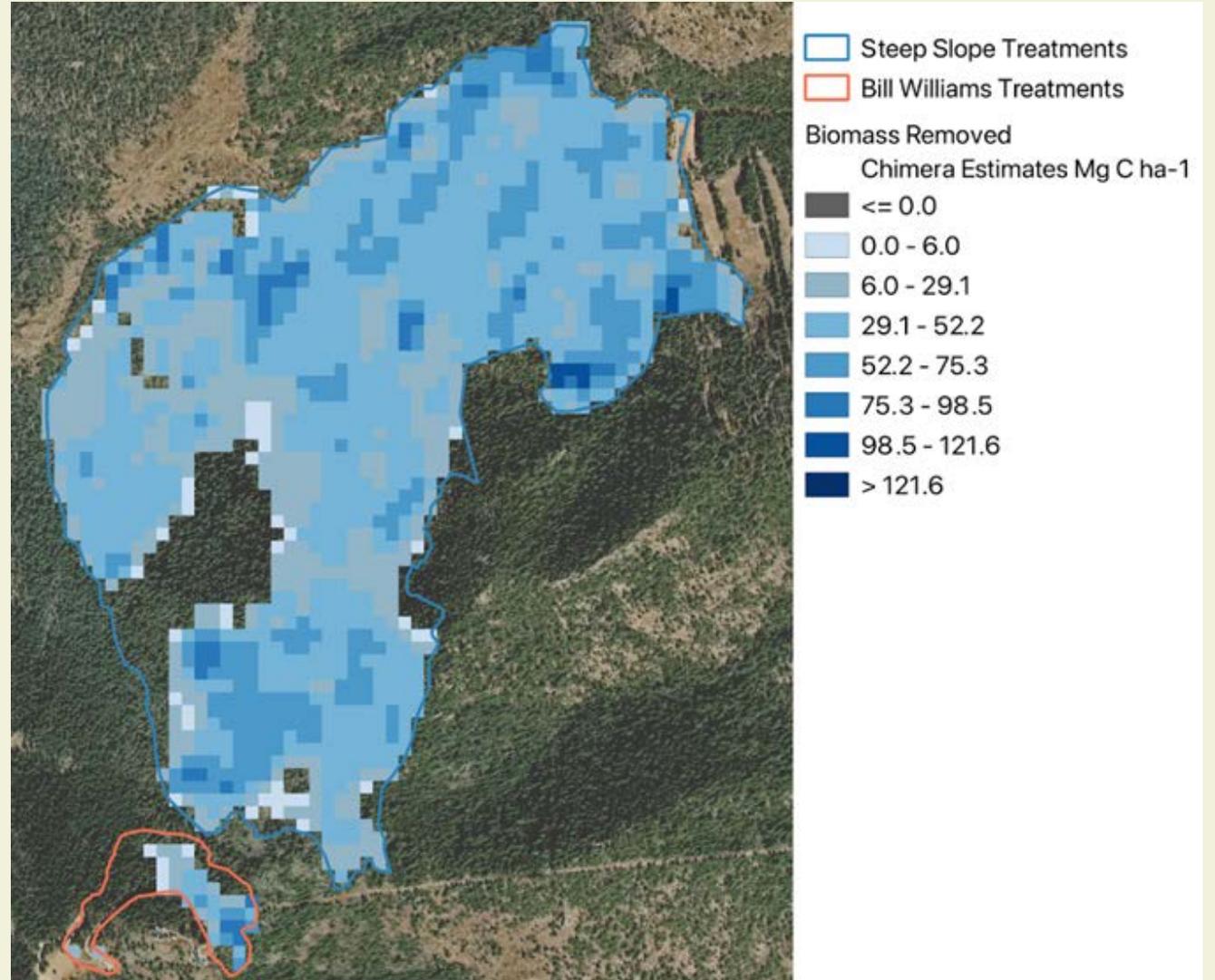
Google

Map data ©2021 Google

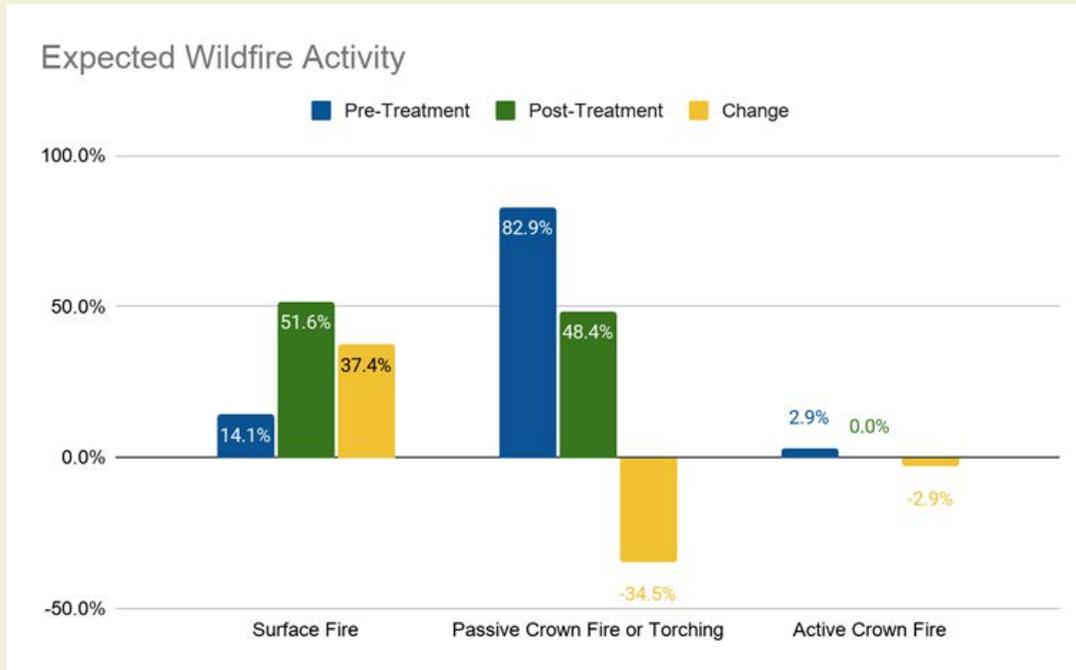
Terms of Use

# Remote Sensing Results: Steep Slope 1 Forest Structure

- Biomass reduced by 32%
- Basal area reduced by 45%
- Canopy closure reduced by 22%



# Remote Sensing Results: Fire behavior across the Bill Williams Mountain Restoration Project



Under models of extreme fire behavior, no active crown fire is predicted across the landscape post-treatment

And, all crown fire is reduced by 38% post-treatment

Bill Williams Mountain Restoration Project	Pre-Treatment	Post-Treatment	Change
Surface Fire	14.15%	51.59%	37.45%
Passive Crown Fire or Torching	82.93%	48.41%	-34.53%
Active Crown Fire	2.92%	0%	-2.92%

# Related Press Coverage

ENVIRONMENT

## Recover or restore? Bill Williams project aims to prevent wildfires by thinning forests

Anton L. Delgado Arizona Republic

Published 7:00 a.m. MT Dec. 9, 2020 | Updated 9:46 a.m. MT Dec. 9, 2020

View Comments



6 Photos

VIEW FULL GALLERY

### Bill Williams Mountain forest thinning project aims to prevent wildfires

Agencies are spending millions to thin forests to safeguard mountainside communities from future wildfires and post-fire floods.

Arizona Republic



future tense

## A Home Heating Crisis. A Devastating Forest Fire Waiting to Happen. One Innovative Solution.

Wood for Life aims to bring wood harvested from forests at risk of megafires to Indigenous elders who are in danger of freezing to death.

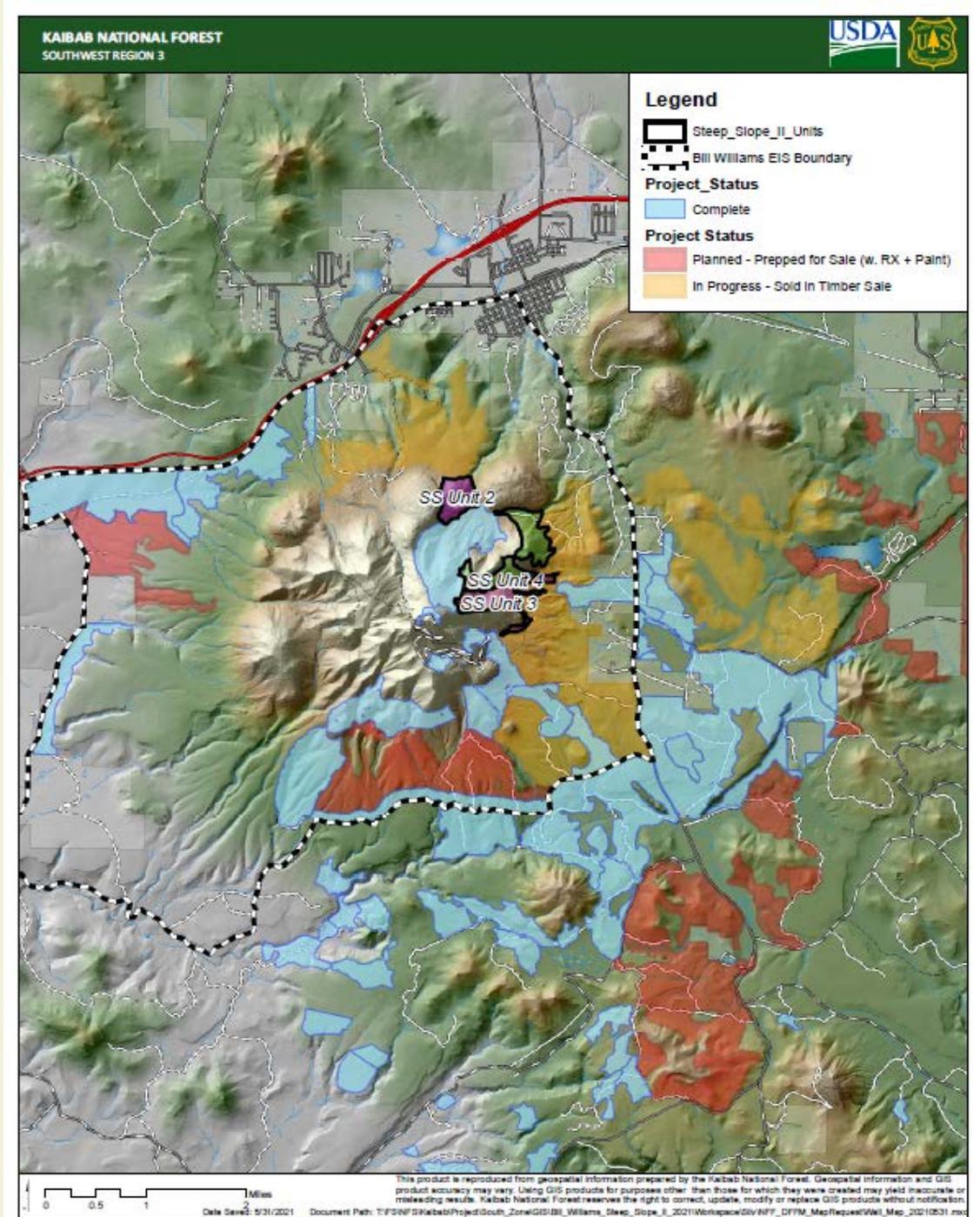
BY TERRY GREENE STERLING JAN 29, 2021 • 10:00 AM



Slate

# Next Steps

- Additional steep slope treatments are needed
- Selecting a contractor for Steep Slope 2 project to be implemented in fall 2021
- Prescribed burning will be initiated once additional project areas are treated; right now the risk of fire is still too high



# Thank You

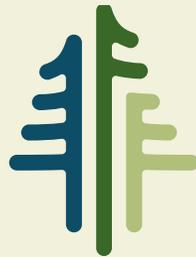
Contact:

Rebecca Davidson

[rdavidson@nationalforests.org](mailto:rdavidson@nationalforests.org)

720-749-9008

[nationalforests.org](http://nationalforests.org)



**National Forest Foundation**

## Grand Canyon Council BSA

8840 E Chaparral Rd Suite 200 Scottsdale, Arizona 85250  
www.grandcanyonbsa.org | 602-955-7747



24 May 2021

Dear Members of the AWPf Commission:

Thank you for the opportunity to discuss Grant No. WPF1919—Webber Creek Sediment Control Project and reevaluate the contract scope of work.

The Grand Canyon Council (GCC) signed the Grant Award Contract with AWPf on 1 April 2020; however, rough terms for the contract were established in 2018 to work in coordination with a grant from ADEQ. Both grants were written to provide the funds necessary to develop a Master Erosion Plan for Camp Geronimo with the intent purpose of improving water quality in Weber Creek by “providing nutrient cycling and increasing streambank stabilization through trapping and reducing the inflow of sediments and water runoff.”

Task Status of May 24, 2021:

- Task #1—Develop the Drainage and Erosion Control Master Plan—**Complete**
- Task #2—Permits, clearances, authorizations, and agreements—**Complete**
- Task #3—Develop and Submit a Public Outreach and Education Plan—**In Progress**
  - The GCC is working with an intern from NAU, but does not have shareable plan yet
- Task#4—Implement Erosion Control Activities at Camp Geronimo—**Nearly Complete**
  - The GCC has completed 90% of the drainage and erosion projects identified in the grant application and added multiple stabilization projects that were discovered as the plan was implemented. Thus far, volunteers have provided over 15,000 hours of support moving stone, digging in inaccessible areas, and installing erosion structures. Now that all contractor facilitated work is complete, scouts will finish the project this summer through service hours at camp.
- Task#5—Implement Ongoing and Long-term Monitoring and Maintenance—**Not Started**
  - Official monitoring has not started, but we have already utilized volunteers to improve some of the earliest structures.
- Task#6—Implement Public Outreach and Education Plan—**In Progress**
  - This summer we plan to offer a new recognition program where scouts will learn about tool safety and implement conservation related projects.
  - Interpretive Trail is being designed
- Task#7—Final Report—**Not Started**

### Task Modification

The Grand Canyon Council is behind on its deliverables with both ADEQ and AWPf due to the following reasons:

1. The Council lost 85% of its membership when the LDS Church decided to leave the program. This membership reduction significantly reduced both revenue and volunteer labor.

## Grand Canyon Council BSA

8840 E Chaparral Rd Suite 200 Scottsdale, Arizona 85250  
www.grandcanyonbsa.org | 602-955-7747



2. The GCC was forced to reorganize and lay off 40% of its professional staff complicating project management.
3. Scouting has welcomed girls into its membership in efforts to be more inclusive. Originally, we planned to eliminate all pit latrines and replace with vault and haul toilets. Market surveys indicated that our young ladies prefer flush toilets, and this prompted a change to more environmentally friendly, though costly restrooms.
4. The Boy Scouts of America National Corporation declared bankruptcy, and this has impeded local fundraising efforts and consumed many staff hours.
5. COVID-19 – Lock downs and other restrictions eliminated many volunteer opportunities and impeded contractor recruitment
6. The recent boom in construction trade work has delayed progress implementing key features due to short supply of materials and available contractors.

Though we have experienced 2 very challenging years, the GCC has pressed forward and is nearing the final stages of the project with ADEQ. Thus far, we have managed to keep costs down while enhancing/expanding the original plan. As we begin to map out the plan to utilize AWP Funds, we would request consideration of the following 2 Task modifications:

1. Move the funds from Task #3 to Task #4—The GCC has requested assistance for this project from volunteers and an intern from NAU. We would like to use the \$8000 from this line item to purchase high quality interpretive signage that would be utilized by our merit badge participants and visitors alike.
2. Utilize funding to construct bridges across Webber Creek—Geronimo is split into Eastern and Western sides by the Webber Creek forcing pedestrians and vehicles to cross through fords or footbridges. We estimate that the vehicle ford is crossed approximately 5,000 times per year destabilizing the stream bank and generating sedimentation. Equally as important, during storm events our staff must block all traffic including emergency vehicles due to safety concerns. The GCC would like your permission to utilize funds to construct both a vehicle and pedestrian bridge to mitigate this erosion and risk.

Thank you again for selecting the Grand Canyon Council for an AWP grant. Please let us know if we can provide additional information.

Sincerely,

A handwritten signature in black ink, appearing to read "Gregory W. Harmon".

Gregory W. Harmon  
Director of Support Services  
Grand Canyon Council, BSA

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**F. INTRODUCTION AND PURPOSE:**

This project will improve water quality in Weber Creek by providing nutrient cycling and increasing streambank stabilization through trapping and reducing the inflow of sediments and water runoff from areas within and around Boy Scout Camp Geronimo. This project is being implemented in coordination with an Arizona Department of Environmental Quality (ADEQ) Water Quality Improvement Program grant. Soil erosion sediments that currently discharge to Webber Creek will be reduced by the construction of such items as cross drainage structures, culverts, and roadside ditches with check dams. A related objective would be to minimize the amount of sediment that leaves the site through silt basins, and possible future water diversions to the on-site lake for later removal, as necessary. The project will occur at a scout camp with thousands of campers and visitors annually, and will increase public awareness of the function and value of riparian resources.

**G. DESCRIPTION OF TASKS:**

**Task #1: Develop the Drainage and Erosion Control Master Plan**

**Task Description:** The Grantee shall hire a contractor to assist in the development of a drainage and erosion control master plan. The plan shall include maps that identify specific areas and sources of on-site sediment contribution (erosion and transport), and develop site by site mitigation plans and final designs for the silt basins, rock check dams, and other sediment reduction infrastructure proposed for installation to guide erosion control and restoration efforts at Boy Scout Camp Geronimo.

Within the master plan document the Grantee shall specifically identify the erosion mitigation projects and practices to be implemented under this agreement, and include the long-term monitoring and maintenance activities to be completed following implementation of these mitigation actions.

Diverting surface water from any natural drainage will require a surface water right. Silt basins, rock check dams, and the lake may require a surface water right if they are retaining surface water. If these features are designed to only detain surface water, the Drainage and Erosion Control Master Plan shall include a maintenance plan to ensure surface water will not be impounded in the future.

**Task purpose:** To develop a project master plan that will guide project implementation and sediment control activities, and provide for the long-term monitoring and maintenance of installed infrastructure.

**Deliverable descriptions:** Drainage and Erosion Control Master Plan

**Responsible Personnel:** Greg Harmon, Director of Support Services and the consulting engineer.

**Deliverable Due Date:** May 31, 2020

**Reimbursable cost:** \$0

**Task #2: Permits, clearances, authorizations, and agreements**

**Task Description:** Based on the specific projects identified in the Drainage and Erosion Control Master Plan to be implemented under this agreement, the Grantee must obtain and submit to the Project Manager

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all necessary permits, authorizations, clearances, and agreements, and perform any consultations required to complete the tasks listed in the Scope of Work, including but not limited to:

- Endangered Species Act Section 7 consultation with US Fish and Wildlife Service
- Clean Water Act Section 404 permit from Army Corps of Engineers
- Clean Water Act Section 401 Certification from the Arizona Department of Environmental Quality (ADEQ)
- ADEQ Storm Water Pollution and Prevention Plan
- State Historic Preservation Office cultural resource clearance
- Documentation of the legal authority and availability to use surface water, if any structures installed in the project area will impound or divert surface water.
- Subcontract agreements, if applicable.
  - Subcontracts must be reviewed by the AWPf project manager prior to execution of any subcontract.

The Grantee shall consult with the US Forest Service for any other related federal clearances or authorizations necessary for project actions on US Forest Service managed lands in accordance with the Grantee's US Forest Service special use permit.

The Grantee must submit to the Project Manager documentation of State Historic Preservation Office (SHPO) cultural resource clearance; or all documentation necessary to obtain such clearance, including an archeological survey, if necessary. Upon receipt of any documentation necessary to obtain SHPO clearance, the Project Manager shall forward the documentation to SHPO for its review. SHPO clearance must be obtained prior to initiation of any ground disturbing work.

**Task Purpose:** To comply with all local, state and federal permit requirements, and environmental laws for the project term.

**Deliverable Description:** Copies of all necessary permits, clearances, authorizations, and agreements necessary to implement the Scope of Work. All subcontracts must be submitted for review and approval by the AWPf project manager prior to the implementation of subcontracted work.

**Responsible Personnel:** Greg Harmon, Director of Support Services

**Deliverable Due Date:** Prior to initiation of any applicable subcontracted work or any ground disturbing activities.

**Reimbursable Cost:** \$0

**Task # 3 Develop and Submit a Public Outreach and Education Plan**

**Task Description:** The Grantee shall develop a public outreach and education plan to inform scouts and Camp Geronimo visitors about soil erosion, how it impacts water quality, how soil erosion issues can be resolved. The Public Education and Outreach Plan must be submitted to the Project Manager for review and approval prior to implementation.

**Task purpose:** To educate Camp Geronimo visitors on soil erosion and its effects to water quality.

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**Deliverable description:** Public Education and Outreach Plan

**Responsible Personnel:** Greg Harmon, Director of Support Services

**Deliverable Due Date:** August 31, 2020

**Reimbursable cost:** \$8,000

**Task # 4 Implement Erosion Control Activities at Camp Geronimo**

**Task Description:** The Grantee shall implement soil erosion mitigation actions and projects identified in the Drainage and Erosion Control Master Plan submitted in Task #1 to reduce sedimentation and improve water quality in Webber Creek. Project actions shall be implemented in accordance with applicable water rights and water quality permit requirements.

**Task Purpose:** To improve water quality, hydrologic conditions, and protect fish and wildlife habitat in Weber Creek by reducing the inflow of sediments from Boy Scout Camp Geronimo.

**Deliverable Description:** The Grantee shall submit detailed annual reports which must describe soil erosion control activities completed for the project period. Reports should include project related construction data, photographs, and maps identifying completed project locations.

**Responsible Personnel:** Larry Carpenter, Property Superintendent

**Deliverable Due Dates:**

- August 31, 2021
- August 31, 2022
- August 31, 2023

**Reimbursable Cost:** \$153,057.50

**Task #5 Implement Ongoing and Long-term Monitoring and Maintenance**

**Task Description:** The Grantee shall implement ongoing monitoring and maintenance activities of all constructed improvements implemented under this agreement as described in the Drainage and Erosion Control Master Plan. These activities may include, but are not limited to, removal of sediment and debris, replacement of riprap around culverts, and repairing rock check dams. Maintenance activities shall ensure compliance with surface water right and water quality permit requirements.

**Task Purpose:** To ensure that erosion control and restoration efforts are maintained to meet the project goals and objectives.

**Deliverable Description:** The Grantee shall submit detailed annual reports that describe monitoring and maintenance activities completed for that project period. Reports should include project related maintenance data, photographs, and maps.

**Responsible Personnel:** Larry Carpenter, Property Superintendent

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**Deliverable Due Dates:**

- August 31, 2022
- August 31, 2023

**Reimbursable Cost:** \$0

**Task #6 Implement Public Outreach and Education Plan**

**Task Description:** The Grantee will implement the Public Education and Outreach Plan developed under Task #3 to educate and inform scouts and visitors on restoration activities taking place at Camp Geronimo.

**Task Purpose:** To convey the importance of water quality and riparian health through education and hands-on activities.

**Deliverable Description:** The Grantee shall submit detailed annual reports that describe outreach activities the number of participants at each event. The report shall also include copies of materials used to promote the outreach events and photographs of the activities.

**Responsible Personnel:** Greg Harmon, Director of Support Services and Camp Geronimo Program Director.

**Deliverable Due Dates:**

- August 31, 2021
- August 31, 2022
- August 31, 2023

**Reimbursable Cost:** \$0

**Task #7 Final Report and Oral Presentation**

**Task Description:** The Grantee shall prepare and submit a comprehensive final report in accordance with the Arizona Water Protection Fund Final Report Guidelines. The final report must include a summary of all methodologies used, outcomes of all tasks, analysis of all project data, suggestions for any changes or future actions, and an evaluation of the success of meeting project objectives. The Grantee must provide all data generated under this Contract, unless otherwise specified in the Special Provisions. The Grantee must make an oral presentation of a summary of the Final Report to the AWPFC Commission within 90 days of the contract termination date.

**Task Purpose:** To provide a comprehensive final report for public distribution that gives a detailed description of the project and highlights its benefits to the State of Arizona.

**Deliverable Descriptions:**

- Final report
- Final Presentation before the Commission

**ARIZONA WATER PROTECTION FUND  
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**Responsible Personnel:** Greg Harmon, Director of Support Services

**Deliverable Due Dates:**

- Final Report – November 30, 2023
- Oral Presentation – TBD

**Reimbursable Cost:** \$5,000

**ARIZONA WATER PROTECTION FUND  
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**H. SCHEDULE OF PAYMENTS AND DELIVERABLES:**

<b>Task</b>	<b>Deliverable</b>	<b>Due Date</b>	<b>Cost</b>
1. Develop the Drainage and Erosion Control Master Plan	Drainage and Erosion Control Master Plan	May 31, 2020	Reimbursable: \$0
2. Permits, clearances, authorizations, and agreements	Copies of all necessary permits, clearances, authorizations, and agreements necessary to implement the Scope of Work.	Prior to initiation of any applicable subcontracted work or any ground disturbing activities.	Reimbursable: \$0
3 Develop and Submit a Public Outreach and Education Plan	Public Education and Outreach Plan	August 31, 2020	Reimbursable: \$8,000
4. Implement Erosion Control Activities at Camp Geronimo	Detailed Annual Reports	August 31, 2021 August 31, 2022 August 31, 2023	Reimbursable: \$153,057.50
5. Implement Ongoing and Long-term Monitoring and Maintenance	Detailed Annual Reports	August 31, 2022 August 31, 2023	Reimbursable: \$0
6. Implement Public Outreach and Education Plan	Detailed Annual Reports	August 31, 2021 August 31, 2022 August 31, 2023	Reimbursable: \$0
7. Final Report and Oral Presentation	Final report Oral Presentation	November 30, 2023 TBD	Reimbursable: \$5,000
<b>Total Grant Amount:</b>			<b>\$166,057.50</b>

An Advance payment not to exceed **\$33,200** applies to this Contract (see E. 2. under Scope of Work). Reimbursements will be paid only after deliverables have been received and approved.



# SPRINGS STEWARDSHIP INSTITUTE

a GLOBAL INITIATIVE of the MUSEUM OF NORTHERN ARIZONA

Mr. Reuben Teran, Executive Director  
Arizona Water Protection Fund  
Arizona Department of Water Resources  
1110 W. Washington Street Ste 310  
Phoenix, AZ 85007  
Reuben Teran <rteran@azwater.gov>

4 March 2021

Mr. Teran:

The Museum of Northern Arizona (MNA) proposed to the Arizona Water Protection Fund (AWPF) to rehabilitate Coyote Springs, a small springs complex on MNA property. Funding by AWPF was approved on 1/7/2020 under AWPF Contract No. 19-199WPF, pending clarification of MNA's water rights. Coyote Springs contains two spring boxes, one that is historic and will not be disturbed, and another that is a cracked and failing concrete box with corroded piping, and that wastefully leaks water away from the springbrook channel. Our proposal is to remove the leaking concrete tank, restore flow to the channel, and adjust the channel configuration slightly to improve wetland habitat conditions.

MNA has a water right for domestic use of Coyote Springs, it owns the land from which the springs emerge, and MNA obtained approval from the Army Corps of Engineers and the State Historic Preservation Office for the proposed rehabilitation of this small springs system. Documentation of those claims has been provided to AWPF. At the time of MNA's proposal to AWPF, we were advised to seek a sever and transfer of the domestic water right in favor of wetland protection. Over the past year, uncertainty about the necessity, expense, and time required for that transfer caused us to reconsider our options. The first task of our proposal was to resolve, at no cost to AWPF, the water rights for this rehabilitation action.

Our existing water right and ownership of the land surrounding the springs, and the enthusiastic endorsement of the project by the adjacent Coyote Springs Homeowners Association (a downstream beneficiary of the springs flow) are sufficient to convince us that a sever and transfer change of water rights is unnecessary. We realize that our proposed minor modification of a portion of the springbrook channel on our land may render that small, modified portion of the springbrook no longer appurtenant to our land, but that minor change does not, in our view, constitute any substantial threat to MNA's ability to continue to protect this portion of its property.

Therefore, we request the following of the AWPF Commission:

- 1) Permission to remove the Task 1a sever and transfer clause from the proposed Scope of Work Task 1 for this project
- 2) Permission to proceed with this small rehabilitation project by applying project funds for the remaining tasks
- 3) With funding approved, we do not anticipate further delays in the project moving forward; however, to ensure that all remaining compliance issues are fully resolved, we request

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springstewardshipinstitute.org

extension of the deliverables for Task 2 (Work, Monitoring, and Outreach plans) to 30 September 2021.

Please let us know if you have further questions about this water right solution and whether our requests are acceptable. Our Biology Department curator, Larry Stevens will be available during your 16 March 2021 meeting to address any additional questions that may arise about this springs ecosystem rehabilitation project.

Sincerely,

A handwritten signature in black ink, appearing to read "Mary Kershaw". The signature is written in a cursive style with a large, looping initial "M".

Mary Kershaw, Director and CEO

**Arizona Department of Water Resources**  
**Water Protection Fund**

FY 2021 Fund Activity  
For the period July 1, 2020, through May 31, 2021

Description	1302-WPF Grants	1303-WPF Administration	Total
<b>Beginning Fund Balance - 7/1/2020</b>	<b>\$3,387,615</b>	<b>\$40,413</b>	<b>\$3,428,028</b>
<b>Revenues:</b>			
Interest Income	\$1,486	\$9,637	\$11,123
In-Lieu Fee Deposit	\$0	\$0	\$0
General Fund Appropriation	\$187,500	\$0	\$187,500
Transfers - Administrative Expenses	(\$161,720)	\$161,720	\$0
<b>Total - Revenues</b>	<b>\$27,266</b>	<b>\$171,357</b>	<b>\$198,623</b>
<b>Expenditures:</b>			
Salary Expense	\$0	\$156,065	\$156,065
Grantee Payments	\$1,187,775	\$0	\$1,187,775
Travel	\$0	\$0	\$0
Operating Expenses	\$0	\$0	\$0
<b>Total - Expenditures</b>	<b>\$1,187,775</b>	<b>\$156,065</b>	<b>\$1,343,840</b>
<b>Fund Balance - May 31, 2021</b>	<b>\$2,227,106</b>	<b>\$55,705</b>	<b>\$2,282,811</b>
Less: Existing Grant Obligations	(\$1,552,603)		
Less: Pending FY 2021 Grants	\$0		
<b>Uncommitted Balance</b>	<b>\$674,503</b>	<b>\$55,705</b>	<b>\$730,208</b>

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# EXECUTIVE SUMMARY

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From 1995 to 2021, the Arizona Water Protection Fund Commission (Commission) has supported 237 projects and awarded more than \$47 million toward the restoration, protection and enhancement of river and riparian resources in Arizona. As a result, Arizona citizens have realized many benefits from these investments through improvements in water quality, in-stream flows/water supplies, biodiversity, fish and wildlife habitat, recreation, flood control and overall watershed functionality and sustainability. In addition, important socioeconomic benefits such as jobs and revenue streams are realized by many local communities through the implementation of Arizona Water Protection Fund (AWPF) projects.

The Water Protection Fund balance on July 1, 2020 was \$3,387,615. Deposits into the fund for Fiscal Year (FY) 2021 included a \$250,000 appropriation from the General Fund in the Arizona Department of Water Resources budget. The fund balance as of June 30, 2021 was **XXXXXXXXXX**.

At the beginning of FY 2021, 15 AWPF grant projects were being implemented across the State and three FY 2020 grant award contracts were in negotiation. Although the AWPF was appropriated \$250,000 for FY 2021, the Commission ultimately decided to not move forward with a grant cycle based on the limited amount of unobligated funds that would be available for new grants. One grant award contract was terminated, and five projects were closed out within the fiscal year in Cochise, Gila, Maricopa, Yavapai (2) Counties.

At the end of FY 2021 there were 12 active grants projects in Cochise, Coconino (4), Graham, Gila (2), Maricopa, Pinal, and Yavapai Counties, and one being implemented statewide. These projects are focused on implementing water conservation measures, enhancing degraded stream and spring resources, conducting scientific research, and the treatment of upland and invasive vegetation for overall watershed improvement and health.

During the fiscal year three new appointments were made to AWPF Commission, and three Commission members were re-appointed in their current capacities. The AWPF Commission included a total of 12 members at the end of FY 2021, with one vacancy.

# ARIZONA WATER PROTECTION FUND

## CREATION AND PURPOSE

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The 1994 Arizona Legislature established the Arizona Water Protection Fund (AWPF), and the Arizona Water Protection Fund Commission (Commission) to administer the AWPF (A.R.S. § 45-2101 *et seq.*). In passing the enabling legislation, the Legislature declared that the policy of the State is to provide for a coordinated effort between State funding and locally-led solutions for the restoration and conservation of this State's rivers, streams and associated riparian habitats, including fish and wildlife resources that are dependent on these important habitats.

The primary purpose of the AWPF is to provide an annual source of funds for the development and implementation of measures to protect water of sufficient quality and quantity to maintain, enhance and restore rivers, streams and associated riparian resources consistent with existing water law and water rights. The Commission may also provide funding to develop and protect riparian habitats in conjunction with a man-made water resource project if the project directly or indirectly benefits a river or stream and includes or creates riparian habitat. The Commission, supported by staff from the Arizona Department of Water Resources (ADWR), solicits, reviews, and awards grants to any person, State agency, or political subdivision to implement local on-the-ground solutions to improve our State's river, streams, and watersheds.

## PROGRAM ORGANIZATION

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### Arizona Water Protection Fund Commission

The 13-member Commission is the main policy making body for the AWPF. The Commission is composed of nine voting members who must be Arizona residents who, by statute, represent a variety of land, water use, and socioeconomic perspectives. There are two non-voting ex officio members – the Director of the Arizona Department of Water Resources and the Commissioner of the Arizona State Land Department; and two non-voting advisory members – one from the Arizona State House of Representatives and one from the Arizona State Senate.

During Fiscal Year (FY) 2021 the AWPF Commission held four business meetings, which also included one meeting of the Executive Committee which had not been active since 2014. Due to federal, state, and local protocols related to COVID-19, all Commission meetings in FY 2021 were held virtually.

This fiscal year included both new appointments and re-appointments in Commission membership. Commissioner Shelley Blackmore, affiliated with the Triangle Natural Resource Conservation District, was appointed in September 2020 following the resignation of Commissioner Michael Macauley. Commissioner Stephen Turcotte, affiliated with the Winkelman Natural Resource Conservation District, was appointed in October 2020 to succeed Commissioner Roy Pierpoint whose official appointment term was expired. Commissioner Brian

K. Biesemeyer, affiliated with the City of Scottsdale, was appointed in February 2021 to fill the vacancy following the resignation of Commissioner Mark Holmes in 2018.

Commission Chairman Pat Jacobs was re-appointed in February 2021 to continue serving in his current capacity through December 2022. Commission Vice-Chairman Rodney Held was re-appointed in February 2021 to continue serving in his current capacity through June 2023. Commissioner William Schock was re-appointed in February 2021 to continue serving in his current capacity through June 2022. A list of current Commission members and vacancies as of June 30, 2021 is provided in Table 1.

### Arizona Water Protection Fund Administration

ADWR provides the primary technical, legal, and administrative staff to the Commission. The AWPf program is managed by its Executive Director. Staffing for the program during FY 2021 included the Executive Director and ADWR legal counsel, with administrative support provided by the ADWR legal division.

## **FISCAL YEAR 2021 ACCOMPLISHMENTS**

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At the beginning of FY 2021, 15 AWPf grant projects were being implemented across the State and three FY 2020 grant award contracts were in negotiation. Although the AWPf was appropriated \$250,000 for FY 2021, the Commission ultimately decided to not move forward with a grant cycle based on the limited amount of unobligated funds that would be available for grants. Throughout the fiscal year AWPf staff continued to provide technical support to current AWPf grantees through the administration and project management of 18 grant award projects. One grant award contract was terminated, and five projects were closed out in FY 2021 and are identified below.

Other activities completed by staff included coordination with appointing officials on filling AWPf Commission member vacancies; responding to public records requests pertaining to the AWPf program; continued updates and maintenance of the AWPf program website; initiating the ADWR's data quality assessment initiative for the AWPf program; coordinating Open Meeting Law training for AWPf staff and Commission; serving as a technical reviewer for the Department of Forestry and Fire Management's 2020 Invasive Plant Grant applications; serving as a technical reviewer for ADWR's 2020 Groundwater Conservation Grant applications; participating in the Arizona Cross Watershed Network steering committee; drafting ADWR's Watershed Improvement Program annual report; and beginning the transition to an electronic grant application submittal process via the eCivis grant management system for future grant cycles.

AWPF staff and Commission members were able to adapt to social distancing guidelines and operating in the virtual meeting environment, with business activities accomplished through the State of Arizona and ADWR's support of teleworking opportunities and Webex virtual meetings.

**Table 1. Arizona Protection Fund Commission Members as of June 30, 2021.**

<b>Commission Member / Affiliation</b>	<b>Statutory Category Represented</b>	<b>Appointing Authority</b>
<b>Pat Jacobs*</b> Central Arizona Project	Multi-County Water Conservation District	District Governing Board
<b>Rodney J. Held**</b> Salt River Project	Agricultural Improvement District	Governor
<b>Brian K. Biesemeyer</b> City of Scottsdale	Member of the Public – B.S.in Hydrology – City Served by the Central Arizona Project	Governor
<b>Shelley Blackmore</b> Triangle Natural Resource Conservation District	Natural Resource Conservation District	Senate President
<b>Harold Paul Brick</b> San Pedro Natural Resource Conservation District	Natural Resource Conservation District	Senate President
<b>Lucinda Earven</b> Hereford Natural Resource Conservation District	Natural Resource Conservation District	Speaker of the House of Representatives
<b>William Schock</b> Santa Cruz Natural Resource Conservation District	State Association of Natural Resource Conservation Districts	Governor
<b>Stephen Turcotte</b> Winkelman Natural Resource Conservation District	Natural Resource Conservation District	Speaker of the House of Representatives
<b>VACANT</b>	Indian Tribe	Inter Tribal Council of Arizona
<b>Thomas Buschatzke</b> <b>Director</b> Department of Water Resources	Non-voting Ex Officio Member	Arizona Revised Statutes § 45-2103(A)(7)
<b>Lisa Atkins</b> <b>State Land Commissioner</b> State Land Department	Non-voting Ex Officio Member	Arizona Revised Statutes § 45-2103 (A)(7)
<b>The Honorable Sine Kerr</b> AZ Senate	Non-voting Advisory Member	Senate President
<b>The Honorable David L. Cook</b> AZ House of Representatives	Non-voting Advisory Member	Speaker of the House of Representatives

\*Chair, \*\*Vice-Chair

## Grant Projects Completed in Fiscal Year 2021

### **17-189WPF: Erosion Control to Stabilize Soils and Restore Historic Grasslands in the Upper Verde River Watershed**

<b>Map #</b>	<b>Grantee</b>	<b>County</b>	<b>AWPF Funding</b>	<b>Contract Expiration Date</b>
195	Town of Prescott Valley	Yavapai	\$138,183	September 30, 2020

#### **Project Description:**

The project area encompassed approximately 1,940 acres on private and leased State Trust lands of the York-Kenson Ranch, and demonstrated how landscape management could stabilize soils, increase the opportunity for aquifer recharge, and restore historic grasslands through a combination of vegetation treatments and the installation of erosion control structures. Historically, thinning projects have resulted in cut pinion-juniper material left in-situ to decompose or burned on site. This project utilized the thinned, low-value woody biomass as the basis for engineered silt dam erosion control structures to stabilize soils in eroded gullies and upland areas.

### **17-192WPF: Lower Verde River Riparian Restoration Project**

<b>Map #</b>	<b>Grantee</b>	<b>County</b>	<b>AWPF Funding</b>	<b>Contract Expiration Date</b>
198	Ft. McDowell Yavapai Nation	Maricopa	\$134,571	October 31, 2020

#### **Project Description:**

This project was located along the Lower Verde River within the boundaries of the Fort McDowell Yavapai Nation (FMYN), and continued restoration efforts through the control of invasive plant species which threaten the biodiversity and overall health of the riparian areas. The goals of this project were to (1) promote and establish native riparian habitat in preparation for the eventual arrival of the tamarisk beetle and the subsequent defoliation, loss of habitat and increased wildfire risk, and (2) increase community and youth engagement with the FMYN to encourage environmental stewardship. The FMYN removed invasive vegetation including giant reed, salt cedar, and tree tobacco; developed a manual to guide future restoration efforts on the FMYN ; and developed and implemented a restoration plan for a 30-acre pilot project site. Following restoration activities, monitoring of invasive plant treatments and restoration efforts were completed to assess the success of the treatments and pilot project site revegetation efforts.

### **19-198WPF: Granite Creek Corridor Enhancement Master Plan**

<b>Map #</b>	<b>Grantee</b>	<b>County</b>	<b>AWPF Funding</b>	<b>Contract Expiration Date</b>
204	City of Prescott	Yavapai	\$79,401	October 31, 2020

#### **Project Description:**

The purpose of this project was to develop a community-supported master plan for the enhancement of Granite Creek through downtown Prescott. Prior to development of plans for capital improvements, the City of Prescott (City) engaged the stakeholders to educate them about the physical and ecological potential of the creek. The City conducted an ecological site

assessment and then developed draft concepts for stream channel and habitat enhancements. The City then held a series of stakeholder meetings to gather input on the conceptual plans, and other amenities and infrastructure needs from local businesses and the community. This input was then incorporated into the development of a data-driven master plan that intends to increase stream function and associated riparian habitat, while increasing green space connectivity along 1.2-miles of Granite Creek.

**19-200WPF: American Gulch Channel and Riparian Enhancement**

Map #	Grantee	County	AWPF Funding	Contract Expiration Date
206	Town of Payson	Gila	\$202,556	November 30, 2020

**Project Description:**

The project restored a channelized section of American Gulch (a major drainage through the Town of Payson, AZ) through the use natural channel design principles in order to improve riparian habitat within the channel while retaining flood control functions. The project was designed to construct a more natural, stable bankfull (low flow) channel in the bottom of the existing channel and included stabilization structures, including rock cross-vane weirs, rock vanes, toe rock, TRM (turf reinforced matt) and larger natural substrate material. The design utilized three rock cross-vane weirs to provide grade control, five rock vanes with toe rock to provide bank protection, and riprap for culvert outlet protection. The project area was approximately 1,000 feet long and construction took place entirely within the existing channel except for additional native plantings along the edge of the channel and around the urban trail. The entire site, including all disturbed areas, were revegetated with native grasses, forbs, and native trees and shrubs along the banks.

**20-203WPF: Sandhill Farm Water and Wildlife Conservation Project**

Map #	Grantee	County	AWPF Funding	Contract Expiration Date
209	Sandhill Farm, L.L.C.	Cochise	\$35,254	April 30, 2021

**Project Description:**

To enhance and continue conservation efforts on Sandhill Farm, the Sandhill Farm, L.L.C retrofitted an existing domestic well with a solar submersible pump, and connected the domestic well to the pipeline of an existing irrigation well. This provided a year-round water source to keep seasonal wetland ponds filled with water for wildlife and livestock, and will help maintain native willow trees planted for Southwestern Willow Flycatchers. Fencing was also constructed to protect the new solar panels and all disturbed areas were seeded with a native seed mix.

## Active Grant Projects in Fiscal Year 2021

### **19-193WPF: Verde River-Oak Creek Confluence Habitat Improvement Project**

<b>Map #</b>	<b>Grantee</b>	<b>County</b>	<b>AWPF Funding</b>	<b>Contract Expiration Date</b>
199	Friends of the Verde River	Yavapai	\$292,451	December 31, 2021

#### **Project Description:**

The project area spans a total of 275 riparian acres within a 4.1-mile river reach located around the Verde River and Oak Creek confluence and will be implemented on Coconino National Forest lands. Work will take place along a 1.4-mile upstream reach of Oak Creek; and a 0.5-mile reach upstream of the confluence on the Verde River and a 2.7-mile reach on the Verde River downstream of the confluence.

The Grantee will monitor previously treated areas of the Verde River and Oak Creek confluence, initially treat of 16 acres of high-density invasive plants and re-treat 77 acres of invasive plants. The Grantee will also plan and implement two volunteer events in coordination with the Coconino National Forest to engage the community in stewardship activities.

### **19-194WPF: Davis Cattle Co. Grassland Restoration**

<b>Map #</b>	<b>Grantee</b>	<b>County</b>	<b>AWPF Funding</b>	<b>Contract Expiration Date</b>
200	Arizona Association of Conservation Districts	Cochise	\$341,626	March 31, 2022

#### **Project Description:**

This 5,345-acre grassland restoration project intends to restore mesquite invaded grasslands on the headwaters of Government Draw Wash that flows into the San Pedro River, and the headwaters of Gadwell Canyon that flows into Whitewater Draw. Invasive mesquite will be treated using an aerial application of Sendero, Remedy, and Herbimax herbicides. The planned treatment area includes 2,527 acres of private land, and 2,818 acres of Arizona State Trust lands. Treatment of the entire 5,345-acre project area will be cost-shared between AWPF and Natural Resource Conservation Service Environmental Quality Incentives Program funds. Davis Cattle Co. will also provide grazing management of the treated areas over a 5-year period following aerial herbicide treatments.

### **19-197WPF: Bill Williams Mountain Forest and Watershed Restoration Project**

<b>Map #</b>	<b>Grantee</b>	<b>County</b>	<b>AWPF Funding</b>	<b>Contract Expiration Date</b>
203	National Forest Foundation	Coconino	\$315,000	June 30, 2021

#### **Project Description:**

In 2016 the Kaibab National Forest (KNF) approved the Bill Williams Mountain Restoration Project due to high risk of catastrophic wildfire. The restoration plan calls for treatments on 15,000 acres on Bill Williams Mountain to protect watershed and forest health, and the local community. The purpose of the project is to reduce tree densities and biomass fuels at the top of Bill Williams

Mountain to help minimize risk from catastrophic wildfire, as well as prevent post-fire flooding and subsequent debris flows.

In this phase of the Bill Williams Project the Grantee will focus tree thinning treatments on 200 of the highest priority acres on Bill Williams Mountain, located at the very top of the watershed, on the steepest slopes with extremely dense forest cover. Forest thinning work will consist of steep-slope mechanical thinning, which uses specialized equipment to cut and remove trees from areas with greater than 25-degree slopes. Marketable logs will be removed from these slopes, and woody biomass will either be stacked in log decks or piled for future burning at locations designated by the US Forest Service. Project-related benefits would improve ecosystem processes and protect watershed health and functions.

**19-199WPF: Headwater Stream Restoration: Coyote Springs, Museum of Northern Arizona, Flagstaff**

Map #	Grantee	County	AWPF Funding	Contract Expiration Date
205	Museum of Northern Arizona / Springs Stewardship	Coconino	\$31,846	December 31, 2023

**Project Description:**

The Springs Stewardship Institute plans to complete a headwater stream restoration project at Coyote Springs on the research campus of the Museum of Northern Arizona. The purpose of this project is to restore the geomorphology of a headwater stream system and restore natural flow to a wet meadow through the removal of a non-functioning spring box, re-contouring the wet meadow to allow for a natural hydroperiod, and restructuring the run-out stream channel to reduce incision. A small section of the meadow will be fenced to exclude grazing and protect spring-dependent sedges that are rare in Arizona. The site restoration will directly impact approximately 0.22 acres, and indirectly improve approximately one acre of riparian, stream, and wetland habitat. Monitoring the effectiveness restoration activities will be conducted to refine spring and headwater stream restoration techniques. Public outreach activities will include workshops on springs inventory and restoration. SSI also plans to develop internet web pages with images, video clips, and documentation of the restoration progress on the SSI website ([springstewardship.org](http://springstewardship.org)).

**19-201WPF: Webber Creek Sediment Control Project**

Map #	Grantee	County	AWPF Funding	Contract Expiration Date
207	Boy Scouts of America - Grand Canyon Council	Gila	\$166,057.50	January 31, 2024

**Project Description:**

This project intends to improve water quality in Weber Creek by providing nutrient cycling and increasing streambank stabilization through trapping and reducing the inflow of sediments and water runoff from areas within and around Boy Scout Camp Geronimo. This project is being implemented in coordination with an Arizona Department of Environmental Quality Water Quality Improvement Program grant. Soil erosion sediments that currently discharge to Webber Creek will be reduced by the construction of cross drainage structures, culverts, and roadside ditches with

check dams. The project will occur at a scout camp with thousands of campers and visitors annually and will increase public awareness of the function and value of riparian resources.

**20-202WPF: Gila Valley Irrigation District System Optimization Phase I**

Map #	Grantee	County	AWPF Funding	Contract Expiration Date
208	Gila Valley Irrigation District	Graham	\$257,775	September 30, 2023

**Project Description:**

The Gila Valley Irrigation District (GVID) will modernize the lateral gate water delivery system on three of its canals: Union, Smithville, and Dodge-Nevada, to increase on-farm irrigation efficiency and improve environmental flow conditions. The specific objective of the project is to implement improvements on 156 lateral gates along the three canals to provide improved sediment and water level control, flow control, and flow measurement. The modernization of these canal delivery systems will allow for future canal automation projects and on-farm water conservation projects that may have the potential to improve water quality in the Gila River. The project intends to improve the Gila Valley Irrigation District’s operational efficiency and available flows at turnouts for on-farm deliveries, increase the efficiency of individual irrigators, and conserve water for downstream users.

**20-204WPF: Winkelman Natural Resource Conservation District Riparian Restoration**

Map #	Grantee	County	AWPF Funding	Contract Expiration Date
210	Winkelman Natural Resources Conservation District	Pinal	\$205,844	December 31, 2022

**Project Description:**

The Winkelman Natural Resource Conservation District (WNRCD) will 1) remove tamarisk along the Gila River on approximately 17 acres of the General Kearny Sheriff’s Mounted Posse of Pinal County property; 2) remove tamarisk along the Gila River on approximately three acres of the DuBoise Ranch private property; 3) revegetate approximately 105 acre riparian corridor on Town of Kearny property where tamarisk is currently being removed by other project partners, and 4) create a Tamarisk Management Plan for the WNRCD outlining future tamarisk treatment methods, priority restoration sites, revegetation goals, and monitoring. All three project areas to be restored as part of the grant will be revegetated with native trees and shrubs, monitored, and re-treated for tamarisk as necessary for the duration of the project. Long-term maintenance of these three restoration sites and future projects will be outlined in the WNRCD Tamarisk Management Plan.

**20-205WPF: Upper, Middle, and Lower Fossil Creek Invasive Plant Removal**

Map #	Grantee	County	AWPF Funding	Contract Expiration Date
211	National Forest Foundation	Gila	\$98,662	July 31, 2023

**Project Description:**

The project area spans a total of approximately 1,300 riparian acres on both sides of Fossil Creek within a 16.8-mile river reach located from lower Fossil Creek to the springs on Coconino and Tonto National Forest lands. Within all three reaches of the Wild & Scenic Fossil Creek, the National Forest Foundation and the Friends of the Verde River will partner to implement an invasive species management project focusing on monitoring and treatment of invasive plant species in the middle and lower reaches of Fossil Creek, including tamarisk, Tree of Heaven, giant reed, and Russian olive. In the upper reach, a pilot project consisting of monitoring and treatment of Himalayan blackberry will also be implemented. The overall goals for invasive plant species removal are to eliminate Russian olive and giant reed, and manage tamarisk and Tree of Heaven to less than 10% cover in the riparian corridor.

**20-206WPF: Quantifying Benefits for Brush Management on Arizona Rangelands**

Map #	Grantee	County	AWPF Funding	Contract Expiration Date
212	Arizona Association of Conservation Districts	Statewide	\$50,000	April 30, 2024

**Project Description:**

The purpose of this project is to gather and summarize existing information on brush management, and to incorporate available localized on-the-ground data to provide better information on why, where, how, and when brush management should be done to improve the cost-effectiveness of these practices. The overall goal of this research project is to provide local guidelines for the application of brush management to address rangeland resource concerns to improve the probability of success and thereby increase cost-effectiveness.

Project objectives include 1) creating an up-to-date summary of published reports and research on brush treatments in Arizona; 2) obtaining and summarizing available information and data on specific brush treatments applied in the past in Arizona, and then using this information to supplement published studies and/or to design follow up data collection and monitoring on these historical treatments; 3) conducting studies on existing brush treatments, either by repeating previous measurements or collecting and analyzing data on comparable treated/non-treated areas; 4) establishing monitoring studies on existing and new brush treatments in selected areas to establish treatment effectiveness and longevity, especially on species or land types for which little previous studies exist, and 5) training local producers and other interested stakeholders on methods of monitoring brush treatments so that future treatments can be more thoroughly documented.

**20-207WPF: Harrenburg Wash Enhancement Project**

Map #	Grantee	County	AWPF Funding	Contract Expiration Date
213	Coconino County Parks and Recreation	Coconino	\$129,190	December 31, 2025

**Project Description:**

Coconino Parks and Recreation will improve the stability, productivity, and habitat quality of Harrenburg Wash, just upstream from its confluence with Pumphouse Wash, both of which are in the Upper Verde River Watershed and are the headwaters of Oak Creek Canyon. The wash and associated wetland habitat have been impacted by several factors including the building, filling, and partial breaching of an existing earthen dam and a relatively large pond that was constructed

by a previous landowner and is now causing downstream channel erosion due to high water velocity; previous channel excavations that have initiated channel head cuts and created areas of excess flood plain fill; and the invasion of non-native weed species. To restore Harrenburg Wash the Grantee will implement stream channel improvements, invasive weed treatments, native plant revegetation, the clean-up and removal of debris and materials from the site, and the construction of a fence along the parking area boundary.

**20-208WPF: Paria Beach Riparian Restoration**

Map #	Grantee	County	AWPF Funding	Contract Expiration Date
214	Grand Canyon Wildlands Council	Coconino	\$187,699	November 30, 2023

**Project Description:**

The Grand Canyon Wildlands Council (GCWC) will complete tamarisk control and removal and undertake native phreatophyte revegetation on approximately 4 acres at the Paria Beach site along the Colorado River. GCWC will also assist the National Park Service (NPS) with developing a monitoring program, project site outreach, and curriculum for an onsite outdoor classroom. This project will also assist in further implementing Glen Canyon National Recreation Area’s (GLCA) Colorado River Riparian Revegetation Plan. The proposed objectives for meeting the project goals are 1) assist GLCA staff ensure the sufficiency of GLCA riparian restoration guidance; 2) assemble, compile, and assess historic information to guide planning; 3) develop a prioritized restoration, maintenance, and monitoring plan for the site; 4) implement the restoration, maintenance, and monitoring plans; and 5) collaborate with GLCA to achieve effective on-site education and outreach. Ultimately, the project should further inform riparian revegetation in many other settings in the Southwest where tamarisk removal involves large stands, heavily impacted by tamarisk beetle.

**20-209WPF: Fort McDowell Yavapai Nation Lower Verde River Riparian Restoration Project**

Map #	Grantee	County	AWPF Funding	Contract Expiration Date
215	Fort McDowell Yavapai Nation Environmental Department	Maricopa	\$237,246	November 30, 2022

**Project Description:**

The Fort McDowell Yavapai Nation (FMYN), Mariposa Ecological and Botanical Consulting, and Morning Dew Landscaping are partners in controlling invasive plant species along ten miles of the Verde River and restoring native vegetation to select areas. This project builds on the current AWPF grant 17-192WPF restoration project along the Lower Verde River and will provide resources to continue to work both up and downstream of the pilot project restoration site.

As part of this project the FMYN proposes to 1) continue to treat known and new populations of giant reed and tree tobacco along the Verde River for two more years; 2) develop invasive species removal & native plant enhancement plans for two new restoration projects; 3) retreat tamarisk in the FMYN pilot project site; 4) implement Phase 2 planting in the pilot project site; 5) conduct

initial tamarisk treatment in a new restoration site (Site RM 3.11R), and 6) implement a monitoring program in all restoration areas.

Grant Award Contracts Terminated in Fiscal Year 2021

**19-196WPF: Do Native Fish Facilitate the Persistence of Endangered Spikedace by Resuspending Food Particles**

<b>Map #</b>	<b>Grantee</b>	<b>County</b>	<b>AWPF Funding</b>
202	Arizona Board of Regents for and on behalf of Northern Arizona University	Greenlee	\$32,496

The Grantee was not able to implement the project due to personnel changes and other unforeseen circumstances due to the COVID-19 pandemic, and requested to withdraw the project and terminate the grant award contract. No work was completed on the project and no AWPF funds were expended.

DRAFT

# CONCLUSION

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From 1995 to 2021, the Arizona Water Protection Fund Commission has supported 237 projects and awarded over \$47 million toward the restoration, protection and enhancement of river and riparian resources in Arizona. The Commission has funded a wide range of projects including stream channel restoration, riparian revegetation, wetland creation/restoration, fencing and other grazing management improvements, upland and watershed restoration, erosion control, conservation education, infrastructure improvements to benefit water conservation and wildlife habitat, and applied ecological research. A complete list of projects and a general project location map are included in Appendix A. Project final reports generated since the inception of the program can be requested from ADWR via a [public records request](#).

Although the AWPf was appropriated \$250,000 for FY 2021, the Commission ultimately decided to not move forward with a grant cycle based on the limited amount of unobligated funds that would be available for grants. However, AWPf staff continued to provide technical support to current AWPf grantees through the project management of 18 grant award projects during the fiscal year. A financial statement as of June 30, 2021 is included in Appendix B.

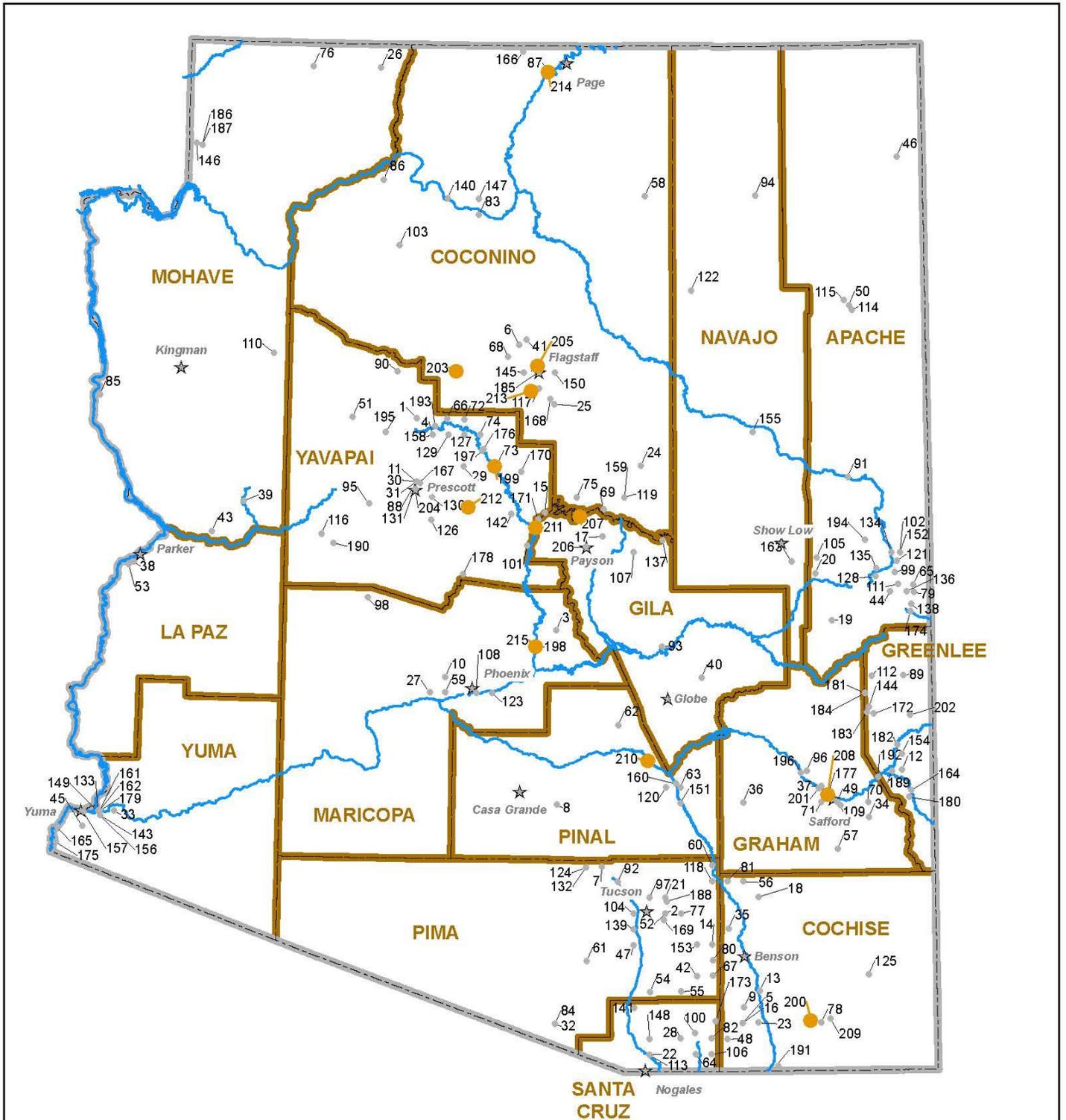
Arizona citizens continue to realize many benefits from the AWPf investments through ongoing improvements in water quality, in-stream flows/water supplies, biodiversity, fish and wildlife habitat, recreation, flood control, and overall watershed health. Not only do communities rely on the State's watersheds and riparian areas for a general water source, but also for recreation, ecotourism, fishing, hunting, birdwatching, and agricultural operations. The Commission is committed to approving projects that are fiscally responsible and beneficial to the citizens of Arizona and will work to continue making progress toward the restoration, protection, and enhancement of river and riparian resources throughout the State.

## **APPENDIX A: MAP AND LIST OF AWP PROJECTS**

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The following map and list of AWP projects contain a compilation of grant award projects from 1995 – 2020.

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**AWPF Project Location\***

- Active Projects
- Closed Projects
- ★ City
- River
- ▭ Arizona
- ▭ County



# Arizona Water Protection Fund Project Locations

GIS Unit  
Created on May 24, 2021  
Location: U:\Workspaces\Director\  
WaterProtectionFund\Projects\AnnualReport\  
Maps\AWPFLocations2021.mxd

\*See following map key for project descriptions

Map #	Grant #	Project Title	Grant Amount	County	Project Status
1	95-001	Stable Isotope Assessment of Groundwater and Surface Water Interaction: Application to the Verde River Headwaters	\$21,508	Yavapai	Complete
2	95-002	Partnership for Riparian Conservation in Northeastern Pima County (PROPIMA)	\$78,100	Pima	Complete
3	95-003	Sycamore Creek Riparian Management Area	\$115,522	Maricopa	Complete
4	95-004	Road Reclamation to Improve Riparian Habitat Along the Hassayampa and Verde Rivers	\$45,693	Yavapai	Complete
5	95-005	Preservation of the San Pedro River Utilizing Effluent Recharge	\$333,863	Cochise	Complete
6	95-006	Critical Riparian Habitat Restoration along a Perennial Reach of a Verde River Tributary	\$102,535	Coconino	Complete
7	95-007	High Plains Effluent Recharge Project	\$189,000	Pima	Complete
8	95-008	Picacho Reservoir Riparian Enhancement Project	\$2,400,000	Pinal	Terminated
9	95-009	Regeneration and survivorship of Arizona Sycamore	\$34,617	Cochise	Complete
10	95-010	Assessment of the Role of Effluent Dominated Rivers in Supporting Riparian Functions	\$46,750	Maricopa	Complete
11	95-012	The Comprehensive Plan for the Watson Woods Riparian Preserve	\$33,267	Yavapai	Complete
12	95-014	Gila Box Riparian and Water Quality Improvement Project	\$157,223	Greenlee	Complete
13	95-015	San Pedro RNCA Watershed Rehabilitation/Restoration Project	\$286,000	Cochise	Complete
14	95-016	Refinement of Geologic Model, Lower Cienega Basin, Pima County, Arizona	\$7,390	Pima	Complete
15	95-017	Restoration of Fossil Creek Riparian Ecosystem	\$59,693	Yavapai	Complete
16	95-018	Autecology and Restoration of <i>Sporobolus Wrightii</i> Riparian Grasslands in Southern Arizona	\$53,734	Cochise	Complete
17	95-019	Quantifying Anti-Erosion Traits of Streambank Graminoids	\$14,910	Gila	Complete
18	95-020	Teran Watershed Enhancement	\$142,378	Cochise	Complete
19	95-021	Lofer Cienega Restoration Project	\$161,204	Apache	Complete
20	95-022	Gooseberry Watershed Restoration Project	\$126,406	Apache	Complete
21	95-023	Sabino Creek Riparian Ecosystem Protection Project	\$16,385	Pima	Complete
22	95-024	Potrero Creek Wetland Characterization and Management Plan	\$75,300	Santa Cruz	Complete
23	96-0001	San Pedro Riparian National Conservation Area Watershed Protection and Improvement Project	\$89,250	Cochise	Complete
24	96-0002	Completion Phase: Hi-Point Well Project	\$77,844	Coconino	Complete
25	96-0003	Hoxworth Springs Riparian Restoration Project	\$31,545	Coconino	Complete
26	96-0004	Hydrologic Investigation & Conservation Planning: Pipe Springs	\$50,000	Mohave	Complete
27	96-0005	Tres Rios-River Management and Constructed Wetlands Project	\$1,000,000	Maricopa	Complete
28	96-0006	Hydrogeologic Investigation of Groundwater Movement and Sources of Base Flow to Sonoita Creek and Implementation of Long-Term Monitoring Program	\$155,715	Santa Cruz	Complete
29	96-0007	Ash Creek Riparian Protection Project	\$19,248	Yavapai	Complete
30	96-0008	Watson Woods Vegetation Inventory	\$16,115	Yavapai	Complete
31	96-0009	Watson Woods Riparian Preserve Visitor Management	\$8,556	Yavapai	Complete
32	96-0010	Rehabilitating the Puertocito Wash on the Buenos Aires National Wildlife Refuge.	\$83,432	Pima	Complete
33	96-0011	Lower Colorado River - Imperial Division Restoration	\$435,928	Yuma	Complete
34	96-0012	Eagle Creek Watershed and Riparian Stabilization	\$80,626	Graham	Complete
35	96-0013	Happy Valley Riparian Area Restoration Project	\$64,697	Cochise	Complete
36	96-0014	Klondyke Tailings Response Strategy Analysis (RSA)	\$77,614	Graham	Complete

Map #	Grant #	Project Title	Grant Amount	County	Project Status
37	96-0015	Abandonment of an Artesian Geothermal Well	\$113,360	Graham	Complete
38	96-0016	'Ahakhav Tribal Preserve	\$1,131,477	La Paz	Complete
39	96-0017	Big Sandy River Riparian Project	\$92,000	Mohave	Complete
40	96-0018	San Carlos Spring Protection Project	\$131,540	Gila	Withdrawn
41	96-0019	Response of Bebb Willow to Riparian Restoration	\$33,752	Coconino	Complete
42	96-0020	Cienega Creek Stream Restoration	\$210,700	Pima	Complete
43	96-0021	Riparian Vegetation and Stream Channel Changes Associated with Water Management along the Bill Williams River	\$14,788	Mohave	Complete
44	96-0022	Saffell Canyon and Murray Basin Watershed Restoration Project	\$24,316	Apache	Complete
45	96-0023	Watershed Restoration at the Yuma Conservation Gardens	\$31,050	Yuma	Complete
46	96-0025	Tsaile Creek Watershed Restoration Demonstration	\$152,775	Apache	Complete
47	96-0026	Riparian Restoration on the San Xavier Indian Reservation Community	\$591,319	Pima	Complete
48	97-027	Lyle Canyon Allotment Riparian Area Restoration Project	\$60,359	Cochise	Complete
49	97-028	Creation of a Reference Riparian Area in the Gila Valley – Discovery Park	\$182,000	Graham	Complete
50	97-029	Demonstration Enhancement of Riparian Zone and Stream Channel along stretch of Pueblo Colorado Wash at Hubbell Trading Post	\$91,110	Apache	Complete
51	97-030	Walnut Creek Center for Education and Research - Biological Inventory	\$50,580	Yavapai	Complete
52	97-031	Lincoln Park Riparian Habitat Project (a.k.a. Atturbury Wash Project)	\$154,580	Pima	Complete
53	97-032	'Ahakhav Tribal Preserve - Deer Island Revegetation	\$228,800	La Paz	Complete
54	97-033	Proctor Vegetation Modification	\$11,487	Pima	Complete
55	97-034	Oak Tree Gully Stabilization	\$42,491	Pima	Complete
56	97-035	Watershed Improvement to Restore Riparian & Aquatic Habitat on the Muleshoe Ranch CMA	\$128,315	Cochise	Complete
57	97-036	Stable Isotopes as Tracers of Water Quality Constituents in the Upper Gila River	\$27,338	Graham	Complete
58	97-037	Talastima (Blue Canyon) Watershed Restoration Project	\$310,192	Coconino	Complete
59	97-038	Tres Rios Wetlands Heavy-Metal Bioavailability and Denitrification Investigation	\$117,028	Maricopa	Complete
60	97-040	Bingham Cienega Riparian Restoration Project	\$84,679	Pima	Complete
61	97-041	Altar Valley Watershed Resource Assessment	\$88,730	Pima	Complete
62	97-042	Queen Creek Restoration & Management Plan	\$207,595	Pinal	Complete
63	97-044	San Pedro River Preserve Riparian Habitat Restoration Project	\$336,127	Pinal	Complete
64	97-045	Santa Cruz Headwaters Project	\$100,445	Santa Cruz	Complete
65	98-046	EC Bar Ranch Water Well Project	\$20,300	Apache	Complete
66	98-047	Upper Verde Adaptive Management Unit	\$115,300	Yavapai	Complete
67	98-049	Empire/Cienega/Empirita Fencing Project	\$54,850	Pima	Complete
68	98-050	Watershed Restoration of a High-Elevation Riparian Community	\$304,775	Coconino	Complete
69	98-051	Evaluation of <i>Carex</i> Species for Use in Riparian Restoration	\$47,907	Coconino	Complete
70	98-052	Tritium as A Tracer of Groundwater Sources and Movement in The Upper Gila River Drainage	\$41,028	Graham	Complete
71	98-054	Fluvial Geomorphology Study and Demonstration Projects to Enhance and Restore Riparian Habitat on The Gila River from The New Mexico Border	\$449,872	Graham	Complete
72	98-055	Horseshoe Allotment: Verde Riparian Project II	\$82,561	Yavapai	Complete

Map #	Grant #	Project Title	Grant Amount	County	Project Status
73	98-057	Upper Verde Valley Riparian Area Historical Analysis	\$44,019	Yavapai	Complete
74	98-058	Effects of Removal of Livestock Grazing on Riparian Vegetation and Channel Conditions of Selected Reaches of the Upper Verde River	\$116,500	Yavapai	Terminated
75	98-059	Verde River Headwaters Riparian Restoration Demonstration Project	\$204,629	Coconino	Complete
76	98-061	Watershed Enhancement on the Antelope Allotment	\$137,307	Mohave	Complete
77	98-062	Partnership for Riparian Conservation in Northeastern Pima County II	\$54,734	Pima	Complete
78	98-066	Hay Mountain Watershed Rehabilitation	\$116,525	Cochise	Complete
79	99-067	EC Bar Ranch Wildlife Drinker Project	\$30,500	Apache	Complete
80	99-068	Lower Cienega Creek Restoration Evaluation Project	\$83,272	Pima	Complete
81	99-069	Riparian and Watershed Enhancements on the A7 Ranch - Lower San Pedro River	\$521,197	Cochise	Complete
82	99-070	Lyle Canyon Allotment Riparian Area Restoration Project --- Phase 2	\$214,211	Santa Cruz	Complete
83	99-071	Protection of Spring and Seep Resources of The South Rim, Grand Canyon National Park by Measuring Water Quality, Flow and Associated Biota	\$238,953	Coconino	Complete
84	99-072	Leopard Frog Habitat and Population Conservation at Buenos Aires National Wildlife Refuge	\$120,485	Pima	Terminated
85	99-073	Colorado River Nature Center Backwater ---- Phase 2	\$41,500	Mohave	Complete
86	99-074	Proposal to Inventory, Assess and Recommend Recovery Priorities for Arizona Strip Springs, Seeps and Natural Ponds	\$101,856	Coconino	Complete
87	99-075	Glen and Grand Canyon Riparian Restoration Project	\$371,285	Coconino	Complete
88	99-076	Watson Woods Preserve Herpetological Interpretive Guide and Checklist	\$31,255	Yavapai	Complete
89	99-077	Blue Box Crossing	\$150,000	Greenlee	Complete
90	99-078	Aquifer Framework and Ground-Water Flow Paths in Big and Little Chino Basins	\$188,140	Yavapai	Complete
91	99-079	Little Colorado River Riparian Restoration Project	\$404,587	Apache	Complete
92	99-080	Cortaro Mesquite Bosque	\$486,650	Pima	Terminated
93	99-083	Cherry Creek Enhancement Demonstration Project	\$263,225	Gila	Complete
94	99-084	Assessments of Riparian Zones in the Little Colorado River Watershed	\$79,443	Navajo	Complete
95	99-085	Kirkland Creek Watershed Resource Assessment	\$131,430	Yavapai	Complete
96	99-086	Abandonment of Gila Oil Syndicate Well #1	\$333,790	Graham	Complete
97	99-087	Rillito Creek Habitat Restoration Project	\$293,000	Pima	Withdrawn
98	99-088	Wickenburg High School Stream Habitat Creation	\$69,100	Maricopa	Complete
99	99-089	Town of Eagar/Round Valley Water Users Association Pressure Irrigation Feasibility Study & Preliminary Design	\$320,540	Apache	Complete
100	99-090	Redrock Riparian Improvement	\$62,350	Santa Cruz	Terminated
101	99-091	Effects of Livestock Use Levels on Riparian Trees on the Verde River	\$41,417	Yavapai	Complete
102	99-092	Little Colorado River Enhancement Demonstration Project	\$348,627	Apache	Complete
103	99-093	Coconino Plateau Regional Water Study	\$134,200	Coconino	Complete
104	99-094	Santa Cruz River Park Extension	\$434,684	Pima	Withdrawn
105	99-095	Brown Creek Riparian Restoration	\$34,037	Apache	Complete
106	99-096	Upper Santa Cruz Watershed Restoration	\$184,950	Santa Cruz	Withdrawn

Map #	Grant #	Project Title	Grant Amount	County	Project Status
107	99-097	Dakini Valley Riparian Project	\$66,130	Gila	Terminated
108	99-098	Rio Salado Habitat Restoration Project	\$950,408	Maricopa	Complete
109	00-099	Gila Reference Riparian Area, Discovery Park	\$152,850	Graham	Withdrawn
110	00-100	Willow Creek Riparian Restoration Project	\$33,480	Mohave	Complete
111	00-101	Murray Basin and Saffell Canyon Watershed Restoration Project	\$260,727	Apache	Complete
112	00-102	Upper Eagle Creek Restoration on East Eagle Allotment of Four Drag Ranch	\$66,330	Greenlee	Complete
113	00-103	Riparian Restoration on the Santa Cruz River - Santa Fe Ranch	\$49,008	Santa Cruz	Complete
114	00-104	Continued Enhancement of Pueblo Colorado Wash at Hubbell Trading Post National Historic Site	\$69,349	Apache	Complete
115	00-105	Hubbell Trading Post Riparian Restoration with Treated Effluent	\$81,951	Apache	Complete
116	00-106	Tres Alamos Ranch Dirt-Tanks-To-Aquatic-Habitat Conversion	\$69,220	Yavapai	Complete
117	00-108	Lake Mary Watershed Streams Restoration Project	\$253,119	Coconino	Complete
118	00-109	Lower San Pedro Watershed Project	\$249,871	Pima	Complete
119	00-110	Upper Fairchild Draw Riparian Restoration	\$35,515	Coconino	Complete
120	00-111	Cooperative Grazing Management for Riparian Improvement on the San Pedro	\$228,701	Pinal	Complete
121	00-112	Town of Eagar/Round Valley Water Users Assoc. - Additional Mapping for Water Quality Improvements in the Watershed	\$151,829	Apache	Complete
122	00-113	Polacca Wash Grazing Management	\$267,511	Navajo	Terminated
123	00-114	The Papago Park Green Line Project	\$229,152	Maricopa	Complete
124	00-115	Tucson Audubon Society North Simpson Farm Riparian Recovery Project	\$127,409	Pima	Complete
125	03-116	Cottonwood Creek Restoration	\$185,772	Cochise	Complete
126	03-117	Lynx Creek Restoration at Sediment Trap #2	\$179,771	Yavapai	Complete
127	03-118	Verde River Riparian Area Partnership Project	\$111,221	Yavapai	Withdrawn
128	03-119	Wet Meadows for Water Quality and Wildlife - A Riparian Restoration Project	\$137,027	Apache	Complete
129	04-120	Verde Headwaters 3-D Hydrogeological Model Framework and Visualization	\$46,634	Yavapai	Complete
130	04-121	Lynx Creek Restoration	\$266,020	Yavapai	Complete
131	04-122	Watson Woods Riparian Preserve Restoration Feasibility Project	\$183,523	Yavapai	Complete
132	04-123	Tucson Audubon Society, Santa Cruz River Habitat Project, North Simpson Site, Phase 2	\$130,786	Pima	Complete
133	04-124	Yuma East Wetlands Riparian Revegetation Project	\$285,878	Yuma	Complete
134	05-125	Wilkins' Family Little Colorado River Riparian Enhancement Project	\$293,618	Apache	Complete
135	05-126	X Diamond Ranch LCR Riparian Enhancement Project	\$352,119	Apache	Complete
136	05-127	EC Bar Ranch Reach 8 Water Well and Drinker Project	\$22,235	Apache	Complete
137	05-128	Canyon Creek Riparian Restoration Project, Reach 4-5	\$106,919	Gila	Complete
138	05-129	Georges Lake Riparian Restoration Project	\$168,636	Apache	Complete
139	05-130	Riparian Restoration on the San Xavier District - Project Two	\$36,353	Pima	Complete
140	05-131	Management & Control of Tamarisk and Other Invasive Vegetation at Backcountry Seeps, Springs and Tributaries in Grand Canyon National Park	\$245,500	Coconino	Complete
141	05-132	Esperanza Ranch Riparian Restoration Project	\$279,411	Santa Cruz	Complete

Map #	Grant #	Project Title	Grant Amount	County	Project Status
142	05-133	Verde Wild and Scenic River Fence Exclosure	\$63,888	Yavapai	Complete
143	05-134	Quechan Indian Nation Yuma East Wetlands Restoration Project - Phase I	\$263,803	Yuma	Complete
144	06-135	Double Circle Ranch Riparian Fencing Project	\$84,448	Greenlee	Complete
145	06-136	The Arboretum at Flagstaff Wetland Habitat Enhancement	\$116,000	Coconino	Complete
146	06-137	Pakoon Springs Restoration Design and Implementation Project	\$262,103	Mohave	Complete
147	06-138	Management and Control of Tamarisk and Other Invasive Vegetation at Backcountry Seeps, Springs, and Tributaries in Grand Canyon National Park - Second Year of Phase II	\$258,397	Coconino	Complete
148	06-139	Coal Mine Fence	\$187,013	Santa Cruz	Complete
149	06-140	Yuma Crossing National Heritage Area Yuma East Wetlands Restoration Project - Phase I	\$256,790	Yuma	Complete
150	07-141	Picture Canyon Rio De Flag Meander Restoration Project	\$330,225	Coconino	Complete
151	07-142	Reduction of Erosion and Sedimentation along the Lower San Pedro River Through Hydrologic Restoration of Modified Ephemeral Washes	\$396,409	Pinal	Complete
152	07-143	Little Colorado River & Nutrioso Creek Riparian Enhancement Project	\$198,996	Apache	Complete
153	07-144	Evaluation of Riparian Habitat and Headcutting on Lower Cienega Creek	\$23,972	Pima	Complete
154	07-145	Kaler Ranch Erosion Control Project, Phase II	\$284,332	Greenlee	Complete
155	07-146	Little Colorado River Project on H-Y Ranch River Property	\$53,000	Navajo	Withdrawn
156	07-147	The Effects of Restoration on Wildlife Recovery at the Yuma East Wetlands Restoration Project	\$68,016	Yuma	Complete
157	07-148	South Channel Phase II Restoration Project	\$603,487	Yuma	Complete
158	07-149	Control of Tamarisk on 12 Miles of the Upper Verde River	\$366,390	Yavapai	Complete
159	07-150	Fairchild Draw Riparian Restoration Project	\$172,674	Coconino	Complete
160	08-151	Test of Riparian Recovery Following Cessation of Groundwater Pumping, Lower San Pedro	\$61,795	Pinal	Complete
161	08-152	AWPF Yuma East Wetlands 68-acre Riparian Revegetation	\$746,667	Yuma	Complete
162	08-153	The Effects of Restoration on Herpetofaunal and Mammalian Community Recovery	\$156,833	Yuma	Complete
163	08-154	Billy Creek Natural Area Riparian Restoration Project	\$248,826	Navajo	Complete
164	08-155	Restoration of the Gila River at Apache Grove	\$744,747	Greenlee	Complete
165	08-156	Cocopah Colorado River Restoration	\$296,708	Yuma	Complete
166	08-157	Paria River Exotic Removal Project - Phase I	\$293,960	Coconino	Complete
167	08-158	Watson Woods Riparian Preserve Restoration Project	\$798,988	Yavapai	Complete
168	08-159	Hoxworth Springs Stream Channel Restoration Project	\$142,543	Coconino	Complete
169	08-160	Atturbury Wash Riparian Stewardship Project	\$390,839	Pima	Complete
170	08-161	Montezuma Well Riparian Pasture Restoration Project	\$296,155	Yavapai	Complete
171	09-162	Middle Fossil Creek Riparian Habitat Protection and Restoration	\$250,348	Gila	Complete
172	09-163	Double Circle Ranch Erosion Control Project	\$35,356	Greenlee	Complete
173	09-164	Babocomari River Riparian Protection Project	\$118,125	Santa Cruz	Complete
174	09-165	Alpine Ranger District Riparian Improvement	\$372,579	Apache	Complete
175	09-166	Hunter's Hole Riparian and Wetland Restoration Project	\$683,345	Yuma	Complete
176	09-167	Tavasci Marsh Wetland Restoration Project	\$374,838	Yavapai	Terminated
177	09-169	Gila River Water Conservation Education Program	\$148,612	Graham	Complete
178	09-171	Black Canyon Riparian Restoration Project	\$291,700	Yavapai	Complete

Map #	Grant #	Project Title	Grant Amount	County	Project Status
179	11-172	Avifaunal and Butterfly (Lepidoptera) Recovery in Restored Wetland and Riparian Habitats	\$100,758	Yuma	Complete
180	11-173	Invasive Weed Control - Gila River Corridor, Greenlee County	\$261,995	Greenlee	Complete
181	11-174	Eagle Creek Riparian Restoration at Filleman Crossing	\$265,776	Greenlee	Withdrawn
182	11-175	E. Coli Reduction on the San Francisco River through Alternative Livestock Water on the Kaler Ranch, Phase II	\$137,594	Greenlee	Complete
183	11-176	Double Circle Ranch Erosion Control Project Phase II	\$36,866	Greenlee	Complete
184	11-177	Eagle Creek Riparian Protection Project	\$136,714	Greenlee	Complete
185	11-179	Inventory of Tamarisk Leaf Beetle and Effects on Riparian Habitat in the Colorado, Verde, Salt and Tonto Rivers	\$141,972	Coconino	Complete
186	11-180	Pakoon Wash and Pakoon Springs Restoration and Enhancement Project	\$306,353	Mohave	Complete
187	11-181	Hidden Slough and Leopard Frog Marsh Restoration in Glen Canyon National Recreation Area , AZ	\$348,901	Mohave	Complete
188	14-182	Arundo Eradication & Riparian Restoration of Sabino and Bear Creek, Tucson, AZ	\$51,262	Pima	Complete
189	14-183	Menges Ranch Water System Maintenance Project	\$28,546	Greenlee / Graham	Withdrawn
190	14-184	Date Creek Riparian Restoration Project	\$147,877	Yavapai	Withdrawn
191	14-185	Horseshoe Draw Flood Control, Restoration and Erosion Mitigation Study and Design Project	\$198,625	Cochise	Complete
192	15-186	Phase Two Gila River Corridor Invasive Weed Control	\$133,338	Greenlee / Graham	Complete
193	15-187	Upper Verde River Habitat Improvement Project	\$169,325	Yavapai	Complete
194	17-188	A&NC Focal Area Watershed Improvement Project	\$303,975	Apache	Complete
195	17-189	Erosion Control to Stabilize Soils and Restore Historic Grasslands in the Upper Verde River Watershed	\$138,183	Yavapai	Complete
196	17-190	River Restoration through Hazardous Fuels and Invasive Species Removal	\$94,903	Graham	Complete
197	17-191	Verde River Habitat Improvement Project	\$246,448	Yavapai	Complete
198	17-192	Lower Verde River Riparian Restoration Project	\$134,571	Maricopa	Complete
199	19-193	Verde River-Oak Creek Confluence Habitat Improvement Project	\$292,451	Yavapai	Active
200	19-194	Davis Cattle Co. Grassland Restoration	\$341,626	Cochise	Active
201	19-195	Gila Valley Irrigation District Rapid Appraisal for Modernization	\$32,982	Graham	Complete
202	19-196	Do Native Fish Facilitate the Persistence of Endangered Spikedace by Resuspending Food Particles	\$32,496	Greenlee	Withdrawn
203	19-197	Bill Williams Mountain Forest and Watershed Restoration Project	\$315,000	Coconino	Active
204	19-198	Granite Creek Corridor Enhancement Master Plan	\$79,401	Yavapai	Complete
205	19-199	Headwater Stream Restoration: Coyote Springs, Museum of Northern Arizona, Flagstaff	\$31,846	Coconino	Active
206	19-200	American Gulch Channel and Riparian Enhancement	\$202,556	Gila	Complete
207	19-201	Webber Creek Sediment Control Project	\$166,057	Gila	Active
208	20-202	Gila Valley Irrigation District System Optimization Phase I	\$257,775	Graham	Active
209	20-203	Sandhill Farm Water and Wildlife Conservation Project	\$35,254	Cochise	Complete
210	20-204	Winkelman Natural Resource Conservation District Riparian Restoration	\$205,844	Pinal	Active
211	20-205	Upper, Middle, and Lower Fossil Creek Invasive Plant Removal	\$98,662	Gila	Active

Map #	Grant #	Project Title	Grant Amount	County	Project Status
212	20-206	Quantifying Benefits for Brush Management on Arizona Rangelands	\$50,000	Statewide	Active
213	20-207	Harrenburg Wash Enhancement Project	\$129,190	Coconino	Active
214	20-208	Paria Beach Riparian Restoration	\$187,699	Coconino	Active
215	20-209	Fort McDowell Yavapai Nation Lower Verde River Riparian Restoration Project	\$237,246	Maricopa	Active

NOTE: The “Grant Amount” column represents the full grant awarded for each project. Some grants have been completed for less money than the amount budgeted, while others have been withdrawn by the grantee or terminated by the Commission prior to expenditure of funds or expenditure of the full grant amount. This column has not been changed to reflect these situations.

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## APPENDIX B: FINANCIAL STATEMENT

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# Arizona Water Protection Fund Commission Grant Application Manual



**Fiscal Year 2022 Funding Cycle**

**ARIZONA WATER PROTECTION FUND**  
**Grant Application Manual**  
**FY 2022 Funding Cycle**

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## SECTION I – GENERAL INFORMATION

### Introduction

It is declared policy of the legislature to provide for a coordinated effort for the restoration and conservation of the water resources of this state. The Arizona Water Protection Fund (AWPF) is a competitive state grant program that is designed to allow the people of Arizona to prosper while providing funding to interested parties for the development and implementation of measures to protect water of sufficient quality and quantity to maintain, enhance and restore river and riparian resources throughout Arizona (including projects that benefit fish and wildlife that are dependent on these important resources), and measures to increase water availability and supply. The distribution of grant funds from the AWPF is authorized pursuant to A.R.S. § 45-2101 *et seq.* and is overseen by the Arizona Water Protection Fund Commission (Commission). The program is administered through the Arizona Department of Water Resources (ADWR).

The AWPF supports projects that fit the following objectives to meet the program goals:

- Provide identified and measurable benefits to the water resources of Arizona through broad based local support
- Provide positive, effective examples for other similar projects.
- Advance the field of water conservation knowledge in Arizona.
- Increase public awareness of the function and value of riparian resources in Arizona.

Riparian Habitat is defined as an ecosystem found between aquatic and upland environments that is dependent on the existence of a perennial, intermittent, or ephemeral water source. Soil and vegetation in riparian areas have distinct characteristics that make them different from surrounding areas.

Riparian habitats are vital resource areas that:

- Improve water quantity by storing water in streambanks, which is slowly released to help maintain base flows.
- Improve water quality by trapping sediments from surface water runoff, providing nutrient cycling and increasing streambank stabilization.
- Provide flood control by slowing and absorbing flood waters, resulting in reduced flood damage and increased groundwater storage.
- Provide highly valued recreational opportunities such as fishing, camping, hiking, wildlife viewing and picnicking.
- Sustain high biodiversity of plant and animal species.
- Provide important wildlife habitat such as food, water, shelter, relief and travel corridors.
- Help stabilize water temperatures for native aquatic species.
- Provide economic benefits by improving water supplies, reducing flood damage, filtering pollutants and supporting recreational activities.

This manual provides the necessary information for interested parties to submit an application for funding consideration. More information about the AWPF is available on the Commission's web site at [www.azwpcf.gov](http://www.azwpcf.gov).

## General Guidelines

### Funding Categories

The AWPf typically awards grants under three categories:

- 1) **Capital Projects:** Projects under this category include on-the-ground measures that maintain, enhance and restore Arizona's river and riparian resources, including projects that benefit fish and wildlife that are dependent on these important resources. Feasibility of design studies are considered capital projects, but are only eligible if the applicant (1) requests funding to investigate the feasibility of implementing a specific capital project that is being proposed, (2) develops a detailed implementation plan and budget for the proposed project as part of the feasibility study, and (3) has control and tenure over the proposed project area and the authority to implement the proposed project should it be deemed feasible. Acquisition of Central Arizona Project water or effluent to restore and maintain river and riparian resources may also be considered a capital project. Examples of projects under this category include components that do one or more of the following:

- Demonstrate direct benefits to perennial or intermittent rivers or streams \*
- Demonstrate commitment to continued maintenance of proposed enhancements \*
- Protect/Restore native riparian vegetation and habitat
- Restore proper hydrologic conditions/functions
- Restore proper stream geomorphology/channel characteristics
- Restore floodplains
- Restore wetlands/backwater areas
- Improve watershed conditions using forest and/or near-stream restoration treatments that improve water quality or increase water quantity
- Protect/Restore habitat needs for fish and wildlife
- Decrease negative impacts of non-native species to riparian areas

\* INDICATES FUNDING PRIORITY IN STATUTE

- 2) **Research (Total annual funding limited to 5% of monies received by the AWPf each fiscal year):** Projects under this category include research and data collection measures that are related to maintaining, enhancing and restoring Arizona's river and riparian resources, including fish and wildlife that are dependent on these important resources. Research projects must be developed using the Scientific Method. Examples of projects under this category include:

- Research that will advance the science of river and riparian restoration in the Southwest
- Research that will advance scientific understanding of fluvial processes and ecosystem characteristics and functions in association with rivers, streams, and wetlands
- Research that will evaluate impacts or values of invasive species in riparian habitat.

- 3) **Water Conservation:** Projects under this category include measures that develop, promote or implement programs designed to conserve water for a purpose related to maintaining, enhancing and restoring Arizona's river and riparian resources, including fish and wildlife that are dependent on these important resources. Projects under this category must be located outside of all Active Management Areas.

### Eligible Applicants

Any person, organization, local/state/tribal agency, or political subdivision of Arizona may submit an application. Federal agencies are not eligible to receive funding from the AWPf; however, funding can be awarded to projects on federal lands.

### Eligible Applications

Grant applications must meet all the following requirements to be considered eligible for evaluation during the FY 2022 grant cycle:

- Administrative costs limited to a maximum of 5% of the total AWPf project funds requested.
- Applicant must have legal and physical access as well as authority to implement the project in the area where the grant tasks are to be performed. After grant awards have been determined, signed cooperative agreements with all parties granting such access and authority, will need to be provided to the AWPf in a timely manner prior to the finalization of any contracts.
- Applicant must provide appropriate documentation that any water to be used in the project is legally and physically available to the applicant for the stated purpose.
- Applicant must demonstrate that vital partnerships, funding, etc. have been committed at the time of the application or submit letters of support from the appropriate entities with a plan to obtain these critical elements prior to grant award.

### Ineligible Applications

In accordance with state statutes, funding is prohibited for:

- Purchase of real property/conservation easements
- Projects outside the state of Arizona
- Any project that includes the planting of mesquite, tamarisk or other nonnative high-water usage trees that consume water to a degree that is detrimental to water conservation efforts.
- Remedial actions under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), 42 U.S.C. § 9601, or Water Quality Assurance Revolving Fund (WQARF), A.R.S. § 49-281 *et seq.*
- Research projects with funding requests in excess of 5% of the total funds received for the FY 2022 funding cycle.
- Water conservation projects/program applications within one of the five Arizona Department of Water Resources Active Management Areas (AMA).

In accordance with Commission Policy, funding will not be provided for:

- Projects located in areas with elevated levels of environmental contaminants that pose risk of harm to human health or the environment, including hazardous substances, hazardous wastes, petroleum products or Environmental Protection Agency priority toxic pollutants.
- Projects which are required as a result of legal action taken by a regulatory agency, such as ecological mitigation. Applicants must notify the Commission if a proposed project is part of any mitigation effort.

- Projects that are designed to meet wastewater treatment requirements. Proposed projects that create or sustain riparian habitat using treated effluent or recycled water that already meets or exceeds relevant state and federal standards may be considered as long as the project meets the requirements of A.R.S. § 45-2101(B).
- Generally, the Commission does not fund groundwater recharge or recovery projects.

#### Important Notes

- Administrative costs **must** be limited to a maximum of 5% of the total AWPf project funds requested. Subcontractors or consultants working on your project must also conform to the 5% administrative cost limit if you are paying them out of AWPf funds.
- Payments are made on a cost reimbursement basis. Appropriate documentation (*e.g.*, receipts, invoices, reports, data, and photographs) will be required in order to receive reimbursement.
- Commission/Staff access for inspection and evaluation of the project will be required as a contract condition.
- A final presentation to the commission within 90 days of the contract termination date will be required as a contract condition and will be included as a deliverable within the final reporting task.
- Adequate accounting practices and record keeping will be required.
- Submittal of pertinent information and research gained from all projects will be required.

## Grant Cycle Details

### FY 2022 Grant Cycle Schedule

The Commission and staff will implement the FY 2022 grant cycle based on the schedule in Table 1\*.

**Table 1. FY 2022 Grant Application Process Schedule**

GRANT APPLICATION PROCESS	TIMELINE
Grant Application Manual Available	July 9, 2021 (on-going)
Application Workshop with Online Webinar	July 21, 2021
Pre-application Consultations (depending on staff availability)	July-August 2021
eCivis Online Grant Application Submittal Portal Available	July 30, 2021 (on-going)
<b>Final Date and Time to Submit Grant Applications</b>	<b>September 3, 2021 at 5:00 PM</b>
45-Day Public Comment Period for Grant Applications	September 15 – October 29, 2021
Staff Review Comments to Applicants / Commission	No later than – November 10, 2021
Applicant Presentations / Commission Grant Selections	November 16 – 18, 2021
Applicants Notified of Funding Status	December 2021
Staff Begins Writing Grant Contracts	December 2021 / January 2022

*\*The Commission reserves the right to adjust this schedule if necessary.*

### Grant Application Workshops & Consultations

AWPF staff will provide opportunities for pre-application consultations (as time permits) with potential applicants on a first-come-first-served basis as indicated in Table 1. Due to time constraints, consultations will be limited to a maximum of one hour. Applicants should schedule a consultation as far in advance as possible, and are encouraged to submit a draft application at least one week in advance of the consultation. Consultations will be conducted via teleconference or virtual meeting.

In addition, AWPF staff will conduct a workshop for potential applicants as indicated in Table 2. It is highly recommended that applicants attend a workshop and schedule a pre-application consultation. Past experience has demonstrated that workshop attendance and discussing your proposal with staff could help you develop a better application.

**Table 2. FY 2022 Grant Application Workshop**

Location	Date	Time	Webinar Link
Online Webinar*	July 21, 2021	1:30 p.m. – 2:30 p.m.	---

\*Staff will be providing the grant application workshop via online webinar only. Please contact the Arizona Water Protection Fund at 602-771-8528 or [rtoran@azwater.gov](mailto:rtoran@azwater.gov) to obtain the webinar details prior to July 21, 2021.

### Application Due Date

Applications must be submitted no later than **September 3, 2021 at 5:00 p.m.** as indicated in Table 1. Detailed submission requirements are outlined in Section II – Grant Application.

### Grant Evaluation Process

Applications will be initially reviewed for completeness and consistency with AWPf statutes and policy. Applications that are complete and eligible under statute and Commission policy will be reviewed by AWPf staff in accordance with the evaluation criteria listed below. Other appropriate state and federal agencies may be asked to review and comment on applications. AWPf staff will compile intra-agency and inter-agency comments. Please note that under the following circumstances, applications will not be given further consideration:

- It is determined that the proposed project is ineligible according to AWPf statutes or Commission policy.
- It is determined that the application does not contain all of the required information identified in Section II of this manual.
- It is determined that any part of the application is ineligible for funding.

### Application Evaluation

Application evaluation criteria should guide you in the development of your application. Staff will use the criteria listed below to organize their technical reviews and evaluate applications submitted for consideration. Applications that meet many to all of the criteria will rate higher than those meeting few to none of the criteria. **Please note that the evaluation criteria for capital and water conservation projects are different than those used for research projects.**

The Commission shall give priority to applications which:

- Enhance, maintain and/or restore river, stream and riparian resources in headwater streams and watersheds that will provide direct improvements to water quality and/or increase water quantity, addresses degraded watershed health conditions or impacts to perennial streams through implementation of scientifically based restoration projects (see examples of capital projects listed under funding categories).
- Matching monies or assets of comparable value including in kind contributions will be provided by other sources.
- Provide for the continued maintenance of the portion of the river and stream and associated riparian habitat that are enhanced by the project.
- Projects that include broad based local involvement/support.
- Directly benefit perennial or intermittent rivers or streams or that otherwise increase the supply of water.
- If for the purposes of water conservation, the applicant estimates the water increase and/or savings and how this estimate was determined.

### Evaluation Criteria for Capital and Water Conservation Projects

- A. Project Will Enhance, Maintain and/or Restore River, Stream and Riparian Resources (See bullets under capital projects on page 4).
- B. Project Will Benefit Fish and Wildlife Resources Dependent on River, Stream and Riparian Resources (See bullets under capital projects on page 4).

C. Feasibility

- Objectives clearly identified and demonstrate benefits to river, stream and riparian resources / dependent fish and wildlife resources
- Methodologies and designs clearly presented, appropriate and adequate
- Clarity and adequacy of the scope of work and deliverables
- Cost/Benefit compared to similar applications submitted
- Expertise of applicant/personnel/subcontractors appropriate
- Description of the relationship between any existing plans, reports and/or information relevant to the proposed project [*required*]. (See Existing Plans/Reports/Information guidance on page 17.)

D. Monitoring

- Objectives clearly identified
- Methods clearly presented, appropriate and adequate to evaluate benefits to rivers, streams and riparian resources and/or dependent fish and wildlife resources

E. Other Considerations

- Add coordinated effort with state or watershed restoration programs
- Public outreach
- Project will support local businesses
- If the applicant is proposing to use out of state consultants, there is adequate justification for their use and associated travel costs

Evaluation Criteria for Research Applications

A. Research is applicable to river and riparian restoration and or fish and wildlife that are dependent on river and riparian resources

B. Application demonstrates use of the Scientific Method

- Background research includes data collection, analysis and synthesis
  - Data collection will build on existing data, or generate new data
  - Quality literature review provided
- Hypothesis or hypotheses are clearly articulated
- Research/experimental design is clearly presented, appropriate and adequate to:
  - Test hypothesis or hypotheses
  - Analyze data and draw conclusions
  - Report results

C. Feasibility

- Clarity and adequacy of the scope of work and deliverables
- Cost of research reflects potential benefits of outcomes
- Expertise of applicant/personnel/subcontractors appropriate
- Description of the relationship between any existing plans, reports and/or information relevant to the proposed project [**required**] – (See guidance on page 17.)

D. Research results may be translatable

E. Proposal includes some form of publication as a deliverable (e.g. intent to publish results in a professional journal, article in a watershed newsletter, other written media) and a commitment to

some form of public presentation(s) (e.g. AWPFC Commission meeting, watershed group meeting, professional conference, or other peer group)

F. Other Considerations

- Project will support local businesses
- If the applicant is proposing to use out of state consultants, there is adequate justification for their use and associated travel costs

Applicant Presentations to Commission

Applicants will be given an opportunity to provide a brief (10-15 minute) presentation to the Commission in accordance with the schedule in Table 1. Commission members consider staff reviews, but also use their own judgment when making grant award selections.

Changes to the scope of work during the application process

Once the application has been received by the commission, applicants are not permitted to make changes to the scope of the project during the application process.

Grant Award Notification

Applicants will be notified as to whether they received a grant award as outlined in Table 1. Notification of grant award does not authorize any expenditure of funds. Please see Grant Awards subsection below.

Application Assistance

Please contact the AWPFC staff at (602) 771-8528 if you are in need of any assistance with completing or filing a grant application.

## Grant Awards

### Grant Award Contracts

A grant award by the Commission does not allow you to immediately start your project. Please note that you **cannot be reimbursed** for any project expenditure activities **conducted prior to executing a grant award contract**. Grant awards are implemented through contracts, which may extend up to five years in duration. The Arizona State Constitution prohibits the Commission from giving gifts. Therefore, monies are granted in return for equivalent products. The grant award contract specifies the deliverables, due dates and costs associated with producing those products. The application is structured so that if it is completed correctly, much of the detail for a contract will have already been obtained.

Grant funded work may only begin after a grant award contract has been finalized and signed by both the applicant and the Commission Chair. For most grant award contracts, expenditures will be reimbursable, which means that you will be responsible for initial payment of costs. AWPf will reimburse your costs based upon actual initial expenditures. Monetary disbursement is in accordance with the details within each contract and is paid out after submittal of complete and accurate deliverables and payment requests. AWPf staff must review and approve these before payment can be processed. Therefore, the grantee must have a sufficient line of credit to fund project activities for some period of time. In some instances, the Commission may authorize a one-time advance payment at the beginning of the grant, up to 20 percent of the total grant amount, but not to exceed \$50,000. Applicants must indicate on the application cover page whether they are requesting an advance payment.

If a grantee proposes minor modifications to a project, such that the purpose (or scope) of the project will be changed, the AWPf Commission will re-evaluate the project and may grant an amendment to the contract after a formal request is made.

If a grant award contract is not executed within 12 months following approval of the grant application by the Commission, the Commission may consider rescinding the grant award.

### General Provisions - Grant Award Contract

The contract will contain General Provisions, which are standard contract clauses (Appendix A). **Please have your legal counsel and/or responsible contracting authority review and accept these provisions prior to the submittal of your application.**

### Long-Term Maintenance of Project Benefits

The Commission intends that AWPf monies act as “seed money” for putting projects on the ground. The Commission expects grantees to maintain the project beyond the contract period, or that it will develop institutional partnerships to do so. The Commission requires that capital improvements be maintained by the grantee for a period of up to 20 years. Unforeseen acts of nature may substantially alter your project in some future year, and upon notifying the Commission of that occurrence, you may not be required to maintain the capital improvements subsequent to that event.

## SECTION II: GRANT APPLICATION

### Grant Application Planning and Content Overview

\*Indicates an electronic form or template is available.

#### Application Planning

It is important that application forms are carefully completed with accurate, realistic information. Before developing a grant application, applicants should carefully consider and understand:

- How the project should be structured?
- What are the necessary project components/permits?
- When project components can be completed (realistic timeline)?
- Who the necessary personnel are to complete project components?
- How much each project component will cost to complete?

#### Application Content Requirements Overview

- 1) Application Cover Page \*
- 2) Executive Summary (500-word maximum)\*
- 3) Project Overview (2-page max.)\*
  - Background
  - Goals
  - Objectives
  - Statement of Problems/Causes (Capital and Water Conservation Projects)
  - Statement of Solutions (Capital and Water Conservation Projects)
  - Statement of Project Years of Benefit to the resource and general public (Capital and Water Conservation Projects)
- 4) Project Location and Environmental Contaminant Information \*
- 5) Scope of work (preferably in Microsoft word format)\*
- 6) Detailed Budget Breakdown (*preferably in Microsoft Word or Excel format*)\*
  - Direct Labor & Outside Services Costs
  - Other Direct Costs
  - Capital Outlay & Equipment Costs
  - Administrative Costs
- 7) Detailed Matching Funds Breakdown (If available for the project. Matching funds are not required.)\*
  - Direct Labor & Outside Services Costs
  - Capital Outlay & Equipment Costs
  - Administrative Costs
- 8) Project Maps and Schematic
  - Arizona Watershed Map \*
  - Project Location/Ownership Map(s)
- 9) Supplemental Information
  - State Historic Preservation Office (SHPO) Review Form \*
  - Key Personnel
  - Project Site Photographs
  - Existing Plans, Reports, Information Relevant to the Project (summary paragraph for each plan/report with relevant portion or full report attached as an appendix)
  - Letters of Community Support
  - Evidence of Control and Tenure of Land including legal access
  - A narrative as to how the applicant will obtain permission for project work and/or access (agreements must be finalized prior to contract finalization)
  - Letters from those pledging matching funds
  - Evidence of Physical and Legal Availability of Water

## Grant Application Instructions

### Application Submission Requirements

**NOTE: Grant applications for FY 2022 are only being accepted electronically via the eCivis Grant Management Software System at <https://portal.ecivis.com>. A user account will need to be created, which then allows you to search the eCivis system for the FY 2022 Arizona Water Protection Fund grant opportunity. An eCivis application submission users guide is attached as Appendix B to the grant application manual.**

Grant applications must include all the information identified in the Application Content Requirements Overview on page 12 and the content uploaded and/or entered into applicable form fields in the eCivis AWPf grant application portal. Specific content requirements and instructions are provided below.

Electronic forms or sample templates (on the AWPf web site at: [www.azwpf.gov](http://www.azwpf.gov) or in the eCivis AWPf grant application portal) are provided in Microsoft Word format for the Application Cover Page, Executive Summary, Project Overview, Project Location and Environmental Contaminants Information, Scope of Work, Grant Application Budget (in Microsoft Word and Excel), Arizona Watershed Map, and State Historic Preservation Office requirements. If you do not have access to Microsoft Word or Excel, you may recreate the electronic forms using any related software. No electronic forms are provided for the remaining required information.

AWPF prefers that the contents for the grant application uploaded into eCivis for the application are created in Microsoft Word and Excel format to provide ease with contract development should your application be approved for funding. *If .pdf documents are uploaded, please ensure these documents are in an optical character recognition (OCR) format, or are otherwise keyword searchable.*

**Grant applications must be submitted via eCivis no later than September 3, 2021 at 5:00 p.m. Late applications will not be accepted.**

### Application Content Requirements

The following instructions should guide you through the application process (Reference the Application Content Requirements Overview on the previous page).

#### **Application Cover Page**

Provide the requested information on this form (see sample form on page 21). The project title should be short, yet descriptive of the proposal. *The cover page should be signed by a person who is legally authorized to enter into an agreement on behalf of the applicant.*

#### **Executive Summary (500-word limit)**

This section is limited to one page. The executive summary should clearly state the purpose of the proposal and provide a clear overview of all major project features.

#### **Project Overview**

**Capital and Water Conservation Projects:** State the purpose of the project and its general location. Provide any necessary background information for the project, including any relevant history regarding the project area. Identify the overall goal(s) of your project (what you want to achieve), followed by the objectives of your project. Objectives are specific, measurable outcomes of the project. List these objectives in numerical order, with the first objective having the most important outcome. Discuss the problem(s) your proposal is addressing, the cause(s) of these

problems, and the solutions that you believe are appropriate. State whether the project will result in water conservation. State the anticipated number of years of project-related benefit from the project to the resources and the general public, along with a justification for that estimate. For on-going projects, describe the site prior to project initiation, tasks that have been completed and any site changes that have occurred as a result of these activities.

**Research and Data Collection Projects:** Provide a statement of applicability to river and riparian restoration and/or dependent fish and wildlife. Include any necessary background information for the project such as background research/data collection and analysis or synthesis completed to prepare the current proposal being submitted. Identify if data collection will build upon existing data, or generate new data. If the research is to be place based (e.g., outside of a laboratory), identify the study areas physical characteristics, including drainage area, channel length, slope, soil type, average annual precipitation, depth to groundwater, gaining or losing reach and any other pertinent information. Also, identify the Ecosystem Service(s) that the proposed research will address (See Table 3).

### **Project Location and Environmental Contaminants Information**

All applicants must provide project location and environmental contaminant information (see page 24).

### **Scope of Work**

For *each* task, please describe in detail the work to be completed, and how it will allow you to accomplish your objectives and achieve your desired results. Tasks should be listed numerically and include the following information:

- Task #:
- Task Title
- Task Description
- Task Purpose/Objective
- Responsible personnel
- Deliverable Description
- Deliverable Due Date
- Task Cost (rounded to the nearest dollar)

### **General Guidelines**

- If applicable, obtaining permits, authorizations, clearances and access agreements should be the first task. Obtaining the appropriate permits will take longer than generally anticipated; allow more time than what is expected to avoid amendments to deliverable due dates.
- If applicable, development of plans (e.g., re-vegetation, construction, monitoring) should be included as a separate task prior to on-the-ground activity.
- Some tasks continue throughout the contract duration, attempt to make each task separate and payable upon completion.
- The final task must be a final report and oral presentation with an appropriate cost assigned.
- A deliverable is a product submitted to the AWPf demonstrating that work has been completed. Deliverables are often reports, photographs, data, etc. that are submitted along with receipts and invoices for materials and labor.

**PROJECT GOALS** describe the broad intent of the project.

**OBJECTIVES** provide additional specificity to the goals.

**TASKS** are the actual practices implemented to achieve the objective.

**MONITORING** benchmarks establish a metric by which to measure success of a task in meeting the objective.

Example: **Task 1: Permits, Authorizations, Clearances and Agreements**

**Task Description:** The Grantee must obtain and submit to the Project Manager all permits, authorizations, clearances and agreements, and perform any consultations necessary to complete the tasks listed in this Scope of Work. These may include but are not limited to:

- State Historic Preservation Office (SHPO) clearance
- National Environmental Policy Act (NEPA) compliance
- Endangered Species Act Section 7 consultation with US Fish & Wildlife Service
- Access agreement(s) between Grantee and Landowner(s) (if different)
- Notice of Intention to Drill (NOI) authorization
- Clean Water Act Section 401 Certification from Arizona Department of Environmental Quality
- Clean Water Act Section 404 permit from the Army Corps of Engineers
- Data Collection permit(s) if necessary
- Water right permits if necessary
- Arizona Pollutant Discharge Elimination System (AZPDES) Permit
- Arizona Department of Environmental Quality Pesticide General Permit and filing of Notice of Intent

**Task Purpose:** To comply with all local, state and federal permit requirements, environmental laws such as NEPA and obtain legal access to project area.

**Deliverable Description:** Copies of all approved permits, authorizations, clearances and agreements.

**Responsible personnel:** Grantee/administrator, subcontractor, etc.

**Deliverable Due Date:** Prior to any ground disturbing activities

**Reimbursable Cost:** \$2,500.00

### **Project Schematic**

Provide a detailed drawing/schematic, preferably to fit on 8.5” x 11” paper, for any projects involving construction and/or investigation of physical features. The schematic must include all project features for which funding is being requested or discussed within the proposal (e.g. check-dams, re-vegetation areas, fence lines, water distribution systems, existing or planned well and gage locations, etc.). Planning documents provided by the USDA Natural Resource Conservation Service will be accepted. In addition, identify all important project features located in relationship to one another, and in relationship to important site physical features (e.g. streams and other bodies of water). The schematic must include a north arrow, a project title and the date of preparation. Submit as many drawings as needed to demonstrate all project features.

### **Detailed Budget Breakdown**

Provide a detailed breakdown of your budget by task in a table format (preferably using Microsoft Word or Excel). Divide your Scope of Work tasks (plans, monitoring, construction, reporting,

etc.) into Direct Labor Costs, Outside Services Costs, Other Direct Costs, Capital Outlay & Equipment Costs, and Administrative Costs. Please round figures up or down to the nearest dollar. Identify only funds being requested from AWPf in this section. Expenditures not listed may not be eligible for reimbursement unless prior written approval is received from the Commission or Staff.

Direct Labor Costs include the labor costs directly involved with the project (wages, salaries, and fringe benefits of grantee and/or its employees). Direct labor costs must be broken down by job classification (e.g., project scientist, hydrologist, laborer, etc.), and average cost/hour for that job classification.

Outside Services are consultants or subcontractors. Outside services costs must be broken down by job classification (e.g., project scientist, hydrologist, laborer, etc.), and average cost/hour for that job classification.

Other Direct Costs include supplies (e.g. paper and pencils), computer time, per diem, printing, public relations, etc. This should be an estimate of costs incurred over the life of the project as a lump sum, not per item.

Capital Outlay & Equipment Costs includes any equipment or other expenditures (e.g., water purchases, sampling equipment, fencing materials). Please list anticipated costs for individual major expenditures in excess of \$1000.00, all other materials/equipment in this section can be summarized as a lump sum by material (i.e. fencing materials \$750.00, backhoe rental \$100.00/hr for 25 hours = \$2500.00).

Administrative Costs are management and overhead costs. **By statute, the total administrative costs charged to the AWPf cannot exceed 5% of the total project costs requested from the AWPf.**

### **Detailed Matching Funds Breakdown**

Matching funds are not required to be eligible for AWPf funding; however, projects that do include matching funds typically receive higher consideration. (See Detailed Budget Breakdown above for guidance). A specific form is not provided for matching funds, but you may consider using the AWPf budget template. Please note that matching administration costs are **not** limited to 5% of the total project costs.

Volunteer labor costs should be based on current minimum wage rates; technical volunteer labor can be based on an hourly fee comparable to consulting fees.

### **Project Locations Map(s) and Schematic**

**Arizona Watershed Map** (see page 23)

Type the project title at the bottom of the map. Indicate the location of your project on the map and ensure that your markings are clearly visible on the electronic and hard copy submitted. In addition, provide a map of the project area with Township/Range/Sections clearly identified.

### **Project Location/Ownership Map(s)**

Provide a detailed map(s) to scale that clearly delineates the following information:

- Project location boundaries, including acreage where grant tasks will be performed
- A general description and/or delineation for the area of impact of the project within the watershed.
- Land ownership boundaries, including areas of legal and physical access
- Sources of water to be used in the project

**Supplemental Information**

**State Historic Preservation Office (SHPO) Review Form** is mandatory for all projects submitted to the Arizona Water Protection Fund (See pages 25-29). Please complete the form and have signed by an authorized person.

**Key Personnel** associated with this project must be identified and a Project Coordinator must be designated. Resumes and/or brief biographical sketches describing the relevant qualifications of all key personnel, including subcontractors also must be submitted.

**Project Site Photographs** for all types of applications must be submitted. Submit at least one set of color photographs of the project area (or color copies) with the electronic and hard copies of your application. Indicate and describe the location of proposed project features on each photo, including compass direction.

**Plans** for activities such as sampling/monitoring, study/research designs, revegetation efforts, and photographic monitoring must be discussed at a level of detail that will allow AWPf to evaluate whether the activities will be appropriate and adequate. If you receive a grant award, you will be required to submit detailed plans as deliverables. Your application should include a separate task and appropriate budget within the Scope of Work to complete detailed plans and be included on the budget forms. Also, include a description of any equipment related to such efforts to be purchased using AWPf Funds.

**Existing Plans/Reports/Information** relevant to the project (e.g. Total Maximum Daily Load (TMDL) Reports, Species Recovery Plans, Watershed Assessments, etc.) must be submitted at the time of application for AWPf to consider when evaluating your proposal.

**Community Support** should be demonstrated in the application. Include signed copies of letters from community organizations and other groups or individuals that support your project. If you are a local government or state agency, you should attach evidence of support from those citizens who lease or hold use-permits for the lands to be impacted by your project. Letters of support for your proposal received after the application deadline will not be considered for evaluation purposes; however, they will be forwarded to the Commission.

**Evidence of Control and Tenure of Land** must be demonstrated. Applicant must have legal and physical access and authority to manage the area where grant tasks are to be performed. Cooperative agreements with all parties having such access and authority, or letters of support with a plan to obtain cooperative agreements prior to grant award will meet this requirement and must be included.

- **If you own the land on which the proposed project is located**, attach a copy of the appropriate legal document showing title in the name of the applicant, including a legal description of the property.
- **If you manage the land on which the proposed project is located**, attach a copy of the lease, special use permit, intergovernmental agreement or other appropriate official instrument.

- **If you do not own or manage the land on which the proposed project is located**, attach documentation verifying ownership (as noted above) and attach a copy of the permit, agreement or letter of intent that allows you access to the site.

If the proposed project is located on Arizona State Trust Lands, please be advised that the State Trust Land lessee must submit an application to the Arizona State Land Department for the applicable permit(s) necessary to implement the proposed project. The AWPf grant application must include a letter of support from the State Trust Land lessee that indicates an application for the permit(s) has been submitted for the proposed AWPf project.

**Evidence of physical and legal availability of water** must be demonstrated. If water will be used in the project, the water must be physically and legally available to the applicant for the proposed purpose. Provide a projection of the total number of acre-feet per year necessary for the project.

- **If your proposed project uses surface water flows**, attach the appropriate documentation of your surface water right or claim for the intended use at that location.
- **If you do not have a surface water right or claim** for the intended use at that location, attach a copy of the surface water right or claim that you intend to use, as well as a permit, agreement, or letter of intent that allows your use of the water.
- **If your proposed project will require pumping from wells**, submit well registration numbers for existing wells and appropriate groundwater or surface water right documentation. Note: a Notice of Intention to Drill is not evidence of a water right.

Additionally, for all proposed and existing wells, state the following:

- Appropriate depth and borehole diameter
- Pump size
- Estimated depth and length of perforated or screened interval
- Well drilling method, if known (*e.g.*, hand driven well point, auger, mud rotary, etc.)
- Use of water (*e.g.*, water level measurement, water quality monitoring, livestock watering, revegetation)

Well information is available on the Arizona Department of Water Resources web site: <http://www.azwater.gov/AzDWR/WaterManagement/Wells/default.htm>

- **If the proposed project will use effluent**, attach documentation demonstrating the source of the effluent and your authority to use it (*e.g.*, a contract with the wastewater treatment plant or municipal water provider).
- **If the proposed project will use Central Arizona Project (“CAP”) water**, provide documentation demonstrating your authority to use it (*e.g.*, CAP subcontract).

**Projects failing to document evidence of control and tenure of land and/or evidence of physical and legal availability of water are ineligible for funding.**

**Table 3. Ecosystem Services and Functions\***

<b>Ecosystem Service</b>	<b>Ecosystem Function(s)</b>	<b>Examples</b>
Disturbance regulation	Capacitance, damping and integrity of ecosystem response to environmental fluctuations	Storm protection, flood control, drought recovery and other aspects of habitat response to environmental variability mainly controlled by vegetation structure
Water Regulation	Regulation of hydrologic flows	Provisioning of water for agricultural (such as irrigation) or industrial (such as milling) processes or transportation
Water supply	Storage and retention of water	Provisioning of water by watersheds, reservoirs and aquifers
Erosion control and sediment retention	Retention of soil within an ecosystem	Prevention of loss of soil by wind, runoff, or other removal processes, storage of silt in lakes and wetlands
Soil formation	Soil formation processes	Weathering of rock and the accumulation of organic material
Biological control	Trophic-dynamic regulations of populations	Keystone predator control of prey species, reduction of herbivory by top predators
Refugia	Habitat for resident and transient populations	Nurseries, habitat for migratory species, regional habitats for locally harvested species, or overwintering grounds
Genetic resources	Sources of unique biological materials and products	Medicine, products for material science, genes for resistance to plant pathogens and crop pests, ornamental species (pets and horticultural varieties of plants)
Climate regulation	Regulation of global temperatures, precipitation, and other biologically mediated climatic processes at global or local levels	Greenhouse gas regulation, DMS production affecting cloud formation
Gas regulation	Regulation of atmospheric chemical composition	CO <sub>2</sub> /O <sub>2</sub> balance, O <sub>3</sub> for UVB protection, and SO <sub>4</sub> levels
Nutrient cycling	Storage, internal cycling, processing and acquisition of nutrients	Nitrogen fixation, N, P and other elemental or nutrient cycles
Pollination	Movement of floral gametes	Provisioning of pollinators for the reproduction of plant populations
Recreation	Providing opportunities for recreational activities	Eco-tourism, sport fishing and other outdoor recreational activities
Cultural	Providing opportunities for non-commercial uses	Aesthetic, artistic, educational, spiritual, and/or scientific values of ecosystems
Food production	That portion of gross primary production extractable as food	Production of fish, game, crops, nuts, fruits by hunting, gathering, subsistence farming or fishing
Raw materials	That portion of gross primary production extractable as raw materials	The production of lumber, fuel or fodder
Waste treatment	Recovery of mobile nutrients and removal or breakdown of excess or xenic nutrients and compounds	Waste treatment, pollution control, detoxification

\*Costanza, R., d' Arge, Ralph, de Groot, Rudolf, Farber, S., Grasso, M., Hannon, B., Limburg, K., Naem, S., O'Neill, R. V., Paruelo, J., Raskin, R. G., Sutton, P., & van den Belt, M. The value of the world's ecosystem services and natural capital. *Nature* 387, 253 – 258 (1997)

## ARIZONA WATER PROTECTION FUND GRANT APPLICATION

### FY 2022 Electronic Forms

The subsequent pages include sample templates of the following electronic forms:

- Application Cover Page
- Executive Summary Template
- Project Overview Template
- Project Location and Environmental Contaminant Information
- Scope of Work Template
- Grant Application Budget Templates
- Arizona Watershed Map
- State Historic Preservation Office Review Form

Electronic forms and sample templates are on the AWPf web site at: [www.azwpf.gov](http://www.azwpf.gov) or in the eCivis AWPf grant application portal. You may use your computer mouse or arrow keys to move through the electronic forms. You may single-click on a form field, or double-click on a check box to enter information. If you are unable to complete these forms electronically, you may print them and hand-write the requested information.

***Please note that these forms do not constitute the entire required application package.*** All information identified in the Application Content Requirements Overview and FY 2022 Grant Application Instructions must be submitted.

#### *Grant Application Check List*

- Cover Page\*
- Executive Summary
- Project Overview
- Project Location & Environmental Contaminant Form\*
- Scope of Work
- Detailed Budget\*
- Matching Funds Breakdown (if applicable)
- Maps & Schematics
- Supplemental Information (State Historic Preservation Office Review\*, Watershed/Location Map\*, etc.)

## Arizona Water Protection Fund Application Cover Page FY 2022

<b>Title of Project:</b>											
<b>Type of Project:</b> <input type="checkbox"/> Capital or Other <input type="checkbox"/> Water Conservation <input type="checkbox"/> Research	<b>Stream Type:</b> <input type="checkbox"/> Perennial <input type="checkbox"/> Intermittent <input type="checkbox"/> Ephemeral										
<b>Your level of commitment to maintenance of project benefits and capital improvements:</b> <input type="checkbox"/> < 5 years <input type="checkbox"/> 5-10 years <input checked="" type="checkbox"/> 11-15 years <input type="checkbox"/> 16-20 years											
<b>Applicant Information:</b> Name/Organization: Address 1: Address 2: City: State: ZIP Code: Phone: Fax: Tax ID No.:											
<b>Inside an AMA:</b> Yes <input type="checkbox"/> No <input type="checkbox"/> <b>If yes, which AMA:</b> <input type="checkbox"/> Phoenix <input type="checkbox"/> Tucson <input type="checkbox"/> Prescott <input checked="" type="checkbox"/> Pinal <input type="checkbox"/> Santa Cruz											
<b>Type of Application:</b> <input type="checkbox"/> New <input type="checkbox"/> Continuation											
<b>Contact Person:</b> Name: Title: Phone: Fax: e-mail:											
<b>Any Previous AWP Fund Grants:</b> <input type="checkbox"/> Yes <input type="checkbox"/> No <b>If yes, please provide Grant #(s):</b>											
<b>Arizona Water Protection Fund Grant Amount Requested:</b>  \$  If the application is funded, will the Grantee intend to request an advance: <input type="checkbox"/> Yes <input type="checkbox"/> No	<b>Matching Funds Obtained and Secured:</b> <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;"><u>Applicant/Agency/Organization:</u></th> <th style="text-align: right;"><u>Amount (\$):</u></th> </tr> </thead> <tbody> <tr> <td>1. Applicant</td> <td></td> </tr> <tr> <td>2.</td> <td></td> </tr> <tr> <td>3.</td> <td></td> </tr> <tr> <td colspan="2" style="text-align: right;"><b>Total:</b></td> </tr> </tbody> </table>	<u>Applicant/Agency/Organization:</u>	<u>Amount (\$):</u>	1. Applicant		2.		3.		<b>Total:</b>	
<u>Applicant/Agency/Organization:</u>	<u>Amount (\$):</u>										
1. Applicant											
2.											
3.											
<b>Total:</b>											
Has your legal counsel or contracting authority reviewed and accepted the Grant Award Contract General Provisions? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A											
<b>Signature of the undersigned certifies understanding and compliance with all terms, conditions and specifications in the attached application. Additionally, signature certifies that all information provided by the applicant is true and accurate. The undersigned acknowledges that intentional presentation of any false or fraudulent information, or knowingly concealing a material fact regarding this application is subject to criminal penalties as provided in A.R.S. Title 13. The Arizona Water Protection Fund Commission may approve Grant Awards with modifications to scope items, methodology, schedule, final products and/or budget.</b>											
<b>Typed Name of Applicant or Applicant's Authorized Representative</b>	<b>Title and Telephone Number</b>										
<b>Signature</b>	<b>Date Signed</b>										

**[PROJECT TITLE]**  
**Executive Summary**

(500-word maximum)

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**[PROJECT TITLE]**  
**Project Overview**

**Background**

**Goals**

**Objectives**

**Statement of Problems/Causes**

**Statement of Solutions**

**Statement of Project Years of Benefit to the Resource and General Public**

DRAFT

## Project Location & Environmental Contaminant Information FY 2022

<b>Project Location Information</b>			
1. County: _____	2. Section(s): _____	3. Township: _____	4. Range: _____
<p>5. Watershed: _____</p> <p>6. 8 or 10 Digit Hydrologic Unit Code (HUC): _____</p> <p>7. Name of USGS Topographic Map where project area is located: _____</p> <p>8. State Legislative District: _____                      (Information available at: <a href="https://azredistricting.org/districtlocator/">https://azredistricting.org/districtlocator/</a>)</p> <p>9. Land ownership of project area: _____</p> <p>10. Current land use of project area: _____</p> <p>11. Size of project area (in acres): _____</p> <p>12. Stream Name: _____</p> <p>13. Length of stream through project area: _____</p> <p>14. Miles of stream benefited: _____ miles</p> <p>15. Acres of riparian habitat: _____ acres will be:</p> <div style="margin-left: 400px;"> <input type="checkbox"/> Enhanced  <input type="checkbox"/> Maintained  <input type="checkbox"/> Restored  <input type="checkbox"/> Created                     </div>			
16. General description and/or delineation for the area of impact of the project within the watershed.			
17. Provide directions to the project site from the nearest city or town. List any special access requirements:			
<b>Environmental Contaminant Location Information</b>			
<p>1. Does your project site contain known environmental contaminants? <input type="checkbox"/> YES <input type="checkbox"/> NO If yes, please identify the contaminant(s) and enclose data about the location and levels of contaminants:</p> <p>2. Are there known environmental contaminants in the project vicinity? <input type="checkbox"/> YES <input type="checkbox"/> NO If yes, please identify the contaminant(s) and enclose data about the location and levels of contaminants:</p> <p>3. Are you asking for Arizona Water Protection Fund monies to identify whether or not environmental contaminants are present? <input type="checkbox"/> YES <input type="checkbox"/> NO</p>			

## **[PROJECT TITLE]** **Scope of Work**

*Example*

**Task 1: Permits, Authorizations, Clearances and Agreements**

**Task Description:** The Grantee must obtain and submit to the Project Manager all permits, authorizations, clearances and agreements, and perform any consultations necessary to complete the tasks listed in this Scope of Work. These may include but are not limited to:

- State Historic Preservation Office (SHPO) clearance
- National Environmental Policy Act (NEPA) compliance
- Endangered Species Act Section 7 consultation with US Fish & Wildlife Service
- Access agreement(s) between Grantee and Landowner(s) (if different)
- Notice of Intention to Drill (NOI) authorization
- Clean Water Act Section 401 Certification from Arizona Department of Environmental Quality
- Clean Water Act Section 404 permit from the Army Corps of Engineers
- Data Collection permit(s) if necessary
- Water right permits if necessary
- Arizona Pollutant Discharge Elimination System (AZPDES) Permit
- Arizona Department of Environmental Quality Pesticide General Permit and filing of Notice of Intent

**Task Purpose:** To comply with all local, state and federal permit requirements, environmental laws such as NEPA and obtain legal access to project area.

**Deliverable Description:** Copies of all approved permits, authorizations, clearances and agreements.

**Responsible personnel:** Grantee/administrator, subcontractor, etc.

**Deliverable Due Date:** Prior to any ground disturbing activities

**Task Cost:** \$2,500.00

---

**TASK # X**

**Task Title**

**Task Description**

**Task Purpose/Objective**

**Responsible Personnel**

**Deliverable Description**

**Deliverable Due Date**

**Task Cost (rounded to the nearest dollar)**

## AWPF Grant Request Budget Template

Note: a version of this table is also available in Microsoft Excel.  
Please contact AWPF staff or see the AWPF website at [www.azwpf.gov](http://www.azwpf.gov).

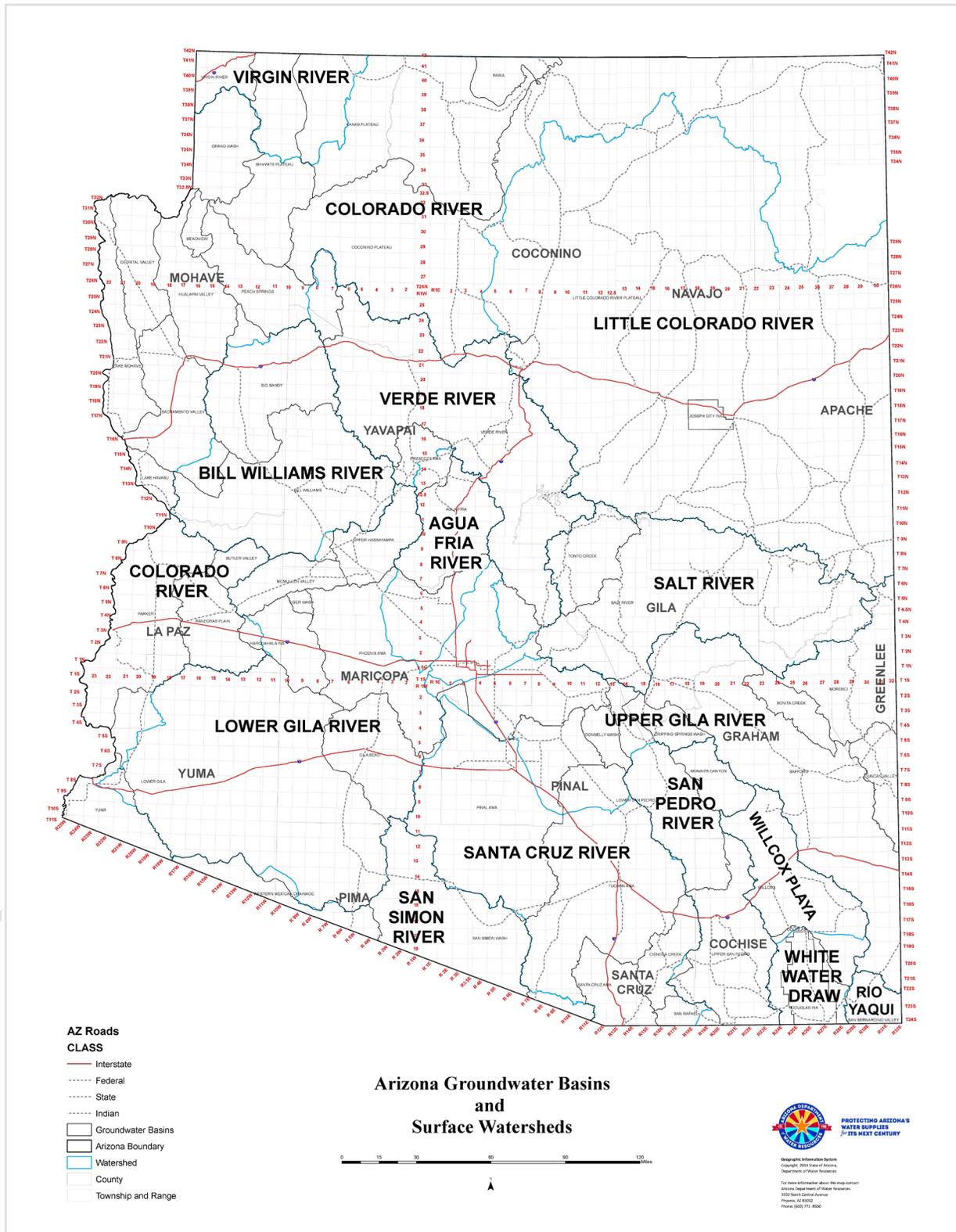
<b>Task X:</b>					
	Quantity	Unit	Unit Cost	Total	Notes
<b>Direct Labor Costs</b>					
Direct Labor Subtotal					
<b>Outside Service Costs</b>					
Outside Services Subtotal					
<b>Other Direct Costs</b>					
Other Direct Subtotal					
<b>Capital Outlay, Equipment, Supplies, Per Diem, Travel, etc.</b> <i>(Note: mileage reimbursement is limited to \$0.445/mile)</i>					
Other Direct Subtotal					
<b>Task Subtotal</b>					
<b>Optional: AWPF Administrative Costs</b> (not to exceed 5% of Task Subtotal)					
<b>Task X Total</b>					

## Matching Funds / Cost Share Budget Template

Note: a version of this table is also available in Microsoft Excel.  
Please contact AWPf staff or see the AWPf website at [www.azwpf.gov](http://www.azwpf.gov).

<b>Task X:</b>					
	Quantity	Unit	Unit Cost	Total	Notes
<b>Direct Labor Costs</b>					
Direct Labor Subtotal					
<b>Outside Service Costs</b>					
Outside Services Subtotal					
<b>Other Direct Costs</b>					
Other Direct Subtotal					
<b>Capital Outlay, Equipment, Supplies, Per Diem, Travel, etc.</b>					
Other Direct Subtotal					
<b>Task Subtotal</b>					
			<b>Task X Total</b>		

# Arizona Watershed Map FY 2022



**Title of Project:**

**Location:** (include UTM's & Township/Range/Section):

## STATE HISTORIC PRESERVATION OFFICE Review Form

In accordance with the State Historic Preservation Act (SHPO), A.R.S. 41-861 *et seq*, effective July 24, 1982, each State agency must consider the potential of activities or projects to impact significant cultural resources. Also, each State agency is required to consult with the State Historic Preservation Officer with regard to those activities or projects that may impact cultural resources. Therefore, it is understood that **recipients of state funds are required to comply with this law** throughout the project period. All projects that affect the ground-surface that are funded by AWPf require SHPO clearance, **including those on private and federal lands.**

The State Historic Preservation Office (SHPO) must review each grant application recommended for funding in order to determine the effect, if any, a proposed project may have on archaeological or cultural resources. To assist the SHPO in this review, the following information **MUST** be submitted with each application for funding assistance:

- A completed copy of this form, and
- A United States Geological Survey (USGS) 7.5-minute map
- A copy of the cultural resources survey report if a survey of the property has been conducted, and
- A copy of any comments of the land managing agency/landowner (i.e., state, federal, county, municipal) on potential impacts of the project on historic properties.  
NOTE: If a federal agency is involved, the agency must consult with SHPO pursuant to the National Historic Preservation Act (NHPA); a state agency must consult with SHPO pursuant to the State Historic Preservation Act (SHPA),  
**OR**
- A copy of SHPO comments if the survey report has already been reviewed by SHPO.

**Please answer the following questions:**

1. Grant Program: \_\_\_\_\_
2. Project Title: \_\_\_\_\_
3. Applicant Name and Address: \_\_\_\_\_
4. Current Land Owner/Manager(s): \_\_\_\_\_
5. Project Location, including Township, Range, Section: \_\_\_\_\_
6. Total Project Area in Acres (or total miles if trail, fence line, etc.): \_\_\_\_\_
7. Does the proposed project have the potential to disturb the surface and/or subsurface of the ground?     YES     NO
8. Please provide a brief description of the proposed project and specifically identify any surface or subsurface impacts that are expected: \_\_\_\_\_



## STATE OF ARIZONA HISTORIC PROPERTY INVENTORY FORM

*Please type or print clearly. Fill out each applicable space accurately and with as much information as is known about the property.*

### **PROPERTY IDENTIFICATION**

For properties identified through survey: Site No. \_\_\_\_\_ Survey Area: \_\_\_\_\_

Historic Names (enter the name(s), if any that best reflect the property's historic importance):  
\_\_\_\_\_

Address: \_\_\_\_\_

City or Town: \_\_\_\_\_  Vicinity County: \_\_\_\_\_ Tax Parcel No.: \_\_\_\_\_

Township: \_\_\_\_\_ Range: \_\_\_\_\_ Section: \_\_\_\_\_ Quarters: \_\_\_\_\_ Acreage: \_\_\_\_\_

Block: \_\_\_\_\_ Lot(s): \_\_\_\_\_ Plat (Addition): \_\_\_\_\_ Year of plat (addition): \_\_\_\_\_

UTM Reference – Zone: \_\_\_\_\_ Easting: \_\_\_\_\_ Northing: \_\_\_\_\_

USGS 7.5' quadrangle map: \_\_\_\_\_

ARCHITECT: \_\_\_\_\_  not determined  known Source: \_\_\_\_\_

BUILDER: \_\_\_\_\_  not determined  known Source: \_\_\_\_\_

CONSTRUCTION DATE: \_\_\_\_\_  known  estimated Source: \_\_\_\_\_

### **STRUCTURAL CONDITION**

- Good (*well maintained; no serious problems apparent*)
- Fair (*some problems apparent*) Describe: \_\_\_\_\_
- Poor (*major problems; imminent threat*) Describe: \_\_\_\_\_
- Ruin/Uninhabitable

### **USES/FUNCTIONS**

Describe how the property has been used over time, beginning with the original use:  
\_\_\_\_\_

Sources: \_\_\_\_\_

### **PHOTO INFORMATION**

Date of photo: \_\_\_\_\_  
View Direction (looking towards): \_\_\_\_\_

Attach a recent photograph of property in this space. Additional photographs may be appended.

**SIGNIFICANCE**

*To be eligible for the National Register, a property must represent an important part of the history or architecture of an area. The significance of a property is evaluated within its historic context, which are those patterns, themes, or trends in history by which a property occurred or gained importance. Describe the historic and architectural contexts of the property that may make it worthy of preservation.*

A. HISTORIC EVENTS/TRENDS – Describe any historic events/trends associated with the property: \_\_\_\_\_

B. PERSONS – List and describe persons with an important association with the building: \_\_\_\_\_

C. ARCHITECTURE – Style: \_\_\_\_\_  no style

Stories: \_\_\_\_\_  Basement Roof Form: \_\_\_\_\_

Describe other character-defining features of its massing, size and scale: \_\_\_\_\_

**INTEGRITY**

*To be eligible for the National Register, a property must have integrity (i.e. it must be able to visually convey its importance). The outline below lists some important aspects of integrity. Fill in the blanks with as detailed a description of the property as possible.*

Location -  Original Site  Moved: Date: \_\_\_\_\_ Original Site: \_\_\_\_\_

**DESIGN**

Describe alterations from the original design, including dates: \_\_\_\_\_

**MATERIALS**

*Describe the materials used in the following elements of the property:*

Walls (structure): \_\_\_\_\_

Walls (sheathing): \_\_\_\_\_

Windows: \_\_\_\_\_

Roof: \_\_\_\_\_

Foundation: \_\_\_\_\_

**SETTING**

Describe the natural and/or built environment around the property: \_\_\_\_\_

How has the environment changed since the property was constructed? \_\_\_\_\_

**WORKMANSHIP**

Describe the distinctive elements, if any, of craftsmanship or method of construction: \_\_\_\_\_

**NATIONAL REGISTER STATUS (if listed, check the appropriate box)**

Individually Listed;  Contributor;  Non-contributor to \_\_\_\_\_ Historic District

Date Listed: \_\_\_\_\_  Determined eligible by Keeper of National Register (date: \_\_\_\_\_)

**RECOMMENDATIONS ON NATIONAL REGISTER ELIGIBILITY (opinion of SHPO staff or survey consultant)**

Property  is  is not eligible individually.

Property  is  is not eligible as a contributor to a listed or potential historic district.

More information needed to evaluate.

If not considered eligible, state reason: \_\_\_\_\_

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## APPENDIX A

### Grant Award Contract General Provisions

#### 1. DEFINITIONS:

As used throughout this Contract, including the General Provisions, Special Provisions, and the Scope of Work, the following terms have the meaning set forth below:

- a. "Administrative Cost" means those costs that are traditionally termed indirect and overhead.
- b. "Agreement" or "Contract" means this Arizona Water Protection Fund Grant Award Contract between the Commission and Grantee.
- c. "Arizona Water Protection Fund" means the fund established by A.R.S. § 45-2111 and consisting of monies as set forth in A.R.S. § 45-2112.
- d. "Chair" means the chairperson of the Arizona Water Protection Fund Commission or a person duly authorized by the Chair to act on the Chair's behalf.
- e. "Commission" means the Arizona Water Protection Fund Commission or its authorized representative.
- f. "Deliverables" means the reports, documentation, and other materials developed for submission to the Project Manager by the Grantee in the course of the Grantee's performance under this Contract.
- g. "Equipment" means one or more tools, implements, computers, computer hardware, computer software, cameras, camera accessories, vehicles, or instruments either purchased or leased with Grant funds pursuant to either this Contract or a prior Contract between the Commission and the Grantee that is intended to be used to carry out the purposes of this Contract.
- h. "Grantee" means the person, firm, or organization performing the work or delivering the items described in this Contract.
- i. "Grant Application" means the application filed by the Grantee upon which this Contract was awarded.
- j. "Grant Award Contract" means this Contract between the Grantee and the Commission.
- k. "Operation and Maintenance Period" means the period of time during which grant-assisted structures, human access or educational facilities, revegetation sites, and any other grant-assisted improvements will be operated and maintained.
- l. "Project" means the total of all work to be performed by the Grantee as set forth in this Contract.
- m. "Project Manager" means the Arizona Department of Water Resources technical Staff person delegated by the Chair to administer this Contract.

- n. "Scope of Work" means that part of this Contract that describes the work to be performed by the Grantee to accomplish the Project purpose. If the Scope of Work conflicts with the General or Special Provisions, the terms of the Scope of Work will govern.
- o. "Special Provisions" means those provisions of this Contract that alter or augment the General Provisions. If the Special Provisions conflict with the General Provisions, the Special Provisions will govern.
- p. "Staff" means the technical, legal, and administrative staff, including the Project Manager, provided to the Commission by the Director of the Arizona Department of Water Resources pursuant to A.R.S. § 45-2114.
- q. "State" means the State of Arizona, including the Department of Water Resources.
- r. "Task" means the specific provisions in the Scope of Work of this Contract that describe the nature and manner of the specific work to be performed and the Deliverables to be submitted to the Project Manager by the Grantee.

## **2. GENERAL REQUIREMENTS:**

- a. This Contract is interpreted in accordance with Arizona law.
- b. The Grantee must obtain and maintain all licenses, permits, and authorizations necessary to perform its obligations under this Contract. The Grantee is responsible for compliance with all applicable local, state, and federal laws.
- c. In this Contract, Special Provisions alter the General Provisions. If the Special Provisions conflict with the General Provisions, the Special Provisions will govern. If the Scope of Work conflicts with the Special or General Provisions, the Scope of Work will govern.

## **3. RELATIONSHIP OF THE PARTIES:**

The parties agree that the Grantee will not be considered an employee, associate, partner, officer, joint venturer, or agent of the Commission or the State as a result of this Contract. The Grantee is solely responsible for the planning, design, scope, and implementation of the Project funded through this Contract. Neither the Commission nor the State is responsible for any liabilities resulting from the Grantee's planning, design, scope and implementation or performance of the Project funded through this Contract.

## **4. BOOKS AND RECORDS:**

The Grantee must keep adequate books, accounts, files, and records related to work performed and expenditures incurred for a period of five (5) years after the termination of this Contract. Such books, accounts, files, and records must be made available for inspection by the Commission, Staff, or other appropriate agents of the State upon timely written notice. Financial records must: (1) identify the Tasks

completed; (2) include records of the time the Grantee spent performing the Tasks; and (3) include original copies of invoices, statements, sales tickets, billings for work, and similar documents as necessary to document all expenditures applicable to this Contract.

## **5. INSPECTION AND AUDIT:**

Commission representatives and other appropriate agents of the State must, during the term of this Contract, be entitled to review and inspect the Grantee's Project site and data which pertain to the work specified in the Scope of Work. Timely written notice must be provided prior to any inspection. The right to inspect includes review of operation and maintenance of the Project site and performance of field analyses and data collection to assess the degree of success of the Project.

All data collected and maintained pursuant to the requirements of this Contract is subject to examination on the request of the Auditor General in accordance with A.R.S. § 41-1279.

## **6. INDEMNIFICATION:**

The parties to this Contract agree that the Grantee must indemnify, defend, and hold harmless the Commission and the State, including the Department of Water Resources, for all claims which result in vicarious/derivative liability of the State as a result of the act, omission, misconduct, or other fault of the Grantee, its agents, officials or employees.

## **7. RESOLUTION OF DIFFERENCES:**

- a. Disputes arising during the performance of this Contract will be resolved to the maximum extent possible through cooperation and coordination of the Grantee and Staff. If the Grantee and Staff are unable to resolve the differences or circumstances require an immediate decision, the Project Manager will refer the conflict to the Commission for resolution.
- b. Disputes arising out of this Contract are subject to arbitration to the extent required by A.R.S. § 12-133 and § 12-1518.
- c. Disputes arising out of this Contract are subject to the jurisdiction of the Superior Court of the State of Arizona.

## **8. STOP WORK NOTICE:**

In the event of unapproved changes in the Scope of Work, performance or changes outside the scope of the Contract, illegal or unpermitted activities, or other material discrepancies between the Contract and the Grantee's activities, the Commission reserves the right to issue notice to the Grantee to stop work. The notice will further specify that the Commission will not approve resumption of performance or further payments until the issue or issues identified in the stop work notice have been resolved to the satisfaction of the Commission.

## **9. TERMINATION OF CONTRACT:**

- a. The Commission, in addition to other rights set forth elsewhere in this Contract, reserves the right to terminate this Contract in whole or in part, without cause, effective thirty (30) calendar days after receipt of written notice of termination sent by certified mail to the Grantee.

The Commission, in addition to other rights set forth elsewhere in this Contract, reserves the right to terminate this Contract in whole or in part, for cause, effective upon receipt of written notice of termination sent by certified mail to the Grantee.

In the event of termination as provided in Paragraph 9 (a):

- 1) The Grantee must stop work as specified in the notice of termination.
  - 2) If the payments prescribed by this Contract are made on a reimbursable basis, the Commission must pay the Grantee the allowable cost for all Tasks completed in accordance with the Scope of Work as approved by the Project Manager. In addition, the Commission must pay the Grantee its reasonable, actual costs, not to exceed the allowable costs established in the Scope of Work, for work in progress as determined by generally accepted accounting principles and practices.
  - 3) If payments have been made on an advance basis, the Grantee must return all unexpended Grant funds within fifteen (15) calendar days of receipt of notice of termination. The Grantee, at the Commission's request, must deliver to Staff specified completed documents, programs, data, and other information described in the Contract.
- b. The State may cancel this Contract without penalty or further obligation pursuant to A.R.S. § 38-511, which provides for cancellations of any contract made by the State, its political subdivisions, or any of the departments or agencies of either if any persons significantly involved in initiating, negotiating, securing, drafting, or creating the contract on behalf of the State, its political subdivisions or any of the departments or agencies of either is, at any time while the contract or any extension of the contract is in effect, an employee or agent of any other party to the contract or a consultant to any other party to the contract with respect to the subject matter of the contract.
  - c. In the event of cancellation under Paragraph 9 (b) of this Contract, or if the term of the Contract expires, the Grantee will receive payment as established in Paragraph 9 (a) (2) and (3) of this Contract.
  - d. In the event that the parties mutually agree to terminate a portion of the Contract, the Grantee must continue to perform work under this Contract to the extent not terminated under the provisions of this Paragraph.

## **10. NON-DISCRIMINATION:**

The Grantee must comply with Arizona State Executive Order No.75-5, as amended by State Executive Order No. 2009-9, and all other applicable federal and state laws, rules, and regulations, including the Americans with Disabilities Act.

## **11. EXPENDITURES AND PAYMENTS:**

- a. Payments made by the Commission to the Grantee pursuant to the Contract are conditioned upon the availability to the Commission of funds authorized for expenditure in the manner and for the purpose provided herein. The Commission is not liable for any purchases or work entered into by the Grantee prior to the effective date of this Contract.
- b.
  - 1) Fixed cost and reimbursable payments are conditioned upon receipt and approval by the Project Manager of the Deliverable(s) specified in the Scope of Work and an applicable, accurate, and complete payment request prepared by the Grantee.
  - 2) The Project Manager will have a minimum of thirty (30) working days to approve the Deliverable(s) and payment request forms.
  - 3) If the Project Manager does not approve the Deliverable(s) or payment request, the Project Manager will provide a reasonable time to the Grantee to correct the problem.
- c. If the Project Manager determines that the Grantee is in default in the performance of any obligation under this Contract, the Project Manager may, at its option and in addition to other available remedies, either adjust the amount of payment or withhold payment until satisfactory resolution of the default.

## **12. ADMINISTRATIVE COSTS:**

The Grantee may request reimbursements for Administrative Costs at a rate not to exceed five (5) percent of the total Project costs incurred that are eligible for payment under this Contract.

## **13. RECOUPMENT OF PAYMENTS:**

The Grantee must reimburse the Arizona Water Protection Fund for all grant funds determined by the Commission not to have been spent in accordance with the terms of this Contract.

## **14. NOTICES:**

Whenever notice is required pursuant to this Contract, such notice must be in writing and be directed to the persons and addresses specified for such purpose in the Scope of Work, or to such other persons and addresses as either party may designate to the other party in writing. Unless otherwise set forth in this Contract, notice must be delivered in person or by certified mail, return receipt requested.

## **15. AMENDMENTS:**

The commission generally does not allow significant changes in the scope of work from what is agreed to in the contract. If an applicant requests a significant change in the project scope of work, the commission's general policy is that the grantee will be required to withdrawal from the grant. Minor changes to the budget, scope or timeline of the contract can be accommodated with a contract amendment

approved by the commission. All amendment requests must be submitted in writing to the commission and those requiring a change in timeline should be submitted at least 45 days prior to existing contracted dates. Multiple (in excess of 2) amendments are discouraged by the commission. No amendments to this Contract will be effective unless in writing and signed by all parties to the Contract.

**16. SUBCONTRACTS:**

- a. Subcontractors or consultants may be used in the performance of Tasks described in the Scope of Work of this Contract.
- b. Proposals to subcontract any Task described in this Contract must be approved by the Project Manager. Any subcontract must be submitted to the Project Manager for approval prior to execution by the Grantee. A copy of any executed subcontract must be submitted to the Project Manager prior to commencement of the subcontracted work.
- c. Any subcontractor or consultant participating in this Contract must comply with the terms and conditions of this Contract, as set forth in the General Provisions, Special Provisions, and Scope of Work.

**17. ASSIGNMENTS:**

- a. The Grantee may not transfer or assign in whole or in part, any obligations under the General or Special Provisions of this Contract to another party without prior written approval of the Commission.
- b. In the event that the Grantee transfers control or access to the Project site location through sale, lease, or other alienation of title during the term of this Contract or the Operation and Maintenance Period:
  - 1) The Grantee retains all duties and responsibilities assumed under this Contract unless otherwise approved by the Commission.
  - 2) The Grantee must provide written notice to the Commission within 30 days of such action.

**18. WAIVERS:**

- a. Neither the Grantee nor the Commission may waive or modify any condition or requirement contained in or made a part of this Contract without a written amendment to this Contract.
- b. A waiver by the Commission of any breach or default of any of the provisions of this Contract will not be construed as a waiver of any succeeding breach or default of the same or other provisions.

**19. INCORPORATION OF GRANT APPLICATION:**

The Grantee's approved Grant Application is incorporated by reference as part of this Contract; however, the terms of this Contract take precedence over the terms of the approved Grant Application in the event of conflict or ambiguity.

## **20. OPERATION AND MAINTENANCE:**

- a. The Operation and Maintenance Period is for 20 years unless otherwise specified in the Special Provisions.
- b. The Operation and Maintenance Period for each individual grant-assisted structure, human access or educational facility, revegetation site, or any other grant-assisted improvement will begin upon the approval by the Project Manager of the designated Deliverables identified in the Scope of Work.
- c. During the Operation and Maintenance Period, the Grantee must, in good faith, provide operation and maintenance of all grant-assisted structures, human access or educational facilities, revegetation sites, and any other grant-assisted improvements.
- d. During the term of this Contract and the Operation and Maintenance Period, the Grantee must provide reasonable protection from vandalism to the Project site and to any grant-assisted structural, revegetation, or other improvements thereon.
- e. If, during the term of this Contract or the Operation and Maintenance Period, a major flood, fire, or other unforeseen act of nature causes substantial damage to the Project site, or to any grant-assisted structure, revegetation, or other improvements, the Grantee must notify the Project Manager in writing within fifteen (15) calendar days of discovering the damage. The parties will assess the damage and determine whether to continue the Project and/or operation and maintenance responsibilities.

## **21. EQUIPMENT:**

- a. The Grantee may not purchase any Equipment without the prior approval of the Project Manager. In addition, the Grantee may not purchase any Equipment with a value equal to or greater than \$3,000 without the prior approval of the Commission.
- b. Equipment is the property of the Grantee, and the Grantee is responsible for maintenance and safekeeping of such Equipment.
- c. If equipment purchased for the Grantee under this contract or a prior Arizona Water Protection Fund contract still has useful life, that equipment shall be used for this or any subsequent Arizona Water Protection Fund contract, as appropriate.
- d. The Grantee may execute a lease of Equipment for this specific AWPf project with the prior approval of either the Commission or the Project Manager.

## **22. DATA:**

- a. All data, information, research, reports, and analyses prepared or collected by the Grantee in carrying out the terms of this Contract is owned by the parties to this Contract.
- b. Unless otherwise provided in this Contract, all data, information, research, reports, and analyses prepared or collected by the Grantee in carrying out the terms of this Contract must be provided to the Commission as specified in the Scope of Work of this Grant Award Contract.
- c. All Deliverables, including data, information, research, reports, and analyses submitted to the Commission are public records generated for the benefit of the citizens of the State, and may be copied, published, and disseminated to any person upon proper request.

### **23. REQUEST FOR COPIES:**

If the Grantee receives a request to prepare a copy of any Deliverable required by this Contract, the Grantee must provide the copy at cost, or at a price required by law.

### **24. GRANTEE'S REPRESENTATIONS AND WARRANTIES**

All representations and warranties made by the Grantee under this Contract, including but not limited to those representations made in Paragraph 20 and in the Grant Application, survive the expiration or termination of this Contract. In addition, the parties acknowledge that pursuant to A.R.S. § 12-510, except as provided in A.R.S. § 12-529, the State is not subject to or barred by any limitations of actions prescribed in A.R.S., Title 12, Ch. 5.

**APPENDIX B**

eCivis Application Submission Users Guide

DRAFT

# Arizona Application Submission User Guide

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## Application Submission Process

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## Reviewing the solicitation

The solicitation is broken up into five parts:

- Summary
- Eligibility
- Financial
- Contact
- Files

In the **Summary**, **Eligibility**, and **Financial** tabs, you can review the program requirements to determine the eligibility of your project/program. In the **Contact** tab, a program contact is listed for additional program related questions. For any technical questions on the submission portal, contact eCivis staff at [support@ecivis.com](mailto:support@ecivis.com). In the **Files** tab, you will find program and application submittal guidance files along with the documents you are required to complete and submit along with the application:

**Government Organization**

Re-Entry Youth Program

Apply

Overview Eligibility Financial Contact Files

**ID:** N/A

**Title:** Re-Entry Youth Program

**Application Start Date:** 10/13/2018

**Application End Date:** 11/09/2018

**CFDA:** N/A

**Reference URL:**

**Summary:**

The purpose of this program is to assist communities in planning and implementing comprehensive reentry programs that help young offenders transition successfully into their home communities after release from incarceration. Projects must serve young adults between the ages of 18 and 24 who have been involved in the juvenile or adult justice system and who reside in high-poverty, high-crime communities. Awards will be distributed to a combination of rural- and urban-serving organizations.

## Downloading the required documents

Before beginning the application process it is critical that all required documents are downloaded and completed. Also, the guidance documents should be downloaded for reference during the application process.

1. Click on the title of the file to download the document:

**Government Organization**

Re-Entry Youth Program

Apply

Overview Eligibility Financial Contact Files

**Files:**

NOFA: NOFA (10.9 Kb)

FAQ: FAQs (10.9 Kb)

**File Notes:**

The NOFA file contains general program information. The Guide file contains additional program information. Portions of the code of federal regulations (CFR) pertaining to this program are included as the ProgramRule file. The InternRule file contains updated program information. The SpecialNotice file contains special instructions regarding the submission of consolidated and annual action plans for FY 2018. The Allocations file contains information on allocations through this program. Additional program resources can be found online at [www.hudexchange.info/programs/home/](http://www.hudexchange.info/programs/home/).

## Beginning the application process

1. When you are ready to begin the application process, click on the *Apply* button on the top left side of the screen. You will be taken to the online grant application portal where you can begin filling out your application and uploading all the required documents:

Government Organization

Re-Entry Youth Program

Overview Eligibility Financial Contact Files

<b>ID:</b>	N/A	<b>Summary:</b>  The purpose of this program is to assist communities in planning and implementing comprehensive reentry programs that help young offenders transition successfully into their home communities after release from incarceration. Projects must serve young adults between the ages of 18 and 24 who have been involved in the juvenile or adult justice system and who reside in high-poverty, high-crime communities. Awards will be distributed to a combination of rural- and urban-serving organizations.
<b>Title:</b>	Re-Entry Youth Program	
<b>Application Start Date:</b>	10/18/2018	
<b>Application End Date:</b>	11/09/2018	
<b>CFDA:</b>	N/A	
<b>Reference URL:</b>		

2. Log in to the Portal. If you are a current eCivis user, you can enter your eCivis username and password to log in; then, click on the eCivis Login button. If you created a Portal account, enter your information and then click on the Portal Login button. If this is your first time using the *Portal* you will need to click on the green *Create an account* button to create your account:

### Welcome to the Portal



This service provided by eCivis makes it possible for interested parties to save, collaborate, and apply for solicitations.

Login, or create a free account to start.

Login

Password  
(Minimum 8 chars, alphanumeric with symbol(s))

or

Do not have an account?

eCivis Grants Network user?  
Use your existing login above and the eCivis Login button.

3. On the *Create an account page*, enter basic information:

- a. First name
- b. Last name
- c. Email address
- d. Password

**New Account Signup**

Welcome to the grant application portal. This free service provided by eCivis allows grant seeking applicants the ability to save, collaborate

First Name

Last Name

Email Address

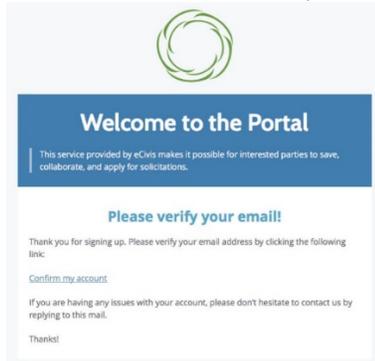
Passphrase

Weak

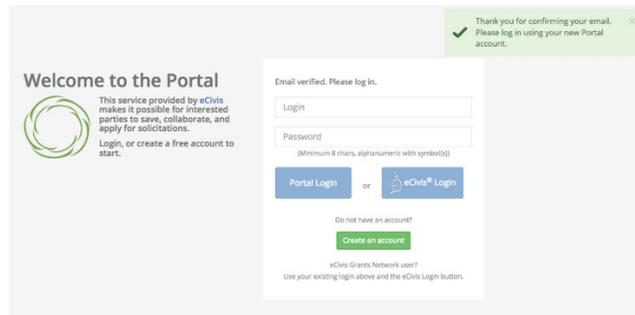
Sign Up

4. After clicking *Sign up* you will be sent an email confirming your email address to complete the process:

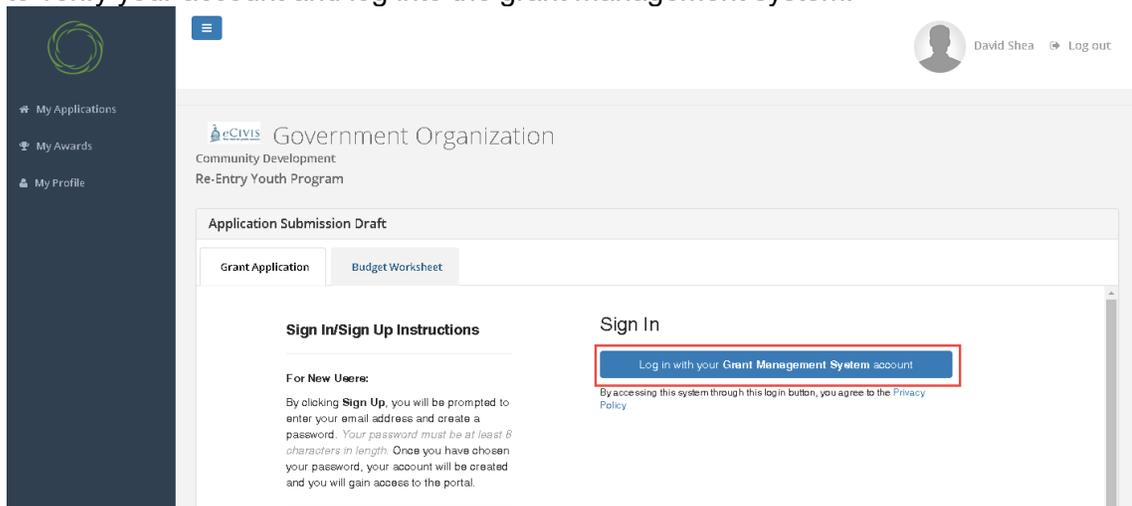
- In the email verification, click on “Please verify your email”:



- This will bring you back to the Portal login. Enter your full email address and password, then click on *Portal Login*:



- Once you have logged in and verified your email address, you will be brought back to the original application you desired to apply for. Prior to beginning the application, you will need to verify your account and log into the grant management system:

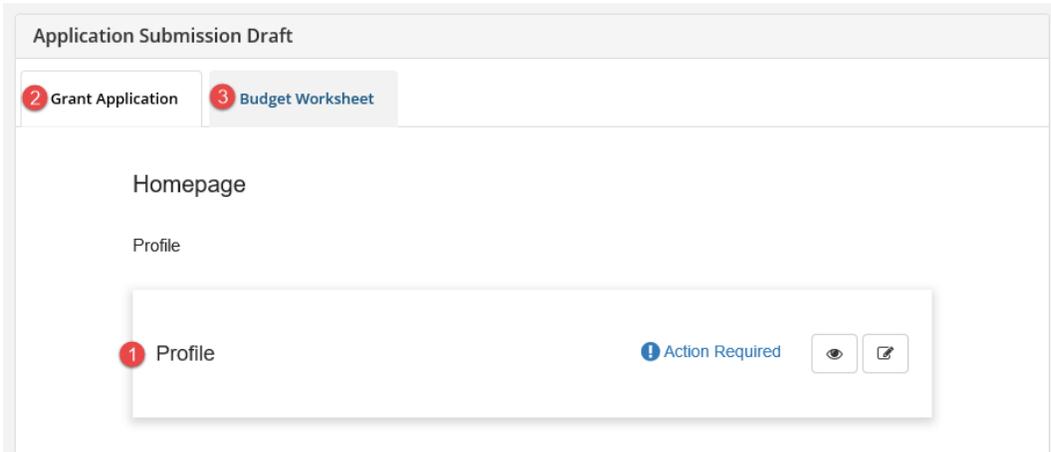


## Application Components

Open any program guidance files and use this to reference how each section of the application should be completed.

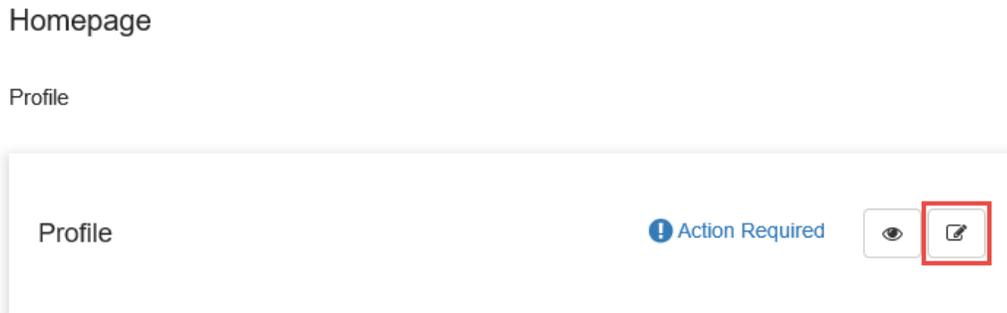
There are three primary sections to the application:

- Profile**
- Application**
- Budget Worksheet**

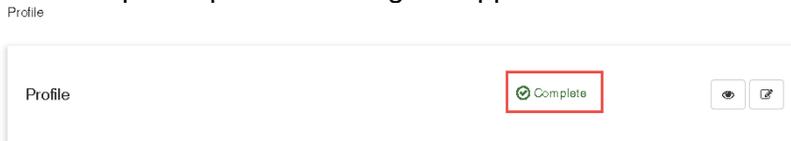


## Completing your profile

1. To begin working on the profile, click on the pencil icon:



2. Complete all required fields, marked with a red asterisk. If you plan to complete your profile at a later time, select *Save Draft*. To complete your profile, select *Save*. Your profile will need to be completed prior to starting the application:



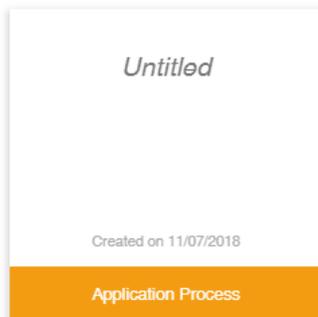
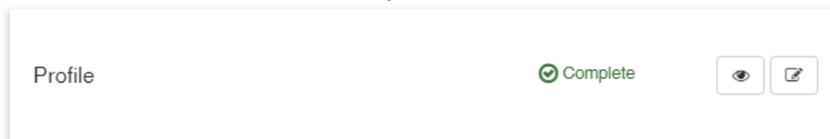
## Starting the Application

After you have completed your profile, the application will be available. The two main sections of your submission is the Application Tab and the Budget Tab.

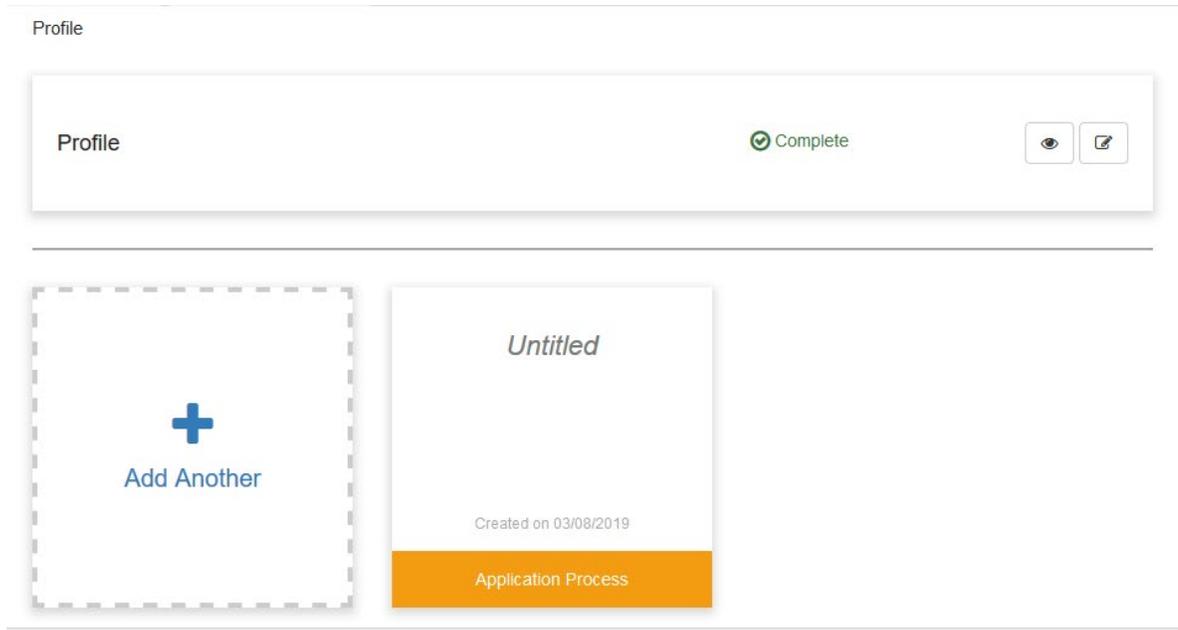
1. From the Grant Application Tab click on *Get Started* to access your application:



2. Your application can also appear as an Untitled application. Click on the yellow box titled *Application Process* to access your application:



3. Some solicitations will allow you to submit more than one application. To start a new application, click on *Add Another*. To continue work on an application that was already started, click on the yellow box titled *Application Process*:

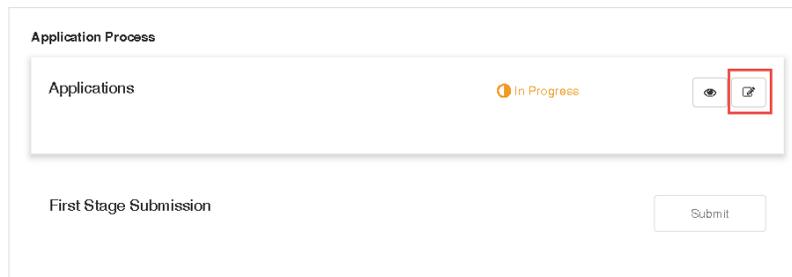


## Completing the Application

The *Application* section contains 6 standard narrative fields, 3 program specific narrative fields, and additional required file uploads (if applicable). Refer to your program specific guidance on the appropriate content for each field.

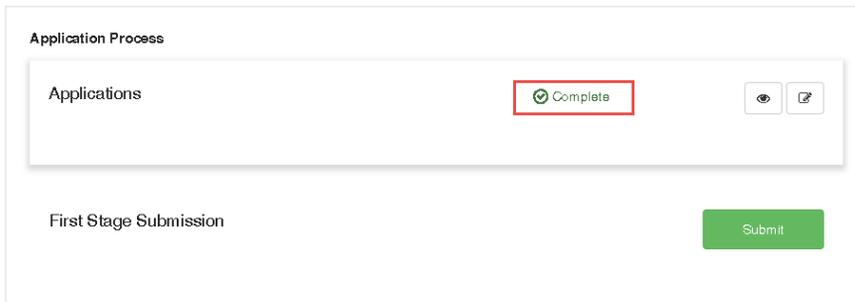
1. Click on the Writing icon to begin completing your application:

[Homepage](#) > [Untitled](#)



2. Complete all required fields. At the bottom of the page select *Save Draft* to save your work and complete at a later time. To complete your full application select *Save*:

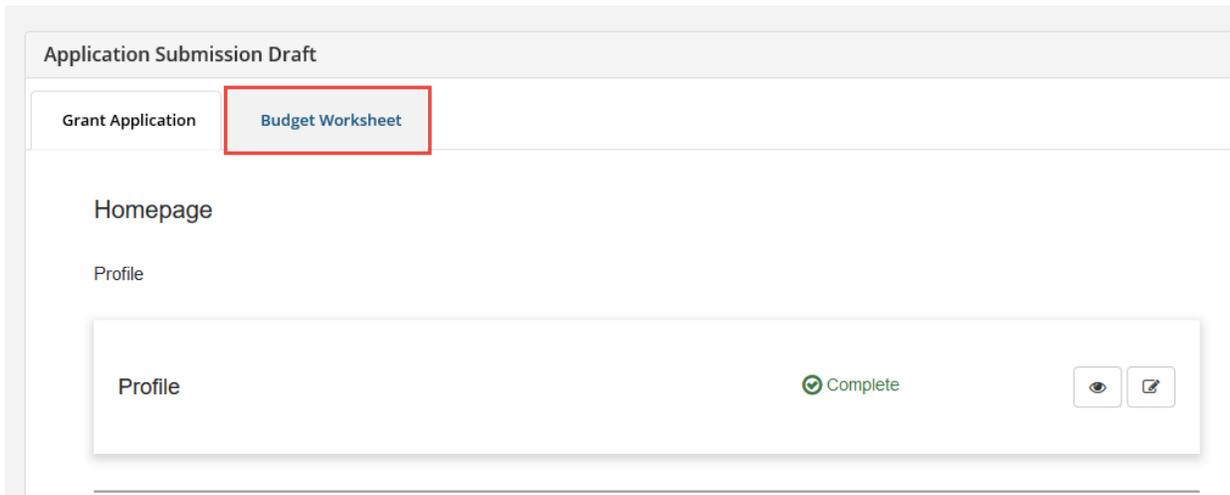
[Homepage](#) > Government Organization Application



3. Now let's work on the Budget portion of your submission **BEFORE** clicking on Submit.

## Completing the Budget

If featured, Click on the Budget Worksheet Tab in the Application Submission Draft Section:



The *Budget* section contains 9 standard categories including an optional narrative justification for each category. Refer to your program specific guidance for additional instructions.

1. Grant Budget Settings

- a. The Budget Settings allow you to change how your indirect cost rate and cost share is calculated and also view different stages of your budget:

The screenshot shows the 'Budget Settings' page for a 'Government Organization' under the 'Community Development' program. The 'Budget Settings' section includes:

- Multi-Term Budget:  No  Yes
- Indirect Costs:  0.00 %
- Match / Cost Share:  0.00 % \$ 0.00
- Budget Stage: Pre-Award
- Actions:

The Budget Summary table on the right shows:

\$0.00	Total Direct Costs
\$0.00	Total Indirect Costs
\$0.00	Total Amount (Direct + Indirect)
\$0.00	Match / Cost Share
\$0.00	Program Income

- b. From the Indirect Costs drop down menu, there are several different options to calculate your indirect costs:

The screenshot shows the 'Budget Settings' page with the 'Indirect Costs' dropdown menu open. The menu options are:

- Not Applicable
- De Minimus Rate
- Negotiated Rate
- Itemized
- Not Applicable

- **De Minimus Rate:** this is the standard indirect cost rate that can be used for a Federal or Pass-through Grant if you do not have a negotiated rate.
  - **Negotiated Rate:** this should be used if you have negotiated an indirect cost rate with your Federal or Pass-through agency you are applying to
  - **Itemized:** this will change the indirect cost calculation from a percentage to a manual entry amount
  - **Not Applicable:** this will remove indirect costs from overall calculation and allow you to enter it as a line item entry. If this is selected, an option will be made available in each line item to indicate the type of the item (Direct Cost, Indirect Cost, or Cost Share).
- c. From the Match/Cost Share drop down menu, there are several different options to calculate your Match/Cost Share:

Application Submission Draft

Grant Application Budget Worksheet

Budget Settings

Multi-Term Budget:  No  Yes

Indirect Costs: Not Applicable 0.00 %

Match / Cost Share: Not Applicable 0.00 % \$ 0.00

Budget Stage:  Percentage  Itemized  Total Amount  Not Applicable

Actions:   

- **Percentage:** this will calculate your Match/Cost Share as a percentage of the budget items included
- **Itemized:** this will change the Match/Cost Share calculation from a percentage to a manual entry amount.
- **Total Amount:** this allows you to enter a single total amount for your Match/Cost Share
- **Not Applicable:** this will remove Match/Cost Share from overall calculation and allow you to enter it as a line item entry. If this is selected, an option will be made available in each line item to indicate the type of the item (Direct Cost, Indirect Cost, or Cost Share).

De Minimus Rate/Negotiated Rate/Percentage example:

1. Personnel

		Ext Cost	Direct Cost	Ind Cost	Cost Share
Personnel Totals:		\$5,000.00	\$7,500.00	\$750.00	\$0.00

Title	Description	Units	Unit Cost	Extended Cost	Cost	GL Code	Indirect Cost	Item Type
FTEs	Full Time Employees	1	\$5,000.00	\$5,000.00	\$5,000.00		<input checked="" type="checkbox"/>	Direct Cost
PTEs	Part Time Employees	0	\$0.00	\$0.00	\$2,500.00		<input checked="" type="checkbox"/>	Direct Cost

[Add Row](#)

Itemized budget example:

1. Personnel

		Ext Cost	Direct Cost	Ind Cost	Cost Share
Personnel Totals:		\$5,000.00	\$7,500.00	\$750.00	\$0.00

Title	Description	Units	Unit Cost	Extended Cost	Cost	GL Code	Indirect Cost	Cost Share
FTEs	Full Time Employees	1	\$5,000.00	\$5,000.00	\$5,000.00		\$500.00	\$0.00
PTEs	Part Time Employees	0	\$0.00	\$0.00	\$2,500.00		\$250.00	\$0.00

[Add Row](#)

Not Applicable budget example:

1. Personnel							
		Ext Cost		Direct Cost		Ind Cost	Cost Share
Personnel Totals:		\$5,000.00		\$7,500.00		\$0.00	\$0.00
Title	Description	Units	Unit Cost	Extended Cost	Cost	GL Code	Item Type
FTEs	Full Time Employees	1	\$5,000.00	\$5,000.00	\$5,000.00		Direct Cost
PTEs	Part Time Employees	0	\$0.00	\$0.00	\$2,500.00		Direct Cost ▼
<input type="button" value="Add Row"/>							

## Grant Budget Summary

1. As you enter your budget line items, the total Direct Cost, Indirect Cost, Total Proposed, Match/Cost Share, and Program Income are calculated in the Budget Summary:

- **Total Direct Costs:** sum of all Direct Cost across all budget categories
- **Total Indirect Costs:** sum of all Indirect Costs across all budget categories
- **Total Proposed:** sum of all Direct Costs and Indirect Costs across all budget categories
- **Match/Cost Share:** sum of all Match/Cost Share across all budget categories
- **Program Income:** sum of program income line items listed in the *Program Income* section

Budget Summary	
\$361,000.00	Total Direct Costs
\$36,100.00	Total Indirect Costs
\$397,100.00	Total Proposed (Direct + Indirect)
\$36,100.00	Match / Cost Share
\$0.00	Program Income

## Budget Items

1. In the Budget Items section you can add and/or adjust your budget item, add sub categories, and enter line item budget entries. Click on the Budget Item *1. Personnel* to begin adding budget entries:

Application Submission Draft

Grant Application Budget Worksheet

Budget Settings Budget Summary

Multi-Term Budget:  No  Yes

Indirect Costs: Not Applicable 0.00 %

Match / Cost Share: Not Applicable 0.00 % \$ 0.00

Budget Stage: Pre-Award

Actions:   

Budget Summary:

\$0.00	Total Direct Costs
\$0.00	Total Indirect Costs
\$0.00	Total Amount (Direct + Indirect)
\$0.00	Match / Cost Share
\$0.00	Program Income

Budget Items

	Ext Cost	Direct Cost	Ind Cost	Cost Share
1. Personnel	\$0.00	\$0.00	\$0.00	\$0.00

2. Beneath each budget item you can add a table to begin entering specific line items. Using this table you can include specific budget line items:
- **Title:** the name of the budgeted item
  - **Description:** explanation/detail on the budgeted item
  - **Unit:** if more than one, you can enter multiple units
  - **Unit Cost:** per unit cost (NOTE: if *Unit* and *Unit Cost* is used, the *Cost* field will automatically be populated with the *Unit* number multiplied by the *Unit Cost*)
  - **Extended Cost:** this is indented to represent the total item cost, which could differ from the budgeted amount
  - **Cost:** total amount budgeted for this item
  - **Indirect Cost:** this field can be calculated in different ways based on your budget settings. If included as a percentage, you can check or uncheck this field to include it in your total indirect costs. If included as *Itemized*, you can put any amount desired for this item in the *Indirect Costs* field. If included as *Not Applicable*, you can mark this budget item as *Indirect Cost* and the amount in the *Cost* field will be included in your total indirect costs.
  - **Cost Share:** this field can be calculated in different ways based on your budget settings. If included as a percentage, you can check or uncheck this field to include it in your total *Cost Share*. If included as *Itemized*, you can put any amount desired for this item in the *Cost Share* field. If included as *Not Applicable*, you can mark this budget item as *Cost Share* and the amount entered in the *Cost* field will be included in your total *Cost Share*.

3. Click on the gear icon and then on *Add Table*:

1. Personnel

	Ext Cost	Direct Cost	Ind Cost	Cost Share
Personnel Totals:	\$0.00	\$0.00	\$0.00	\$0.00

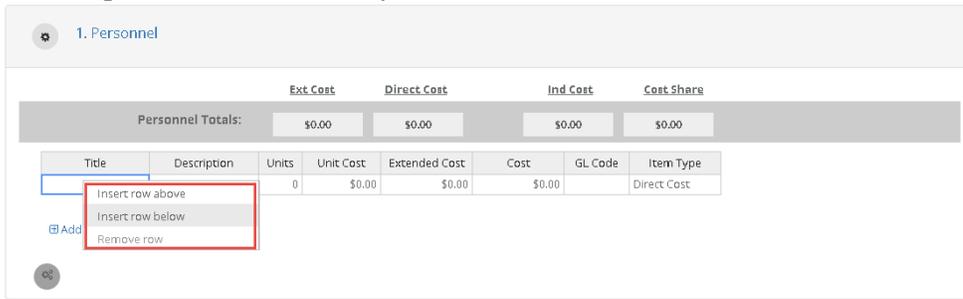


+ Add Subcategory for Personnel

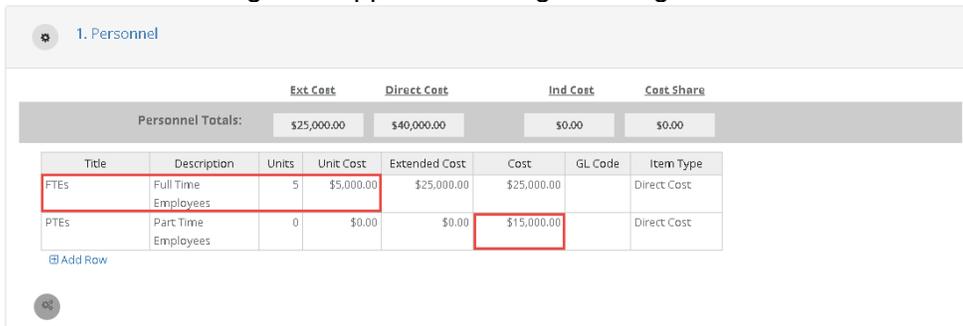
 Add Table

	Ext Cost	Direct Cost	Ind Cost	Cost Share
2. Fringe Benefits	\$0.00	\$0.00	\$0.00	\$0.00

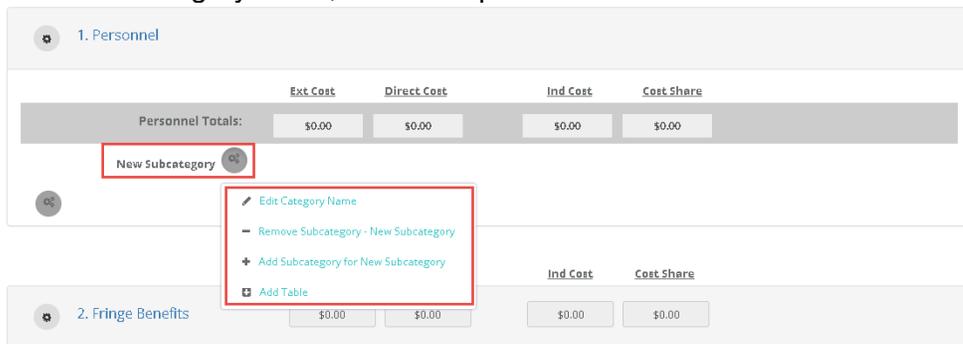
- Add or remove rows by performing a **right click** on your mouse while in the table and selecting from the available options:



- Add Title, Description, Units and Unit Costs or Title, Description and Cost if Units or Unit Cost is not known. Check Indirect Cost, Item Type and add Indirect and Cost Share amounts if not using “Not Applicable” budget settings:



- You can create up to two sub categories to organize your budget as detailed as needed. To edit a sub category name, select the pencil icon next to the title:



## Narrative

- The budget narrative is available to provide additional detail, explanation, and/or justification to specific budget line items. The budget narrative is also fully compatible with Microsoft Word. Already developed narratives can be cut and pasted into this section. Once completed click on the Save Narrative icon. You can export your budget narrative by clicking on the PDF icon:

Budget Narrative

Enter your budget narrative below.

8000 characters remaining

## Finalizing Grant Budget

- Once you have finalized your *Pre-award* budget click on the Save icon. You can also export your budget to Excel by clicking on the Excel icon:

Government Organization  
Community Development  
Re-Entry Youth Program

Application Submission Draft

Grant Application | Budget Worksheet

Budget Settings

Multi-Term Budget:  No  Yes

Indirect Costs:  0.00 %

Match / Cost Share:  0.00 % \$ 0.00

Budget Stage: Pre-Award

Actions:

Budget Summary

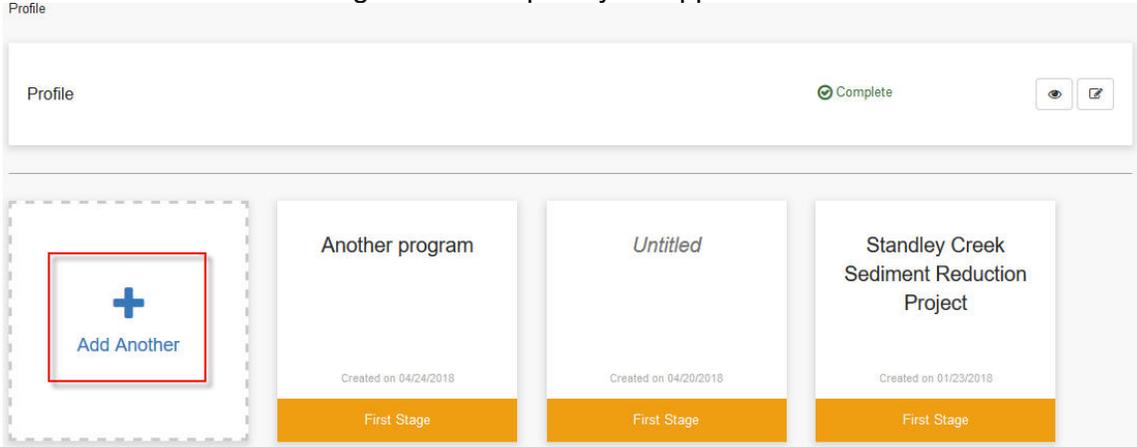
\$40,000.00	Total Direct Costs
\$0.00	Total Indirect Costs
\$40,000.00	Total Amount (Direct + Indirect)
\$0.00	Match / Cost Share
\$0.00	Program Income

## Add another Application

For programs allowing multiple applications from the same organization, you will see the option to *Add Another* on the Homepage.

- Select this option and complete the Application and Budget sections for the 2<sup>nd</sup> submission. Repeat this process until desired submissions have been made. If returning to complete your application that was previously left in a draft status, click on the applicable Program Box

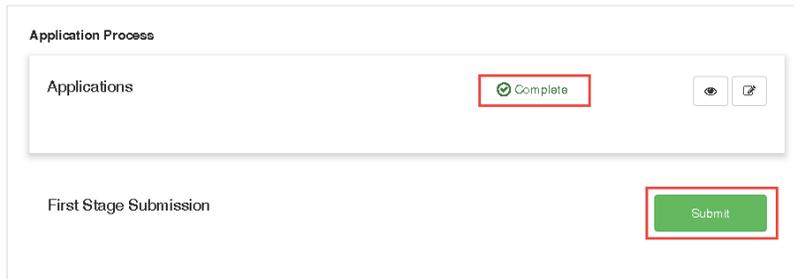
and then click on the Writing icon to complete your application:



## Submitting your application

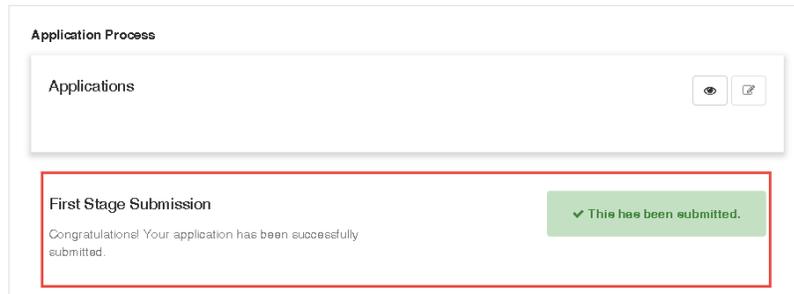
1. Once you have completed your application and your budget, click on *Submit* to send your application to the funding agency:

[Homepage](#) > Government Organization Application



2. Your application has been submitted and is now Under Review:

[Homepage](#) > Government Organization Application



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July 2014 June 2021

# Arizona Water Protection Fund Commission Policies & Procedures Manual

## Chapter I. Policy and Procedures Manual Introduction

### 100 Purpose

This Arizona Water Protection Fund Commission (Commission) Policy and Procedures Manual sets forth policies and procedures for the Commission. The intent is to create a written record of policies and procedures in order to conduct business in a consistent fashion. The intended audience is Commissioners and Arizona Department of Water Resources (ADWR) staff and, to a more limited extent, grantees.

### 110 General Organization

This manual is organized into chapters which address background information, Commission members, meetings, application submittal, grant selection, grant contracts, grant administration, grantee financial standards, grantee responsibilities after the term of contract, Commission public outreach and relationship with the legislature. Chapters are subdivided into sections that generally cover single subjects.

### 120 Changes to Manual

This manual is expected to change because the program and restoration science are relatively new. It is expected that policies and procedures will continually be developed and refined. Minor changes in the manual for the purpose of clarifying sections will be made by ADWR staff. Changes of substance will be reviewed by the Commission Executive Committee prior to being forwarded to the full Commission for approval.

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## Chapter II. Arizona Water Protection Fund Background

### 200 Arizona Water Protection Fund Creation & Purpose

The 1994 Arizona Legislature established the Arizona Water Protection Fund (AWPF) and the Arizona Water Protection Fund Commission to administer the AWPF (A.R.S. § 45-2101 et seq.). In passing the enabling legislation, the Legislature declared that their policy was to provide for a coordinated effort for the restoration and conservation of the water resources of the state. The policy was designed to allow the people of Arizona to prosper while providing financial resources for protection and restoration of this state's rivers and streams and associated riparian habitats, including fish and wildlife resources. The law mandates that financial resources be available through grants to appropriate public and private entities to assist in water resource management activities that are consistent with that policy (§ 45-2101(A)).

By statute, the primary purpose of the AWPF is to provide an annual source of funds for the development and implementation of measures to protect water of sufficient quality and quantity to maintain, enhance and restore rivers and streams and associated riparian resources, including fish and wildlife resources that dependent on these important habitats consistent with existing water law and water rights.

The Commission may also provide funding to develop and protect riparian habitats in conjunction with a man-made water resource project, if the man-made water resource project directly or indirectly benefits a river or stream and includes or creates a riparian habitat.

A.R.S. § 45-2112 (B) provides that primary program funding may come from annual general fund appropriations in the amount of \$5 million minus any funding received from an in-lieu fee established pursuant to § 48-3715.05.

### 210 Arizona Water Protection Fund Organization

#### 211 Arizona Water Protection Fund Commission

The Commission is the main policy-making body for the AWPF. Policies are principles, which guide and protect the AWPF. The Commission is comprised of 9 voting members who are Arizona residents appointed by various officials and who, by statute, represent a variety of land, water use and socioeconomic perspectives. In addition, several of the appointed positions require technical expertise in water, natural resources and riparian ecosystems. There are also two non-voting ex officio members - the Director of the Arizona Department of Water Resources and the Commissioner of the Arizona State Land Department as well as two non-voting advisory members – a member of the AZ House of Representatives and a member of the Arizona State Senate.

#### 212 Arizona Department of Water Resources

The Arizona Department of Water Resources provides the primary technical, legal and administrative staff to the Commission (§ 45.2114(A)). ADWR staff responsibilities are

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described in detail throughout this document. ADWR staff takes the lead in providing to the Commission an annual administrative budget for both ADWR and the Arizona State Land Department since the legislature funds the Commission through ADWR.

**213** Arizona State Land Department

A.R.S. § 37-1013(A)(7) authorizes the Arizona State Land Department (ASLD) to provide support to the Commission and administrative assistance to Natural Resource Conservation Districts (NRCs) for their activities relating to the Arizona Water Protection Fund.

**220** **Arizona Water Protection Fund Fundamental Principles**

The enabling legislation and subsequent Commission practices have established two principles that guide the operation and management of the AWPF:

- 1) The Commission funds projects that reflect “bottom-up” rather than “top-down” solutions to river and riparian maintenance, enhancement and restoration issues. The Commission expects the public to propose locally acceptable solutions for problems rather than have the state dictate specific projects, measures, priorities or areas of concern.
- 2) The Commission’s funding priority is to fund high quality, “on-the-ground” solutions to river related issues. The majority of annual funds are earmarked by statute for capital projects. Research and water conservation projects and overhead costs to the AWPF are limited by statute to five percent maximum each year. Reference Sections 530 and 551 of this document for further information on these limitations.

### **Chapter III. Arizona Water Protection Fund Commission Members**

#### **300 Arizona Water Protection Fund Commissioner Appointment**

##### 301 Commission member appointment and reappointment

There are nine voting members, two ex officio non-voting members and two advisory non-voting members of the Commission. The nine voting Commissioners are members of the public and appointed by either the Governor, the President of the Senate, or the Speaker of the House of Representatives. The Central Arizona Project and the Intertribal Council of Arizona each appoint one member. Commission members are appointed for staggered, three-year terms. Appointees must meet certain statutory criteria in order to be qualified for appointment (§ 45-2103(A)).

A voting Commission member may serve for more than one term and may continue to serve beyond the expiration of the term until a successor is appointed and assumes office (§ 45-2103(B)). Near the end of each Commissioner's term the Commission member will notify the appointing official and the Arizona Department of Water Resources staff whether or not he/she wishes to be reappointed. The ADWR legislative staff will also communicate with the staff of the appointing official to determine the status of reappointment or appointment.

The two non-voting, ex officio Commission members are the Director of the Arizona Department of Water Resources and the Arizona State Land Commissioner (§ 45-2103(A) (10)).

The two non-voting advisory Commission members are (1) from the Arizona House of Representatives and (1) from the Arizona State Senate.

##### 302 Commission member withdrawal

Should a Commission member wish to withdraw from appointment before the term ends, he or she must notify the appointing official and request appointment of a replacement.

##### 303 Commission member ineligibility

Should a situation arise where a Commission member no longer represents his/her statutory constituency, that member is ineligible to sit on the Commission as a representative of that constituency and will be so notified by the Commission Chair.

#### **310 Commission Officers - Election & Duties**

##### 311 Policy on officer election.

The Commission annually elects a Chair and Vice-Chair at the Commission business meeting in June or the next subsequent meeting. These officers will continue to serve until a new election is held. Should a Chair or Vice-Chair resign or otherwise indicate

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that he/she is unable to perform the duties for the full one year period, another election will be held to fill that position for the remainder of the term.

### 312 Duties of Chair

Duties of the Commission Chair are time-consuming. It is Commission policy that either the Chair or Vice-Chair be located or work in Phoenix in order to sign numerous documents and meet with ADWR staff. ADWR staff is in frequent communication with the Chair to provide briefings on issues and determine courses of action. Commission Chair duties are as follows:

- 1) Attend and preside at Commission business meetings in various parts of the state.
- 2) Chair the Executive Committee meetings.
- 3) Review and sign contracts, amendments, and correspondence.
- 4) Establish Commission business and Executive Committee meeting agendas in conjunction with ADWR staff.
- 5) Attend and preside at grant presentation and selection meetings.
- 6) Interpret Commission policy and represent the Commission at meetings, in correspondence, etc.
- 7) Discuss grant issues with ADWR staff by telephone and in individual meetings.
- 8) Review AWPf newsletter and other public outreach materials prior to release as necessary.
- 9) Represent the Commission at the legislature and/or coordinate other Commissioner attendance.
- 10) Act as liaison with ADWR Administration relative to AWPf budget, contract and administrative issues.

### 313 Duties of Vice-Chair

The Vice-Chair performs the duties of the Chair, in the absence of the Chair.

### **320 Compensation and Reimbursement for Commissioners**

Upon request, Voting members are eligible to receive compensation when engaged in the services of the Commission (§ 45-2103(C)), currently at \$30/day (§ 38-611). Compensation for each Commissioner shall not exceed \$3,000 in any calendar year (§ 45-2103(C)). Commissioners are eligible for reimbursement for expenses when traveling on necessary public business away from his/her designated post of duty (residence) as governed by §38-621 et seq. [Compensation and Expense Reimbursements paid to Commission members are also governed through policies in the State of Arizona Accounting Manual Topic 55, Section 65.](#)

### 321 Election to Receive Compensation

Any Commission member intending to request compensation or reimbursement for expenses related to services is required to be set up in the ADWR payroll system and must notify the Executive Director in writing. The Executive Director will coordinate with ADWR Human Resources staff to set up the Commission member in the State of Arizona payroll system. Compensation for Commission member services will be

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processed via the State of Arizona payroll system. Commission members receiving direct compensation (\$30/day) related to this policy will be issued a W-2 from the State of Arizona.

Commission members only requesting reimbursement for expenses related to services (e.g., travel, mileage, per diem) should follow the guidelines below under Reimbursement for Mileage and Per Diem.

322 Election to Forego Compensation

Election to forgo compensation shall be made in writing to the Executive Director by January 31<sup>st</sup> each calendar year (Topic 55, Section 65, Policy 4.1 of the State of Arizona Accounting Manual (SAAM) | General Accounting Office (az.gov)).

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323 Definitions

For the purposes of compliance with this policy, the following definitions apply:

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“Services” means actual time spent reviewing all materials submitted for discussion at an upcoming Commission meeting, including grant applications reviews; attendance and participation at official Commission meetings; official AWPF project site visit(s) following a Commission meeting; official AWPF public speaking events or activities promoting the program; and travel to the official AWPF meetings, events or activities in the service of the Commission, *OTHERS?*, regardless of where they may occur.

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“Day” means from X hours, up to eight hours of time worked in the same calendar day.

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“Non-Official Events” means meetings, public speaking events, individual project site visits, or other activities that are not directly sponsored or organized by AWPF staff or the Commission.

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324 Compensation for Services

Full day credit (\$30/day) is authorized for services for each calendar day the Commission member is engaged in service (regardless of the amount of time engaged in that activity). Exceptions to this authorization include reviewing meeting materials, grant application reviews and *OTHERS?* when completed on days not affiliated with Commission meeting services. These activities are eligible for compensation if time spent on these activities meet the time criteria for a Day of service and are documented in the request for compensation.

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Requesting Compensation for Services

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To receive compensation for services, Commission members shall notify the Executive Director in writing or via email and indicate the number of calendar days and

Commission related business-related services requested for compensation. The Executive Director will notify ADWR Human Resources staff who will then process the Commission member request for compensation.

Requesting Compensation for Non-Official Events

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If compensation will be requested for representing the AWPf Commission through attendance or participation in non-official events, a request will need to be submitted in writing to the Executive Director. The request shall be reviewed and approved by the AWPf Chairman prior to the Commission members attendance or participation in the non-official event or activity.

Commission members are eligible for compensation for non-official events where attendance has been specifically requested or directed by the AWPf Chairman. Approval or direction from the AWPf Chairman to attend or participate in non-official events denotes that compensation will be approved as Commission member services.

Compensation Tracking

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Each Commission member electing to receive compensation for services shall receive a statement in January from ADWR identifying the total dollar amount they have been compensated for the previous calendar year.

325 Reimbursement for Mileage and Per Diem

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Mileage and per diem are eligible for reimbursement when traveling to perform Commission member services. Mileage and per diem for non-official events are eligible for reimbursement if approved in advance by the Chairman. Commission members are also eligible for mileage and per diem reimbursement for non-official events where Commission member attendance has been requested or directed by the AWPf Chairman.

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Mileage shall be paid to/from the Commission member's designated post of duty (residence) for Commission service or approved non-official event. Mileage and per diem shall be paid pursuant to State of Arizona Travel policies [see Topic 50 Travel of the State of Arizona Accounting Manual (SAAM) | General Accounting Office (az.gov)]

To receive reimbursement, Commission members shall complete and sign a State of Arizona Travel Claim form and submit the form to the Executive Director for approval.  
**ATTACH TRAVEL REMBURSEMENT FORM TO MANUAL.**

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State policies pertaining to travel can be found in Topic 50 Travel of the State of Arizona Accounting Manual (SAAM) | General Accounting Office (az.gov)

**330 Commissioner Conflict of Interest and Recusal**

**331 Commissioners as "Public Officers"**

As a "public officer" within the meaning of § 38-501, a Commissioner may face a

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potential conflict of interest situation. The conflict of interest law distinguishes between interests which are “remote” and those which are “substantial”. If a Commissioner or close relative has a pecuniary or proprietary interest in a particular application, grant or issue, the Commissioner should consult ADWR Legal Counsel *in advance* of the matter coming before the Commission for action. Some interests require a Commissioner to declare the interest and refrain from participating in discussion and decision on the matter.

In order for the conflict of interest laws to apply, a Commission member or a relative must have a substantial interest in an application, awarded grant or Commission issue. There are three questions which are useful in determining whether a substantial interest exists:

- 1) Will the decision affect either positively or negatively, an interest of the public officer or relative?
- 2) Is the interest a monetary or property interest?
- 3) Is the interest other than one statutorily designated as a remote interest?

If the answers to the above questions are yes then a substantial issue may exist.

The statute lists remote interests. A Commission member with a remote interest in a matter before the Commission may vote and participate in discussion of the matter. Following is a list of remote interests:

- 1) The interests of a non-salaried officer member of a nonprofit corporation.
- 2) The interests of a landlord or tenant of a contracting party.
- 3) The interest of an attorney of a contracting party.
- 4) The interest of a member of a nonprofit cooperative marketing association.
- 5) The interest of a person owning less than three percent of the shares of a corporation for profit, provided the total annual income from dividends, including the value of stock dividends, from the corporation does not exceed five percent of the person’s annual income.
- 6) The interest of a public officer being reimbursed only for actual and necessary expenses incurred in performance of official duties.
- 7) The recipient of public services provided by the Commission on the same terms and conditions as if the person were not an officer or employee.
- 8) The interests of a school board member (in most cases).
- 9) The interests of a public officer or employee or relative, unless the decision would confer a direct benefit.
- 10) The interest of a public officer who is member of a trade, business, profession or other classes of persons, where the interest is no greater than the interest of the other members of the class (§ 38-502(10)).

When a substantial interest exists, the Commission member shall:

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- 1) Declare that a substantial interest exists by submitting a Conflict of Interest Form prior to consideration of that issue in a Commission meeting and by declaring a conflict of interest during Commission action on that item.
- 2) Refrain from discussion of the issue and from voting.

332 Violation of conflict of interest

Knowingly violating the conflict of interest provisions is a Class 6 felony. Negligent violation is a Class 1 misdemeanor. Moreover, the Commission decision and any resulting contract are voidable by the State.

333 Attorneys as Commission members

Any Commission member who is an attorney is also bound by the Rules of Professional Conduct, Rules of the Supreme Court 17A Arizona Revised Statute, Rule 42. See ER 1.7, 1.8, 1.9 and case law regarding the appearance of impropriety.

## Chapter IV. Commission Meetings

### 400 Business Meetings

#### 401 Frequency

A meeting of the full Commission is termed a “business meeting”. The full Commission will generally meet as established in the yearly schedule to conduct business. During the grant selection process, meetings will be held more frequently, generally monthly. Business meetings generally start at 10:00 am, however they may start at various times. Each meeting agenda will specify the starting time and location.

#### 402 Meeting locations

In recognition of its statewide mandate and in order to make meetings accessible to more Arizonans, the Commission may hold meetings throughout Arizona. During grant application and selection periods, the Commission generally holds meetings in Phoenix and in other easily accessible cities so that Commissioners and ADWR staff can more easily attend.

#### 403 Meeting notification

Generally, meeting notification will follow the methods described below. Only if necessary, business meetings may be conducted as emergency meetings under circumstances prescribed in law (see this manual, Section 432).

##### 403.1 Public notification and agenda

The Open Meeting Law (§ 38-431 et seq.) requires a public body to give notice of all public meetings to members of the public. The basic intent of the law is to maximize public access to government decision making. The Open Meeting law requires public notice and an agenda. The law allows the agenda and notice to be combined and the Commission has chosen to do this. A Commission agenda must contain the time, date, and place of the meeting, and a description of matters to be discussed, considered or decided at the meeting. The Commission Chair, in conjunction with ADWR staff, shall establish the Commission business meeting agendas.

The agenda and notice are required to be made available no later than 24 hours in advance of the meeting. The Commission business meeting agendas are usually available two weeks in advance. A statement is included at the bottom of Commission agendas that meetings are subject to 24 hour advance change and that the reader should contact ADWR prior to the meeting to confirm agenda topics. The agenda is posted in accordance with the Open Meeting Law. Any background information that is available for the Commissioners is also available to the public by request, at least 24 hours before the meeting.

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The agenda and previous meeting minutes will be posted on the Commission website in advance of all business meetings.

403.2 Commissioner notification

Commission business meeting dates are established in advance each fiscal year. The Commission will be notified via e-mail of any meeting date changes or cancellations. Commissioners should inform ADWR staff if they prefer to be notified by an alternate method.

403.3 Commissioner packet

An agenda and available background information regarding agenda items for the business meeting will be sent to the Commission via e-mail and hard copy. Information generally will be sent one to two weeks in advance of the meeting. A few background items may be handed out at the meetings if they are completed too late to send them to Commissioners in a timely manner. All background materials that are made available to the Commission will be available for public viewing upon request at the Arizona Water Protection Fund, ADWR, Phoenix office at least 24 hours prior to the meeting. The agenda contains a statement regarding the availability of background materials.

404 Commission member attendance

404.1 Policy on meeting attendance

It is the policy of the Commission that in the event any Commission member is absent from two or more business meetings in any one calendar year, the Commission Chair may meet with that member and discuss their lack of attendance. If attendance does not improve the Chair may meet with the person who appointed that Commission member to request that a replacement member be appointed who will have a commitment to the work of the Commission.

404.2 Policy on use of proxy for attendance or voting

It is the policy of the Commission, in all its meetings and deliberations, to not allow for the use of alternates to appointed members and further shall not allow for the use of alternates for proxy voting on any matter before the Commission.

404.3 Commission member meeting attendance query and response

At least two to three weeks prior to a scheduled business meeting, ADWR staff

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shall contact Commission members via e-mail or other appropriate means to determine meeting attendance. Commissioners need to reply to this request promptly and notify the ADWR Administrative Assistant if plans change. There may be times that the Chair allows Commissioner attendance by telephone (see this manual Section 431).

#### 404.4 Lack of quorum and meeting cancellation

If it is known in advance that there will not be a quorum at a business meeting, the Chair will cancel the meeting. If there is not a quorum on the day of the meeting, the Chair may decide to discuss the agenda items, but decisions on the agenda items shall not be made during the meeting.

#### 405 Business meeting minutes

In accordance with the Open Meeting Law, the Commission shall provide written minutes or a recording of all business meetings (§ 38-431(01)) within three working days after the meeting. Minimum content is prescribed by the law (§ 38-431(01)(B)) as follows:

- 1) Date, time and place of the meeting.
- 2) Members of the public body recorded as either present or absent.
- 3) A general description of the matter considered.
- 4) An accurate description of all legal actions proposed, discussed or taken, and the names of members who proposed each motion.
- 5) The names of the persons making statements or presenting material to the Commission and a reference to the legal action about which they made statements or presented material.

ADWR staff will record the business meetings on audio tape if possible. Upon request, staff can duplicate that tape and make it available to the public within three working days after the meeting for review in the ADWR Phoenix office. Written minutes will be developed at a later date and presented to the Commission for ratification at the next business meeting, after which the tape will be destroyed.

#### 406 Presiding officer

The Chair will preside at business meetings. In the absence of the Chair, the Vice-Chair will preside. If both parties will be absent from a meeting, the Chair, acting in advance of the meeting, may delegate to another Commissioner the authority to conduct the meeting from which the Chair and Vice-Chair will be absent.

#### 407 General meeting rules

Meetings will be conducted consistent with the Open Meeting Law and Robert's Rules of Order. The Chair will ensure that discussion, consideration and decision are limited to

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agenda items in accordance with the Open Meeting Law (§ 38-431(02)(H)).

There are two “call to the public” topics listed on every agenda; one each at the beginning and the end of the agenda. Consistent with statute (§ 38-431(01)(G)) this is a time for presentation of comments and suggestions from the public. Those wishing to address the Commission need not request permission in advance. The Commission is prohibited by the Open Meeting Law from taking any action as a result of public comment during the meeting unless the subject is already listed on the agenda.

#### 408 Code of conduct

The Commission is committed to treating all members of the public with respect. In the dealings with the public, the Commission will adhere to the following *Code of Respect*:

- Show respect for the views of others. Critique ideas not people.
- Share your opinion about a proposal concisely, clearly and respectfully.
- Focus on constructive questions.
- Listen with an open mind; consider all sides of the issues before deciding.
- Avoid side conversations whenever possible.
- Every member is responsible for advancing the agenda; keep the meeting moving.

#### 409 Decision-making process

##### 409.1 Quorum

Powers and authority in and duties imposed on the members should be exercised by a quorum of Commissioners. A quorum consists of a majority of members then in office (§ 45-2104(A)). If a Commission member has vacated their seat and the appointing official has not yet replaced that Commissioner, then the seat is vacant and the calculation for a quorum would be based on a majority of the remaining members.

##### 409.2 Decision-making forum

Formal motions and votes will be taken for significant Commission action such as grant selection. The Chair or another Commissioner shall identify actions requiring a formal vote by calling for a motion on an issue. Decisions on the selection of applications are usually by voice vote. Votes are determined when a quorum is present and then, by a majority of present, voting members. Other issues may be discussed and direction given to ADWR staff by the Commission without a formal vote.

##### 409.3 Actions

Legal actions of the Commission shall occur during a public meeting as required

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by the Open Meeting Law (§ 38-431(01)(A)).

#### **410 Standing, Advisory and Subcommittee Meetings**

##### 411 Standing committees

A standing committee is authorized to act for the full Commission.

##### 411.1 Executive Committee is a standing committee

The Commission has established a three-member standing committee, the Executive Committee, which has been authorized in certain instances to act for the full Commission. It was originally called the “Subcommittee”, but herein after will be called the Executive Committee to avoid confusion.

##### 411.10 Executive Committee members

The Executive Committee members are the Chair, Vice-Chair and one other Commissioner appointed by the Chair. A quorum for the Executive Committee is two Executive Committee members. Meetings are conducted in Phoenix. Generally, Executive Committee members will live and/or work in Phoenix or be willing to faithfully attend Executive Committee meetings in Phoenix either in person or via telephone. All Commissioners are sent an Executive Committee agenda, ~~but~~ are not eligible to participate ~~at~~ in the Executive Committee meetings (see this manual, Section 411.15).

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##### 411.11 Executive Committee delegated authority

The Executive Committee shall act for the full Commission in instances where policy is already established by the full Commission. The Executive Committee is authorized to make resolutions and take actions consistent with Commission policies. Issues of new policy and issues where the Commission has expressly reserved decision-making authority will often go through the Executive Committee for detailed discussion of the issues. The Executive Committee may then make a recommendation to the full Commission for their consideration. Actions taken by the Executive Committee will be reported to the full Commission through distribution of Executive Committee meeting minutes. Significant actions also will be presented orally during the next full Commission meeting.

##### 411.12 Procedure for notice

The law allows the agenda and notice to be combined and the Commission

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has chosen to do this for Executive Committee meetings. The Open Meeting Law requires the same minimum notification procedures for a standing committee as for the full Commission. The Commission Chair, in conjunction with ADWR staff, shall establish the Commission Executive Committee meeting agendas. All Commissioners receive a copy of the Executive Committee agenda via e-mail. These agendas also are posted on the Commission website, as possible. In circumstances prescribed by law, Executive Committee meetings may be conducted as emergency meetings (see this manual, Section 432).

#### 411.13 Presiding officer

The Chair will preside at Executive Committee meetings. In the absence of the Chair, the Vice-Chair will preside.

#### 411.14 General meeting rules

Meetings are conducted similar to full Commission meetings as they must comply with the Open Meeting Law and follow Robert's Rules of Order.

#### 411.15 Quorum

~~Decisions shall be exercised by a~~ A quorum of the Executive Committee, ~~which~~ consists of ~~at least~~ two Executive Committee members being present. ~~The Executive Committee also will recognize other Commission members who attend Executive Committee meetings as being eligible to participate in discussions and vote on all issues being considered by the Executive Committee.~~ If more than two Executive Committee members are present, decisions shall be made by a majority vote of those members present. If only two Executive Committee members ~~and no other~~ Commissioners are in attendance, decisions must be made by unanimous agreement. ~~If more than two Commissioners are present, decisions shall be made by a majority vote of those members present.~~

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#### 411.16 Executive Committee minutes

In accordance with the Open Meeting Law, the Commission shall provide written minutes or a recording of all business meetings (§ 38-431(01)) within three working days after the meeting. The law prescribes minimum content of the minutes (see this manual, Section 405). ADWR staff will record Executive Committee meetings and can duplicate that tape, upon request, and make it available within three working days after the meeting for public review in the ADWR Phoenix office. Written minutes will be

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developed at a later date and presented to the Executive Committee for ratification at the next meeting, after which the tape shall be destroyed. Copies of the minutes will be sent to the full Commission via e-mail and hard copy.

#### 411.2 Other standing committees

The Commission may appoint other standing committees that will conduct business in accordance with the Open Meeting Law.

#### 412 Advisory committees

An advisory committee, by statute, is authorized to act for the full public body, and may include some members that are not members of the Commission. The Commission may appoint advisory committees who will conduct business in accordance with the Open Meeting Law.

#### 413 Subcommittees

A subcommittee is authorized to make recommendations to the public body but may not act for the public body. The Commission may appoint subcommittees in accordance with the requirements of the Open Meeting Law. Subcommittee meetings shall comply with notice and agenda requirements of the Open Meeting Law, but are not required to take minutes.

#### **420 Executive Sessions**

Executive Sessions are closed to the public (§ 38-431(2)). They may be held as a portion of a business meeting or a standing committee meeting. The majority of the Commission members constituting a quorum must vote to convene an executive session (§ 38-431(03)(A)) during a public meeting held prior to the executive session.

#### 421 Executive session procedure for notice

The Open Meeting Law permits an executive session to be held for discussion and consideration for seven limited purposes (§ 38-431(03)(A)). An executive session must meet the notice requirements of a public meeting. The agenda for executive sessions must contain a general description of the matters to be considered but should not contain information that would defeat the purpose of the executive session (§ 38-431(02)(I)).

#### 422 Convening an executive session

The majority of the Commission or Executive Committee members constituting a quorum must vote to convene an executive session during a public meeting held prior to the executive session. Generally, the vote will be taken immediately before going into executive session. The general public is excluded from the executive session. Only Commissioners and employees whose presence are reasonably necessary in order for the Commission to carry out its executive session responsibilities may be present (§ 38-

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431(2)).

**423** Executive session confidentiality

Minutes of and discussion made at the executive session must be kept confidential by those attending the executive session (§ 38-431(03)(B)). Violations of the Open Meeting Law may subject individuals to suit and civil penalty. The Commission Chair shall instruct persons who are present at the executive session regarding confidentiality requirements and penalties. In an executive session, the Commission may discuss and consider only the specific matters authorized by statute and included in the public notice/agenda. No vote may be taken during the executive session. Any final action on an item discussed in an executive session must be taken during a public meeting.

**424** Executive session minutes

Minutes shall be taken of executive sessions and include:

- 1) Date, time and place of the meeting (§ 38-431(01)(B)).
- 2) Members of the public body recorded as either present or absent (§ 38-431(01)(B)).
- 3) A general description of the matter considered (§ 38-431(01)(B)).
- 4) Instructions by the Commission to its legal counsel or designated representatives.

Minutes will be taken and written by ADWR staff and reviewed by legal counsel and the Chair. Since executive session minutes are confidential, approval of the executive session minutes will not be made in a public forum. They will be available at the next Commission business meeting for inspection by any Commissioner. If a Commissioner who was in attendance at the executive session wishes to correct or change the minutes, he/she must get the consent of Legal Counsel and the Chair. With their consent, the change will then be made. If no changes are offered by the end of the business meeting following the date of the executive session, the minutes will be considered final and be signed by the Chair. Minutes will be stored by ADWR in a confidential file separate from public files.

**425** Actions

No action binding the Commission can be decided during the Executive Session. The Commission must exit from the Executive Session and enter public session before taking a vote on any legal action (§ 38-431(03)(D)).

**430 Telephone Conferences and Emergency Meetings**

**431** Telephone conferences

Upon the approval of the Chair and availability of facilities, the Commission may hold business and Executive Committee meetings through a telephone conference, where one or more Commission members participate in the meeting via telephone.

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431.1 Procedures for notice of telephone conference

The notice and the agenda will state that one or more members of the Commission will participate by telephone.

431.2 Telephone conference requirements

The public meeting place will have facilities that permit the public to observe and hear all telephone communications. The Commission will clearly identify all members participating via telephone.

431.3 Minutes

The minutes of the meeting shall identify the member(s) participating by telephone and describe the procedures followed to provide the public access to all communications during the meeting.

432 Emergency meetings

In the extremely rare case of an actual emergency, a public meeting may be held with less than 24 hours notice. Such an emergency exists when, due to unforeseen circumstances, immediate action is necessary to avoid some serious consequences that would result from waiting until the required notice could be given.

432.1 Notice of meeting

Prior to emergency discussion or action, the Commission will announce the nature of the emergency and those reasons must be included in the minutes of the emergency meeting (§ 38-431(02)(J)).

432.2 Minutes of meeting

Minutes will indicate the nature of the emergency.

## Chapter V. Grant Application Process

The Commission shall grant monies annually (§ 45-2113(A)) for purposes consistent with statute. The Commission has decided to conduct one public grant cycle each year. The Commission shall grant monies from the AWPf consistent with the application guidelines set forth in the application manual. By law, applications shall be available for public review and comment. ADWR staff notifies the public of when and where the submitted applications are available for review. Technical staff reviews each application and that review is shared with the applicants. Applicants have an opportunity to make a public presentation on their application to the Commission. The Commission makes the grant awards during a separate public meeting.

### 500 Grant Definition.

An Arizona Water Protection Fund grant is an award of financial assistance where money is transferred from the state to a grantee through a public selection process and subsequent contract for the accomplishment of equivalent goods and services consistent with the AWPf statutory purposes. Because the Arizona State Constitution prohibits the state from giving gifts, grant monies are not just given to the grantee for his/her use. The grant is implemented through a contract, which when executed, allows for mutually-agreed-to contract products with deadlines to be delivered to ADWR. ADWR staff reviews and must approve the deliverables before the grantee is reimbursed. There is substantial State oversight of contracts to ensure that the deliverables received are adequate and appropriate for the contract.

### 510 Application Manual

A grant application manual is released annually. The manual contains policies, procedures, forms and technical criteria for ADWR evaluation of the applications.

### 511 Manual revision

#### 511.1 Annual revisions

Minor revisions may be made annually by ADWR staff in order to better explain or define application procedures and forms.

#### 511.2 Triennial public input and manual revisions

By law, every three years the Commission is to obtain public involvement in the development of an application manual, i.e. "guidelines", as directed by § 45-2105 - 2106. Generally, public input will be the catalyst for changing the manual in significant ways. By law, the manual is to address at least the following issues:

- 1) Delineation of geographic areas in this state where protection and restoration will be emphasized.
- 2) Identification of issues of concern.

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3) Types of measures needed to address issues of concern.

Every three years, ADWR staff conducts the public outreach effort consistent with statute. Any major manual changes made as a result of or during the public outreach effort will be reviewed by the Commission Executive Committee and/or an ad hoc subcommittee prior to consideration and adoption of the revised manual by the full Commission.

**512** Technical rating system

Each manual will include the criteria upon which ADWR staff conducts its technical evaluation of the applications. ADWR staff evaluates and comments on technical aspects of applications using the criteria.

**513** Commission selection criteria

Commission members give serious consideration to the technical project evaluations, but will use their own additional criteria and judgment to select projects. These criteria are not available in written form. Applicants are encouraged to discuss their projects with Commission members to determine Commission members' individual criteria.

**514** Notice of manual availability

A notice of manual availability will be sent each year to the AWPf e-mail distribution list and to anyone else who requests notification. AWPf staff will also place public notices statewide in various newspapers. The manual will be made available to anyone who requests it and will also be available on the Commission website.

**520** **Eligible Applicants**

Any person, organization, tribe, state agency or political subdivision of this state may submit an application for a grant from the AWPf for purposes allowed in statute (§ 45-2113(E)).

**530** **Categories of Funding**

By statute, the AWPf may:

- 1) Grant monies for the development and implementation of capital projects or specific measures consistent with the purposes of the statute (§ 45-2113(H)).

By policy, the Commission has determined that a feasibility of design study may be considered a capital project as defined by the following requirements:

- Applicant requests funding to investigate the feasibility of implementing a specific capital project that is being proposed.
- Applicant will develop a detailed implementation plan and budget for the proposed project as part of the feasibility study.

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- Applicant has control and tenure over the proposed project area and the authority to implement the proposed project should it be deemed feasible.

A feasibility of design study does not mean completing an investigation, research, assessment or planning effort for the purpose of identifying projects or future actions that are not already being considered for implementation. Letters of support should be in favor of the actual ultimate project being considered.

- 2) Grant monies for the acquisition of Central Arizona Project water or effluent that will protect or restore rivers or streams consistent with state water law (§ 45-2113(H)).
- 3) Grant monies to assist in developing, promoting and implementing water conservation programs, directly related to the purpose of the AWPf, located outside of the active management areas. (§ 45-2113(H)).
- 4) Grant monies in support of research and data collection, compilation and analysis directly related to the purposes of the AWPf. Funding is limited to a maximum of five percent of the monies deposited in the AWPf in any fiscal year (§ 45-2113(H)(3)).
- 5) Grant monies to Arizona Department of Water Resources and the Arizona State Land Department in support of administration of the program. Funding is limited to a maximum of 5% of the total monies deposited in the AWPf during the previous calendar year (§ 45-2114(C)).

#### **540 Funding Priorities**

By statute (§ 45-2113(A)) there is priority in funding given to the following:

- 1) Projects for which matching monies or assets of comparable value including in-kind contributions will be provided by other sources.
- 2) Projects that provide for the continued maintenance of the portion of the river, stream, or associated riparian habitat that are enhanced by the project.
- 3) Projects that include broad based local involvement.
- 4) Projects that directly benefit perennial or intermittent rivers or streams.

Additional priorities may be developed during each triennial public input process. Funding priorities are generally reflected in the Evaluation Criteria, which are the criteria included in the manual that ADWR staff uses to evaluate the technical merits of applications.

## 550 Ineligible & Restricted Projects & Activities

### 551 Ineligible projects & activities by statute:

- 1) No entity may exercise the right of eminent domain to acquire water or water rights using monies derived from the AWPf (§ 45-2104(D) & § 45-2113(H)).
- 2) Monies in the AWPf may not be spent to finance programs located outside Arizona (§ 45-2113(G)).
- 3) Monies shall not be used to purchase real property (§ 45-2104(D)). The Commission has determined that conservation easement acquisition falls into the category of real property and is not eligible for program funds.
- 4) Monies may not be spent on remedial actions under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), 42 USC § 9601, or Water Quality Assurance Revolving Fund (WQARF), § 49-281 et seq.
- 5) For an individual grant, no more than five percent of the grant may be used on costs of administration (§ 49-2113(B)(4)). By policy, the Commission defines administrative costs as including overhead and indirect costs. Contractors and subcontractors are also limited to five percent administrative costs. In further refinement of the policy, administrative costs charged to the Commission may not exceed five percent of the total AWPf project costs minus any AWPf fixed costs. If an application includes administrative costs in excess of the statutory administrative cost limits, it either will be determined to be ineligible for funding or required to comply prior to contract execution.

### 552 Project restrictions by policy

- 1) The applicant shall demonstrate in the application that it can implement the proposed project and control and commit the anticipated benefits to rivers, streams and riparian areas. The applicant must have legal and physical access to as well as authority to manage the area where the grant tasks are to be performed, the area to be benefited by the grant, and any water to be used in the project area or as a project benefit. Cooperative agreements with all parties having such access and authority or letters of support with a plan to obtain cooperative agreements shall meet this requirement. The applicant must also demonstrate that vital partnerships, funding, etc. have been committed at the time of the application or submit letters of support from the appropriate entities with a plan to obtain these critical elements prior to grant award. Projects failing to demonstrate the above are ineligible for funding.
- 2) Staff positions may be funded with AWPf monies only to the extent that they are necessary to supervise or perform grant obligations and further specific grant objectives. Those grant obligations and objectives must be detailed within the application along with identification of deliverables and deadlines.

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- 3) Although the Commission supports efforts to clean up sites containing environmental contaminants, it will not fund such projects. Environmental contaminants present additional liability risks for which suitable long-term liability insurance is not available. Applications for projects located at sites where environmental contaminants are present in elevated levels are ineligible for funding.<sup>1</sup>

For purposes of this policy, environmental contaminants are substances which pose risk of harm to human health or the environment and include hazardous substances, hazardous wastes, petroleum products or Environmental Protection Agency priority toxic pollutants<sup>2</sup>. Environmental contaminants do not include wastewater from a wastewater facility permitted by a local, state, or federal authority having jurisdiction over wastewater.

- 4) The Commission does not fund projects that are required as a result of legal action taken by a regulatory agency, such as ecological mitigation. Applicants must notify the Commission if a proposed project is part of any mitigation effort.
- 5) The Commission does not fund projects that are designed to meet wastewater treatment requirements. Proposed projects that create or sustain riparian habitat using treated effluent or recycled water that already meets or exceeds relevant state and federal standards may be considered as long as the project meets the requirements of A.R.S. 45-2101.B.
- 6) Generally, the Commission does not fund groundwater recharge or recovery projects.
- 7) Applications requesting AWPf funding for any project portions that are ineligible for AWPf funding will result in the entire application being removed from further consideration. The Commission does not provide opportunity in the application process to negotiate for the removal of ineligible features.
- 8) The Commission does not fund projects which include the planting of mesquite, tamarisk or other nonnative high water usage trees that consume water to a degree that is detrimental to water conservation efforts, but may fund the removal of such species (A.R.S. 45-2113)

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<sup>1</sup>ADWR is affected by this policy because of potential financial liability issues for the agency. Modification in or divergence from this policy requires ADWR concurrence.

<sup>2</sup> Defined by CERCLA 42 USC § 9601, RCRA 42 USC § 6903 and the Environmental Protection Agency as toxic pollutants.

**560 Required application components**

The application manual identifies required application components.

**570 Pre-Application Assistance**

571 ADWR staff

ADWR staff conducts annual application workshop(s) at different locations in the state, at least one to two months in advance of the application deadline. ADWR staff also is available for one-on-one consultations with applicants on a first-come-first-served basis. Consultations focus on the staff review of draft applications. In order to conduct a consultation, the draft application must be received by ADWR staff at least one week in advance of the scheduled consultation. Consultations will be conducted in Phoenix and may be conducted by telephone for those applicants outside of Maricopa County.

572 ASLD staff

ASLD should be contacted regarding whether or not they are able to provide assistance to Natural Resource Conservation Districts in grant application preparation.

**580 Application Submittal Requirements**

581 Application signature by authorized individual

The Commission implements its grants by signing contracts with grantees. The Commission wants to receive applications from individuals, agencies and organizations that can eventually enter into enforceable, binding contracts. The signature on the application must be a person who has the authority to sign contracts for the applicant. At least one copy of the application should contain an application cover page with an original signature.

582 Demonstration of control and tenure

Reference Section 552(1) of this manual.

583 Number of copies

The number of required copies is specified in each grant manual. At least one original signature on a cover page is required.

584 Submittal deadline and location

See the annual application manual for this information.

585 Application completeness

The application shall be complete when submitted. ADWR staff and the Commission will screen applications for completeness and may delete applications from further

consideration if they are incomplete (reference Section 600 of this document). Reference the annual application manual for a listing of all required components.

**590 Application Public Notification and Public Comment**

**591 Notification distribution**

Statute requires the Commission to provide for public notification of and opportunity to comment on the applications (§ 45-2113(C) and (D)).

A Public notice stating that applications are available for review and comment within the 45-day public comment period is posted on the AWPf website along with all current applications received by the application deadline. The notice includes information regarding how to submit comments within the 45-day comment period.

ADWR staff also will notify interested parties via the AWPf e-mail distribution list.

**592 Location for public viewing of applications**

All current year applications are posted on the AWPf website for public review and comment. A personal copy of applications may be requested from ADWR Phoenix office for a copying charge per application. If specialty copies are requested (e.g. large maps) the requestor will be assessed that additional cost.

**593 Public comment**

All comments received during the 45-day comment period are sent to Commissioners for their consideration. If negative comments are received, they also are sent to the applicant.

## Chapter VI. Application Review and Grant Selection Process

### 600 Application Screening

ADWR staff screens the applications for meeting certain criteria, including:

- Completeness,
- Adequate demonstration of control and tenure,
- Activities that are risky, unlawful, or outside the scope of the AWPf,
- Consistency with Commission policies including those in Section 552 of this document,
- Correct categorization of project type, and
- Compliance with five percent administrative costs maximum.

Generally, screening takes place within two to three weeks after receiving the applications. However, applications may be screened out anytime prior to applicant presentations.

ADWR staff will eliminate any applications from further consideration that are incomplete, clearly violate statutory requirements or Commission policy/program requirements, and any determined to be unlawful. ADWR staff will work with the Executive Committee to eliminate from further consideration any applications that appear to be inconsistent with Commission policy/program requirements.

### 610 Application Technical Review

#### 611 Internal and external technical review

During application screening, ADWR staff will determine the scope of review for each application. ADWR has requested review by ADWR Hydrology, ADWR Active Management Areas, Arizona Game and Fish Department, Arizona Department of Environmental Quality, U.S. Fish and Wildlife Service and federal land management agencies. ADWR staff will consider these comments when conducting its technical review for the Commission.

#### 612 Technical consultants

When an application requires review that is outside the expertise of the current staff, ADWR consults an expert in that technical field. ADWR staff seeks to obtain the expertise at no cost to the AWPf. Alternatively, acting with the approval of the ADWR Assistant Director, ADWR staff will pay for technical assistance from administrative funds if the expense is reasonable. If the costs or time needed to retain an expert with appropriate expertise are prohibitive, ADWR will notify the Commission. The Assistant Director may also determine that ADWR is unable to adequately respond to an application for lack of appropriate expertise or for other reasons, and will so notify the Commission.

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613 ADWR staff technical review & rating

ADWR staff will prepare a written evaluation for each application that is not eliminated during the application screening process.

613.1 ADWR staff review for research duplication

Statute (§ 45-2113(H)(3)) instructs ADWR staff to check research applications to determine whether any research of similar nature has been or is in the process of being performed and is readily available. Statute also mandates that the Commission shall not award a grant for a research project on a subject where ADWR determines that sufficient data already exists and so notifies the Commission in writing.

613.2 ADWR staff evaluation and written review

ADWR staff will evaluate applications using the Evaluation Criteria developed by the Commission and described in the grant application manual. ADWR staff also will consider technical comments received from other internal and external reviewers. ADWR staff may ask applicants to provide clarification of information provided in grant applications. Applicants are permitted to clarify information as requested by ADWR staff, however are not permitted to submit completely new information.

ADWR staff will provide a written review to the Commission and individual applicants. The written review will describe how well the evaluation criteria have been met and assign a funding priority recommendation. Funding priority recommendation categories will be “High”, “Medium” and “Low”. Funding priority recommendations will be based on how strongly an application demonstrates the proposed project positively meets the evaluation criteria and purpose of the program.

ADWR staff reviews may include additional scope of work or contract conditions for the Commission to consider prior to grant award selection. Any such conditions will be required as part of a grant award contract, unless specifically excluded by majority vote of the Commission.

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## **620 Applicant/Staff Presentations**

### 621 Presentation dates and locations

Applicants will have an opportunity to orally present their proposals to the Commission in a public meeting. Staff may also present their comments to the Commission. The dates and locations for these presentations will be included in the annual grant application manual.

### 622 Commissioner conduct

The Commission is committed to treating all members of the public with respect. During the applicant and staff presentations, the Commission will adhere to the *Code of Respect* described in this manual, Section 408.

### 623 Meeting purpose

The purpose of the applicant/staff presentation is for the Commission, ADWR staff and the applicant to personally communicate with each other about the applications.

### 624 Audience participation

Audience participation will not be recognized except at the two Calls to the Public.

## **630 Grant Selection**

### 631 Policy on applicant communication with Commissioners prior to grant selection meeting

Applicants may contact individual Commission members to discuss political aspects regarding their applications and individual Commissioner grant selection criteria.

### 632 Grant selection procedure

The Commission will make grant award selections during a public meeting in accordance with Open Meeting law.

#### 632.1 Organizing applications for the vote

The Commission Chair shall decide how to present applications for the vote. The public notice for the meeting shall specify the format for actions on applications. Applications have been listed in the following categories:

- Consent agenda. The Chair may request that staff prepare a consent agenda for some or all of the applications. Any Commissioner may remove applications from the consent agenda on the day of the vote. Without discussion, the Commission will vote as a block on those applications remaining on the consent agenda. Applications removed from the consent agenda will be discussed and voted on individually.

- Individual applications. The Chair may request that all applications be noticed individually on the agenda. The Commission will discuss and vote on all applications separately.

#### 632.2 Commissioner discussion

Discussion will take place only between Commissioners during the voting meeting. The Chair may recognize some limited questions or clarifications between Commissioners and ADWR staff.

#### 632.3 Audience participation

Audience participation will not be recognized except at the two Calls to the Public.

#### 632.4 Grant award vote

Grants must be awarded by a majority vote of the Commission members present. The order in which applications are considered for award may be handled in a variety of ways. Typically, applications falling within the “High” funding priority staff recommendation category are considered first, followed by “Medium” and then “Low” funding priority staff recommendation categories. Within each funding priority category, a random drawing process is utilized to determine the order in which applications will be considered and voted on.

#### 632.5 Commission explanation of vote

At the time of voting and to the extent possible, Commissioners may explain their votes. Explanations by Commission members assist applicants to understand issues of importance should their application not be selected for funding.

#### **640 Grant Award Notification**

All applicants will be sent written notification of the Commission’s grant selection meeting results within seven working days of the meeting.

#### **650 Statutory Grant Award Timeframe**

By statute, the Commission shall disburse monies within six months of receipt of the applications (§ 45-2113(A)).

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## Chapter VII. Grant Award = Contract

### 700 Grant is a Contract

#### 701 A grant is a contract

An Arizona Water Protection Fund grant is an award of financial assistance where money is transferred from the state to a grantee through a public selection process and subsequent contract for the accomplishment of equivalent goods and services consistent with the AWPf statutory purposes. Because the Arizona State Constitution prohibits the state from giving gifts, grant monies are not just given to the grantee for his/her use. The grant is implemented through a contract. The contract itself consists of a scope of work and other contract provisions, some of which are negotiated with the applicant. The grant application is attached to each contract and is incorporated by reference.

No grant monies can be expended until the contract is executed, i.e. signed by all appropriate parties. When executed, the contract allows for mutually agreed to contract products (i.e. deliverables) with deadlines to be delivered to ADWR for reimbursement of actual grantee costs, up to a specified amount. ADWR staff reviews and must approve the deliverables before the grantee is reimbursed. There is substantial ADWR staff oversight of contracts to ensure that the deliverables received are adequate, appropriate and consistent with the contract.

#### 702 Type of contract

Generally, grant awards result in reimbursable cost contracts or a specific mixture of the following types, as determined by ADWR staff. Overall, the Commission has expressed their preference for reimbursement contracts.

##### 702.1 Reimbursable cost contract

A form of reimbursable cost contract is by far the most frequent type of grant award. This is a type of grant under which the Commission agrees to reimburse the grantee for work performed and costs incurred for each task, up to a certain amount of money specified in the contract. Cost overruns are the responsibility of the grantee and cost savings remain with the State. Each payment is conditioned upon receipt and approval by ADWR staff of the deliverables specified in the Scope of Work and an applicable, accurate, and complete payment request submitted by the grantee. A reimbursable cost grant poses difficulties for some grantees because the grantee must be able to pay for project costs up front and await reimbursement from the State.

#### 702.2 Fixed price contract

A fixed cost contract has negotiated, fixed values for deliverables specified in the contract. Each payment is conditioned upon receipt and approval by ADWR staff of the deliverables specified in the Scope of Work and an applicable, accurate, and complete payment request prepared by the grantee.

#### 702.3 Reimbursement and fixed cost contract

A mixture of reimbursement and fixed cost contract is commonly used in this program. In many contracts, most deliverables are reimbursable, but the final report is a fixed cost deliverable. A final report with a reasonable value is consistent with sound contract management because payment for the final report is withheld until the contract is completed satisfactorily.

Contracts entered into with a state university may require primarily fixed costs for tasks and deliverables. In such instances, large materials cost or equipment purchases would still be on a reimbursement basis for actual costs. Before a contract is structured this way, the university must demonstrate the need to do so.

#### 702.4 Cash advance

The Commission may advance up to 20% of the grant award, however no advance may exceed \$50,000.00. Cash advances must be requested in the grant application and are considered for approval when the Commission makes grant award selections. Cash advances may generally be requested for the purposes of purchasing materials to begin work on the contract. The grantee shall submit a complete and accurate payment request for the advance payment. When advance payment is made, the grantee shall demonstrate that all advance monies have been expended prior to billing the Commission for other allowable expenses. The remainder of the payments will be reimbursable.

If a contract is phased, the 20% advance applies to the amount of funding for that phase, rather than the total grant award. The advance must be expended at the beginning of the project and the remainder of the project costs handled on a reimbursement basis.

#### 703 Contract scope of work

ADWR staff negotiates the contract scope of work for each grant based on information provided in the application. When the grantee requests to make significant changes to the scope of work compared to the original application, ADWR staff shall identify these changes to the Executive Committee. The Executive Committee will either make a decision on the issue or elevate it to the full Commission prior to entering into a contract.

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In finalizing the contract scope of work, each grantee should ensure that they have planned sufficient time and cash-flow to meet deadlines and deliverables specified within the contract.

When grants are awarded with ADWR staff conditions, these conditions shall be addressed during contract negotiations. During contract negotiations, staff will work with the Executive Committee to resolve issues where additional funding is needed to comply with the specified conditions.

#### 704 Contract General Provisions

##### 704.1 Description of General Provisions

There are basic requirements called General Provisions in all grant award contracts. Many are mandatory for all State contracts. Others were developed by and continue to be fine-tuned by the Commission, ADWR legal counsel and technical staff. Each of the General Provisions is meaningful and should be read and understood by grantees prior to contract execution.

##### 704.2 Changes in General Provisions

Changes in the General Provisions are made by ADWR staff and/or the Commission. ADWR staff may make changes for clarification with legal counsel review. When changes to the General Provisions may result in a policy-level change, ADWR staff shall identify the issue to the Executive Committee who will make a decision on the issue, or elevate it to the full Commission. On rare occasions, ADWR executive management approval may also be required. ADWR staff will identify those types of situations for the Commission and ADWR.

##### 704.3 Fundamental General Provisions

There are fundamental contract provisions that shall remain applicable in all grant awards, the principles of which are not negotiable. They are:

###### 704.31 Resolution of differences provision

All disputes between grantees and the Commission will be handled consistent with the Resolution of Differences section of the General Provisions. The Commission values a cooperative working relationship and will endeavor to resolve differences before seeking legal remedies. In contracting with grantees, the Commission insists on retaining ultimate recourse to Arizona state court and application of Arizona law.

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704.32 Right of access provision

The right of access to the project site for representatives of the Commission shall be retained. The purpose of access is to view and learn from the project, enhance effective communication between the parties and, in rare cases, enforce contract requirements.

704.33 Indemnification of the Commission and State

The grantee shall bear the risk of liability for its own actions and omissions throughout the entire life of the project by indemnification of the Commission and the State.

704.34 Long-term maintenance of funded features by grantees or their successors

The Commission seeks to fund projects that grantees and their successors intend to maintain long-term in order to make a lasting impact on the riparian ecology of a project site.. Also, the Commission believes that one of the great values of its projects is to maintain communication over time with grantees or their successors for the information the projects will continue to yield.

705 Contract Special Provisions

Special Provisions may either supplement or modify the General Provisions. Use of Special Provisions is rare and usually by grantee request. When they may result in a policy-level change, they must be approved by the Executive Committee or full Commission and by ADWR legal counsel and, on rare occasions, ADWR executive management personnel. ADWR staff will identify those types of situations for the Commission and ADWR.

706 Additional contract conditions or provisions

There may be additional conditions or contract provisions required by the Commission that may not be included in the original application, and to which the applicant must agree in order to receive funds.

**710 Contract Negotiation: Role, Function & Relationships**

711 The Commission

The Commission has delegated to the Chair the authority for reviewing and signing contracts and amendments. The Vice-Chair is delegated this authority in the absence of the Chair. ADWR staff is responsible for identifying contract policy issues during contract negotiations and bringing them to the attention of the Chair and/or Executive Committee as needed. The Chair and/or Executive Committee determine whether or not issues need to go to the full Commission for consideration. The Commission generally does not allow significant changes in the scope of work from what is presented in a grant application. If an applicant requests a significant change in the project scope of work

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during the contracting period, the Commission's general policy is that the applicant will be required to withdrawal the application from further consideration. The Commission will allow an applicant to submit the new proposal during a subsequent grant cycle for consideration.

**712 ADWR staff**

ADWR staff negotiates each contract based on information provided in the grant application to develop an enforceable legal document that details project tasks, deadlines, deliverables and payments. ADWR staff will elevate policy issues or problems to the Commission Chair and/or Executive Committee as appropriate.

**713 Grantee**

The grantee is the entity that receives a grant. The grantee is bound by a contract in which the grantee assumes legal and financial responsibility and accountability for the awarded funds and the performance of the grant-funded activities. The grantee/grantor relationship is intended to be mutually beneficial and friendly, but ultimately, the Commission expects the grantee to take full responsibility and accountability for meeting deadlines, accomplishing tasks, and producing quality products. The Commission commits funds and ADWR oversight for each contract but does not contribute direct project participation.

**720 Contract Execution**

A contract is considered executed only after all parties have signed the contract. The importance of contract execution is that AWPf-funded project expenditures can begin only after the contract has been executed.

**730 Contract Period**

By policy, the Commission has determined that five-years is the maximum contract period. Requests for a contract extension beyond the five-year period shall be reviewed and generally decided by the Executive Committee. The Executive Committee may determine to elevate that decision to the full Commission.

## **Chapter VIII. Grant (Contract) Administration**

### **800 Role and Function**

#### **801 The Commission**

The Commission has delegated to the Commission Chair the authority to review and sign contracts and contract amendments. The Vice-Chair is delegated this authority in the absence of the Chair. The Commission deals with broader grant administration policy issues while ADWR staff is responsible for the details of contract administration. ADWR staff is responsible for identifying any contract policy issues during the term of a contract and presenting them to the Chair and/or Executive Committee. Either of these entities then determines which issues to elevate to the full Commission.

#### **802 ADWR staff**

ADWR Project Managers oversee each contract from the state perspective. ADWR project managers have technical expertise and review and approve technical deliverables and project features in order to ensure that contracted deliverables are adequate, appropriate and consistent with the contract. ADWR staff may also employ technical consultants to assist them in reviewing deliverables or products that are outside the current staff expertise (see this manual, Section 612). Payments for products are released only after review and approval by ADWR staff. Staff depends upon grantees to communicate project modifications and problems promptly to their ADWR Project Manager in order to keep contracts current and reimbursements timely. Staff may make site visits during the application review, contract negotiation, grant period and/or maintenance period.

ADWR staff legal counsel will be consulted on relevant issues as needed during contract administration.

#### **803 Grantee**

See this manual, Section 713.

### **810 Grant Performance**

Each grantee has full responsibility for the conduct of the project supported by a Commission grant and for the results achieved. Each grantee is responsible for:

- Understanding and complying with the terms and conditions of their contract.
- Meeting contract deadlines and deliverable requirements.
- Keeping the contract current and requesting amendments when needed.
- Planning and tracking the project cash-flow.
- Producing technically sound products.

Generally, payment is made on a reimbursable basis up to a fixed amount specified in the

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contract, after products are received and reviewed by ADWR staff. Failure to keep a contract current, or failure to submit an adequate deliverable will delay payment. The Commission encourages grantees to promptly communicate with their ADWR project manager to inform them of changes in methodology, deliverables, schedule, etc. in order to keep reimbursements flowing.

## **820 Contract Changes and Amendments**

### **821 Significant changes in scope**

The Commission generally does not allow significant changes in the scope of work from what is agreed to in the contract. If an applicant requests a significant change in the project scope of work, the Commission's general policy is that the grantee will be required to withdrawal from the grant. The Commission will allow a grantee to submit the new proposal during a subsequent grant cycle for consideration. ADWR staff is responsible for identifying these situations and elevating them for attention. The Executive Committee or Chair will then determine if changes require full Commission approval.

### **822 Other project changes**

Other contract changes such as extensions or minor scope of work changes can be accommodated by contract amendment. The ADWR Project Manager shall make this determination. If a contract amendment is needed, the Commission Chair is authorized to review and sign amendments.

### **823 Changes in methodology**

Changes in methodologies such as sampling, revegetation, and study design plans, must be communicated to and approved in advance by the ADWR Project Manager in order to keep applicable project methodologies current. In most cases, the contract need not be amended but the relevant plan will need to be amended.

## **830 Site Visits**

To the extent possible, ADWR staff will conduct project site visits during the term of the contract. Site visits are recognized to be mutually beneficial to aid with the exchange of technical information and development of good working relationships. In accordance with the Inspection section in the contract General Provisions, site visits will be coordinated with the grantee in advance with reasonable notice. Depending upon the circumstances, ADWR staff may request that the grantee notify the landowner in advance of the site visit. If for any reason ADWR staff should be denied access on the day of the site visit, staff will abort the visit and discuss the matter with the ADWR legal counsel and Commission Chair.

**840 Significant Contract Conflicts**

**841 Stop Work Notice**

In accordance with the Stop Work Notice section in the contract General Provisions, there may be occasion when there is a need to request that the grantee temporarily discontinue project work until certain issues are resolved. The ADWR Project Manager will determine when these notices are needed and may deliver the preliminary notice orally. In all cases, the notice will be put in writing with a description of the issues to be resolved and sent to the grantee by certified mail. Depending upon the severity and sensitivity of the issue the project manager may involve Legal Counsel or the Commission Chair. Significant conflicts arising out of the contract will be reported to the Chair and the Executive Committee.

**842 Contract termination**

In accordance with the Termination of Grants section in the contract General Provisions, there may be occasion to terminate contracts. The decision to terminate may be made by the Chair and the Executive Committee, with the advice of staff, or may be elevated to the full Commission.

**843 Ultimate dispute resolution in Arizona state court**

Reference Section 704.31 of this manual.

**850 Contract Close-Out**

Grant close out is the process by which ADWR staff determines that all applicable administrative actions and all required work of the grant have been completed. Grants will be closed out upon inspection of the site, if appropriate; confirmation by the ADWR Project Manager that all deliverables have been adequately completed; and disbursement of final contract payment.

**860 Audit**

ADWR and grantee files are subject to inspection and audit. ADWR records will be retained and organized to document compliance with terms of the contract.

**870 Long Term Monitoring by the Commission**

It is the intent of the program to establish long-term monitoring of the success of capital projects as a function of ADWR program management. As possible, ADWR staff will conduct project success monitoring at regular intervals generally up to a 20-year period after grant execution.

## **Chapter IX. Grantee Financial Standards and Payment**

### **900 Grantee Financial Obligations**

The grantee assumes legal and financial responsibility and accountability for the awarded funds. The acceptance of a grant from the Commission creates a legal duty on the part of the grantee to use the funds in accordance with the terms of the grant.

### **910 Books and Records**

While no particular type of record keeping is required, the Commission expects that the grantee will exercise careful stewardship and accounting of funds. The General Provisions of program contracts require that the grantee keep adequate books and records of work performed and expenditures incurred for five years after grant termination. Specifically, financial records shall: (1) identify the task completed; (2) include records of the time the grantee spent in performing the services set forth in the scope of services; (3) include original copies of invoices, statements, sales tickets, billings for services and similar documents in the grant as necessary to document all expenditures applicable to the grant. Grantee books and records are subject to audit.

### **920 Administrative Costs**

See Section 551 of this manual.

### **930 Payment Process**

Accurate and complete payment requests should be submitted on Commission payment request forms. Payments are released after review and approval of deliverables and receipt of invoices. Payments are generally made on a reimbursable basis. ADWR requires at least 30 days to process payments once deliverables and payment requests are approved.

### **940 Cash Advances**

See Section 702.4 in this manual.

**Chapter X. Grantee Requirements After the Term of the Grant**

**1000 Capital Improvements Ownership**

Capital improvements funded by the Commission become the property of the grantee or the landowner at the completion of the grant period.

**1010 Capital Improvements Maintenance**

In each grant award contract, the grantee agrees to maintain the capital improvements for a specified period of time, generally 20 years following execution of the grant or as specified within the contract. The grant acknowledges that “acts of God” may alter riparian projects and provides for notification of the Commission, joint assessment of damages and determination of continuation of the project.

**1020 Inspection and Access**

Within each grant, the Grantee agrees to allow the Commission or its agents access to properties with Commission funded capital improvements for a specified period of time, generally 20 years following execution of the grant, in order to conduct studies to determine success of the funded project.

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**Chapter XI. Commission Outreach Activities**

**1100 Commission Outreach Activities**

Written or presentation outreach materials will be reviewed by ADWR staff and/or the Commission Chair. The Chair may determine that Executive Committee review is necessary.

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## **Chapter XII. Commission Relationship With the Legislature**

### **1200 Commission Annual Report**

Statute requires the Commission to submit an annual report to the Governor, the President of the Senate and the Speaker of the House by July 1 of each year (§ 45-2107). The report shall describe the actions taken by the Commission and expenditures made from the AWPf during the previous fiscal year. ADWR will prepare this report in coordination with the Commission Chair.

### **1210 Commission Communication with the Legislature**

There are times when the Commission will want to provide information to the Legislature concerning its activities and related benefits to the State. The Commission will communicate with ADWR about its needs for legislative support. The Commission Chair generally will be the lead contact for those activities. ADWR staff will prepare back-up materials for legislative communication and may attend legislative meetings along with appropriate Commissioners or the ADWR legislative liaison. Under the general legislative definition of lobbyist, some of the Commission's communication with the Legislature may be considered lobbying. In accordance with the law, the Chair and ADWR Program Manager therefore may be required to register as lobbyists. This issue will be coordinated with the appropriate legislative liaison.

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# State of Arizona Travel Claim Form

**Purpose:** Record expenses related to Travel for the State of Arizona. Meal expenses will be taxable income if there is no qualifying overnight stay.  
**Instructions:** Complete form if you have conducted travel for the State of Arizona and are in need of reimbursement.

Return completed form to your state agency for review and authorization. Reimbursement for travel will be processed through the Human Resources Information Solution (HRIS) system during the normal payroll cycle. Reimbursements will be included in your bi-weekly pay.

Employee Name	EIN	Duty Post Address
---------------	-----	-------------------

Employee Residence Cross Streets and City	Driver License No.
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Purpose of Travel/ Description	Vehicle Type <input type="checkbox"/> State <input type="checkbox"/> Rental <input type="checkbox"/> Passenger <input type="checkbox"/> Personal
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Travel Date	Departed Time	Place Departed From	Arrival Time	Place Arrived At	Overnight Stay	Odometer Start	Odometer End	Miles	Miles X Rate = \$\$	Meals	Lodging	Other Expenses	Transportation
					<input type="checkbox"/>								
					<input type="checkbox"/>								
					<input type="checkbox"/>								
					<input type="checkbox"/>								
					<input type="checkbox"/>								
					<input type="checkbox"/>								
					<input type="checkbox"/>								

Overnight Stay Explanation	Less Commute Miles			
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I CERTIFY that this expenditure/transaction is for a valid public purpose and is consistent with all applicable statutes, laws, appropriations, grants and contracts. I further CERTIFY that I have reviewed and understand the Statewide Travel Policy and that the amounts claimed represent the ACTUAL, QUALIFIED amounts and/or miles incurred during authorized, official State Business and that I am not requesting any reimbursements not allowed or not actually expended. If a travel advance was issued, I AGREE that the amount can be withheld from any salary, wages, or travel reimbursement due to me. Whether withheld or not, all excess monies will be returned by me within Thirty (30) days of the travel completion (A.R.S. §35-192.02).	Totals From Above					
	Totals From Other Sheets					
	Grand Totals					

Traveler Signature	Date	Total Travel Claim
--------------------	------	--------------------

As the Supervisor, I CERTIFY that the expenses claimed were incurred for authorized official state business and that they are correct and proper charges. I CERTIFY further that this expenditure/transaction is for a valid public purpose and is consistent with all applicable statutes, laws, appropriations, grants and contracts. I APPROVE the expenses as outlined above for Reimbursement.

Supervisor Name	EIN	Supervisor Signature	Date
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**For AGENCY TRAVEL USE ONLY**

Company	Batch	Process Level	Employee
---------	-------	---------------	----------

Pay Code	Expense Amount	Date	Pay Dist	Exp Acct AFund	Exp Acct Accounting Unit	Exp Acct AY	Activity Activity	Activity Acct Category

As the accounting representative, I CERTIFY that sufficient appropriation and monies are available for this expenditure/transaction, and that I am authorized to distribute these monies.

Agency Acct Name	EIN	Agency Authorized Accounting Signature	Date
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# State of Arizona Accounting Manual

Topic 55 Payroll and Personnel Issued 12/11/17  
Section 65 Compensation and Expense Reimbursements Page 1 of 2  
Paid to Board Members

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## INTRODUCTION

The Government of the State of Arizona has a large number of assemblies, which are formally constituted and periodically convened, and which are comprised of persons who have been appointed to provide advisory, deliberative, consultative, administrative, executive, managerial, supervisory, oversight, governance, and/or investigatory services within their areas of expertise. Such an assembly may be known as a board, commission, committee or council, but, whatever its legal title, will be referred to as a “board” in this section of SAAM, and one who serves on a board, in other than a regular full-time or part-time employment capacity, will be referred to as “board member.”

This policy is adopted to ensure that all compensation and/or expense reimbursements paid to board members comply with the requirements of various taxing authorities.

## POLICIES

1. All compensation paid to board members shall be recorded in and paid through the State’s central payroll processing system.
  - 1.1. Compensation includes any payments for services rendered to or on behalf of the Government of the State of Arizona, including, but not limited to fees for attending meetings, preparation work, per diem compensation, etc. and no matter how such compensation is calculated.
  - 1.2. The State’s current central payroll processing system is the Human Resources Information Solution (HRIS).
  - 1.3. Appropriate documentation with respect to attendance, services provided, compensation paid etc. must be retained by the board or the agency having jurisdiction over the board.
2. All reimbursement of expenses to board members shall be initiated in HRIS or (when available and if travel-related) the State’s automated travel system.
  - 2.1. Any expense reimbursement must be claimed using the appropriate form or system of entry.
  - 2.2. Any expense reimbursement must be made in accordance with the provisions and directives contain in the State of Arizona Accounting Manual (SAAM).

# State of Arizona Accounting Manual

Topic 55 Payroll and Personnel Issued 12/11/17  
Section 65 Compensation and Expense Reimbursements Page 2 of 2  
**Paid to Board Members**

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- 2.3. Any expense reimbursement claimed must be supported by appropriate documentation.
3. All compensation or expense reimbursements to board members shall be approved for payment by the appropriate agency official.
4. Any compensation paid to board members shall comply with the statutes, rules and policies governing such compensation.
  - 4.1. A board member legally entitled to be compensated for services to the board, may elect to forego such compensation. This election is to be made in writing and retained by the board.
5. Any expense reimbursements shall comply with the statutes and rules governing such reimbursement and shall be in accordance with the provisions of the State of Arizona Accounting Manual, except as expressly provided hereinbelow:
  - 5.1. Board members may be reimbursed for mileage to and/or from board meetings without first deducting fifty (50) miles or applying the deduction for normal commute miles.
  - 5.2. Travel claims will not be considered untimely filed if presented to the disbursing authority within six (6) months of incurring the expenses for which the claim is made.
    - 5.2.1. A board member's failure to claim a reimbursement for mileage or other expenses within six (6) months of incurrence, shall constitute his irrevocable election to forego reimbursement for such expenses.

# ARIZONA WATER PROTECTION FUND COMMISSION

## Executive Committee Business Meeting – May 18, 2021

Virtual Meeting via Cisco WebEx  
Meeting Number (Access Code): 133 340 9910  
Meeting Password: MAbiMhPs583  
1-404-397-1516 US Toll  
877-309-3457 US Toll Free

### *DRAFT Meeting Minutes*

#### **ATTENDANCE**

##### **Executive Committee Members Present**

Pat Jacobs – Chairman  
Rodney Held – Vice-Chairman  
Brian Biesemeyer

##### **Arizona Water Protection Fund Staff**

Reuben Teran

#### **CALL TO ORDER**

Chairman Pat Jacobs called the meeting of the Arizona Water Protection Fund (AWPF) Executive Committee to order at 10:00 a.m.

#### **COMMISSION MEMBER ROLL CALL**

Mr. Reuben Teran called the roll of the AWPF Commission. 3 members of the Executive Committee were present at the time of the roll call (Chairman Pat Jacobs, Vice-Chairman Rodney Held, and Commissioner Brian Biesemeyer). A quorum of the Executive Committee was present, and the meeting continued.

#### **CALL TO THE PUBLIC**

Chairman Jacobs made a call to the public to address the Commission. No public comments were made.

#### **REVIEW AND APPROVAL OF THE MAY 16, 2014 AND SEPTEMBER 26, 2014 EXECUTIVE COMMITTEE MEETING MINUTES**

Chairman Jacobs made a motion to approve the meeting minutes of May 16, 2014 and September 26, 2014, asked for second on the motion, and then stated that he would like to explain his vote if there is a second on the motion. Vice-Chairman Held seconded the motion. Chairman Jacobs stated he would be voting aye on the motion. He stated that approval of the May 16, 2014 meeting minutes were tabled at the September 26, 2014 meeting because those minutes were not timely received for review by the Executive Committee, and was informed by the Executive Director that the meeting minutes from May 16, 2014 no longer existed in either AWPF program files or Arizona Department of Water Resources archive files. He stated the recording of the September 26, 2014 meeting will be considered the official copy of the meeting minutes and substituted for actual written minutes. He then briefly reviewed the agenda items from both meetings, and stated that the Executive Director has verified the actions approved by the Executive Committee at the May 16, 2014 meeting were implemented. Based on that information he made the motion to approve the minutes. Chairman Jacobs then asked for any discussion on the motion. There was no further discussion and Chairman Jacobs called for a voice vote. Vice-Chairman Held voted aye, Commissioner Biesemeyer voted aye, and Chairman Jacobs voted aye. The motion passed unanimously.

### **AWPF POLICY AND PROCEDURES MANUAL UPDATES**

Mr. Teran explained that an update to existing Commission policies pertaining to the AWPf Executive Committee and other Commission member participation is necessary based on clarification provided by the Arizona Ombudsman Office during a recent open meeting law training provided to the AWPf Commission. He stated that the Executive Committee has not been active in the last seven years and the last revision to the Commission's policies and procedures manual was done in June of 2014. Mr. Teran stated that the Open Meeting Law trainer indicated that while AWPf Commission members may attend Executive Committee meetings, only the official Executive Committee members are eligible to discuss, participate, and vote on Executive Committee meeting agenda items. The trainer also recommended that AWPf Commission policies be updated.

Mr. Teran referred the Executive Committee to the last sentence in section 411.10 "*All Commissioners are sent an Executive Committee agenda and are eligible to participate at meetings (see this manual, Section 411.15.)*" and section 411.15 "*Decisions shall be exercised by a quorum of the Executive Committee, which consists of at least two Executive Committee members being present. The Executive Committee also will recognize other Commission members who attend Executive Committee meetings as being eligible to participate in discussions and vote on all issues being considered by the Executive Committee. If only two Executive Committee members and no other Commissioners are in attendance, decisions must be made by unanimous agreement. If more than two Commissioners are present, decisions shall be made by a majority vote of those members present.*" Mr. Teran then stated that the Executive Committee can propose updates to language for these policies today, and any recommendations would be brought forth to the full Commission at the next business meeting for review, discussion, and possible action.

Vice-Chairman Held stated that his understanding is that the policies just need to be updated based on the training received. He then recommended that the Executive Director work with AWPf legal staff to revise the policy so that it is compliant with Open Meeting Law. Commissioner Biesemeyer concurred with Vice-Chairman's Held statement that the Executive Committee ask the attorney to provide input on how to make these changes. The Executive Committee then provided direction to the Executive Director work with AWPf legal counsel to make recommendations to bring policies 411.10 and 411.15 into compliance with the Open Meeting Law, and then present these changes to the full Commission for review and possible action. Chairman Jacobs suggested that the agenda item should read Policy Update Recommendations by Legal Counsel in Accordance with the Open Meeting Law, or something similar.

### **POLICY DEVELOPMENT FOR AWPf COMMISSION MEMBER COMPENSATION**

Mr. Teran stated that the full Commission was briefed on this item at the March 2021 business meeting and it was recommended that this item be placed on a future Executive Committee meeting agenda to develop a draft policy. Mr. Teran displayed State statute A.R.S. §45-2103(C), and also provided a brief update regarding the State Auditor's questions regarding AWPf Commission member's compensation and their suggestion that the Commission develop policies that further refine what types of Commissioner work or actions would be eligible to receive compensation of \$30 per day. He then displayed a template with draft language provided by the State Auditor's office that could be used as a starting point for the Committee's discussion.

Chairman Jacobs asked the Committee if there were any questions or comments. Vice-Chairman Held commented that the sample definitions for "Preparation", and "Service" may overlap and suggested that these could be clarified or combined in some manner. He suggested that a definition for "Day" should

include parameters regarding reasonable time frames for activities such as grant application reviews. Vice-Chairman Held also stated that there may be some members on the AWPf Commission who are already compensated by their respective organizations when on AWPf related business so they would not necessarily be requesting reimbursements under this specific policy. Mr. Teran clarified that Topic 55, Section 65, Policy 4.1 of the State of Arizona Accounting Manual states “*A board member legally entitled to be compensated for services to the board, may elect to forego such compensation. This election is to be made in writing and retained by the board.*” Vice-Chairman Held recommended that a similar statement should be included in the AWPf policy as well, and also commented that it would be helpful to have input from other Commission members who are not already compensated for AWPf activities on what may be reasonable timeframes for activities such as meeting preparations and grant application reviews.

Commissioner Biesemeyer stated that there needs to be further clarification on the sample definitions of timeframes between a day meaning from 1 hour up to 8 hours, and then Commission meeting attendance which currently states at least 2 hours up to 8 hours. He recommended that for consistency purposes the definition of could day be the same as the sample Commission meeting attendance of at least 2 hours up to 8 hours. Vice-Chairman Held suggested that there should not be a defined time limit for Commission meeting attendance, but that attendance at any Commission meeting should be eligible for the \$30 per day compensation. Chairman Jacobs concurred with Vice-Chairman Held’s suggestion that any Commission member’s attendance at a full AWPf Commission business meeting would be eligible for the \$30 per day compensation with no time restrictions.

Chairman Jacobs also stated that there is a \$3,000 compensation limit for each Commissioner per calendar year, and recommended this should also be included in this policy. Mr. Teran responded that this statement is already included the policy manual in section 320. The Executive Committee provided direction that all notes and suggestions from today’s meeting be documented in the existing compensation policy section for the full Commission’s review and comment.

Chairman Jacobs suggested that written notice of a Commissioner’s election to forego compensation should be done each calendar year, and that each member of the Commission receive a statement of the dollar amount they have been compensated for that calendar year so they would have an idea of what this compensation is costing the Commission each year. Vice-Chairman Held and Commissioner Biesemeyer both concurred with these suggestions.

Vice-Chairman Held inquired if Commission members receive a W-2 form from ADWR. Mr. Teran responded that he will verify this ADWR accounting.

Commissioner Biesemeyer inquired if the sample definitions for telephonic or virtual meetings need to be included in the policy. Vice-Chairman Held suggested that stand alone definitions for different types of AWPf meetings such as include in-person, virtual, and telephonic should not be necessary.

Mr. Teran inquired if there were any other types of activities Commission members may engage in that they may request compensation. As examples he mentioned grant application reviews, site visits with potential grant applicants, meeting with constituents on Commission related business, representing AWPf or giving presentations at public events or meetings. Chairman Jacobs suggested that for compensation purposes, attendance or speaking at public events on behalf of the AWPf Commission or program should be assigned, or reviewed with concurrence, by the Chairman. Chairman Jacobs also stated the intent is not to discourage Commissioner participation in activities outside of AWPf meetings, but so there is some understanding of what Commission related activities members may be requesting compensation for rather than for individual preferences. Vice-Chairman Held commented that any sanctioned meeting, field trip, or activity of the

AWPF program should be eligible for compensation. He also suggested that if any individual Commission member is invited to speak or present at a meeting on behalf of the Commission, or participate in something outside of a sanctioned AWPF activity, such as an individual project site visit or meeting with applicants or constituents, that they should notify the Executive Director who can then obtain concurrence from the Commission Chairman that this would be an approved expense for compensation. Chairman Jacobs recommended using the term official instead of sanctioned.

Mr. Teran stated that he will verify what documents or paperwork would be necessary for requesting compensation and Chairman Jacobs requested that these documents be attached as part of the policy along with any forms or documents currently used for per diem or travel reimbursements.

Chairman Jacobs then directed the Executive Director to work with AWPF legal counsel to review the recommendations made by the Executive Committee, update the AWPF Policy and Procedures Manual, and prepare a draft for review and discussion at the next AWPF Commission meeting.

### **FISCAL YEAR 2022 GRANT CYCLE PLANNING**

Mr. Teran stated that the Commission approved moving forward with planning for a grant cycle at the March 2021 meeting, and since then he has met with the Arizona Department of Administration (ADOA) about using the eCivis grant management system for the solicitation and application submittal process. He stated that during the last grant application manual update the plan was to implement a hybrid approach receiving grant application through both hard copy and electronic submittals through a grant management software. As part of the meeting with ADOA, he was informed that if the eCivis system was used then all grant application submittals should be included in the system, and this would mean that any grant applications submitted by hard copy would have to be scanned and manually uploaded into eCivis to be part of the electronic grant file submittal. He also stated that the eCivis system is currently not required to be used by State agencies, but it was highly recommended to be moving towards an online application system sooner than later should it become required by State agencies in the future.

Mr. Teran stated that he understands eCivis can be used for many other grant management features, but if the Commission moves forward with an online application submittal format, he will only intend on using the system for the solicitation and grant application submittal process. All other existing AWPF grant application review and grant award contract processes would remain the same as in past years.

Chairman Jacobs asked the Executive Committee for any questions or comments. Vice-Chairman Held asked Mr. Teran if he is recommending the Commission use the eCivis system, or if he has concerns about its use for the program. Mr. Teran responded that at this point the Commission can either keep the traditional grant application format or move to an online system. He also stated that his only concern about moving forward with an online system is that he would have to develop the entire application portal and have it functional within the next 2 months to be able to accept potential grant applications. He further stated that anyone who would want to apply for an AWPF grant would need to set up a user account within eCivis, and then have the technical capability to navigate the electronic submittal process. Vice-Chairman Held asked for clarification that if the Commission received hard copies of the grant application, then who would be responsible for uploading them into eCivis. Mr. Teran responded that it was his understanding from ADOA that he or the AWPF program would be responsible for ensuring the grant applications were uploaded into eCivis system records. Vice-Chairman Held stated that he does not want to put a big burden on program staff, and asked Mr. Teran if the development of the eCivis portal would be a hindrance or affect the current staff workload since he is the only staff person for the program. Mr. Teran stated that he would most likely need to dedicate a substantial amount of time to get this system up and running by July

in preparation for a potential grant cycle, but he is willing to do it and would work to get it done and manage other aspects of the program accordingly. Commissioner Biesemeyer asked for clarification if staff would only intend on using eCivis for the application submittal process, or for the entire grant application and grant management processes. Mr. Teran responded that his recommendation for the immediate future would be to use eCivis for the grant application submittal process only. Commissioner Biesemeyer stated that an online grant submittal format would be of benefit to our customers, but did concur with Vice-Chairman Held's comments about not wanting to add additional burdens to staff's current workload. Mr. Teran commented that he would still be willing to move forward with this if this is the desire of the Commission.

Chairman Jacobs commented that from the last grant cycle there were two concerns that were brought up by Commission members which included the amount of paper that was included in some grant applications, and second was the ability, or non-ability, to be able to search out key words or phrases from the electronic grant applications that were available on the website for Commissioner and public reviews. Mr. Teran stated that he understands the eCivis program should be able to generate a combined .pdf document file of the entire grant application, but the searchability of a particular file or document may depend on how it was initially created prior to it being uploaded. He also stated that if .pdf documents are scanned or converted using an optical character recognition (OCR) format, then those .pdf documents are typically searchable like a standard word document. However, a report or file may be scanned and uploaded as an actual image, in which case it would not be searchable. Chairman Jacobs stated that some Commissioners are still using paper copies of the applications for their reviews, but if we can provide them with the ability to scan key words electronically that would be a step forward. Chairman Jacobs also stated if the Commission is going to move forward with an electronic grant application process, then it would be helpful to know what benefits are gained or not gained, and staff should be prepared to answer any additional questions other Commission members may have, and in particular if the final electronic documents that would be available for review are going to be searchable. Vice-Chairman Held commented that there are programs available that can convert various files into a searchable format. He then asked Mr. Teran for clarification if the Commission would be reviewing the applications directly in the eCivis program, or if they would be sent a link to the final files for review. Mr. Teran responded that his understanding is that eCivis can combine all form fields and uploaded files into a single .pdf file, and then he would download those complete application packets and post them on the AWPf website for Commission and public review as has been done in the past. Vice-Chairman Held stated that he understands processing grant applications and organizing them to be posted on the AWPf website can be a cumbersome process, and asked Mr. Teran if he believes this system would help to smooth out that process. Mr. Teran responded that if the system works in the way ADOA has explained then it would be a great help in getting the final applications ready for Commissioner and public reviews.

Vice-Chairman Held made a motion that the Executive Committee provide direction to the Executive Director to move forward with setting up the eCivis grant application portal for the next grant cycle, with a second from Commissioner Biesemeyer. Chairman Jacobs requested that the motion also include the updates and instructions for using the eCivis program be described within the AWPf grant application manual and presented to Full Commission for review and approval at the next business meeting. With no further discussion Chairman Jacobs called for a voice vote on the motion: Mr. Teran then called the roll for the Executive Committee. Chairman Pat Jacobs voted aye. Vice-Chairman Held voted aye. Commissioner Brian Biesemeyer voted aye. The motion passed unanimously.

### **CALL FOR FUTURE AGENDA ITEMS**

Chairman Jacobs made a call for future agenda items. No future agenda items were suggested.

**FUTURE MEETING DATE(S)**

No future meeting dates were discussed.

**ADJOURN**

With no other agenda items Chairman Jacobs adjourned the meeting at 11:13 a.m.

DRAFT