

ARIZONA WATER PROTECTION FUND COMMISSION

Business Meeting – March 10, 2020
Wheeler-Taft Abbott Sr. Library
Community Meeting Room
7800 N. Schisler Dr.
Tucson, AZ 85743

Approved Meeting Minutes

ATTENDANCE

Commission Voting Members Present
Pat Jacobs – Vice Chairman
Paul Brick
Lucinda Earven
Rodney Held
Michael Macauley
Roy Pierpoint
William Schock

Arizona Water Protection Fund Staff
Sharon Scantlebury
Reuben Teran

Commission Voting Members Absent

None

CALL TO ORDER

Vice-Chairman Pat Jacobs called the meeting of the Arizona Water Protection Fund (AWPF) Commission to order at 10:02 a.m.

COMMISSION MEMBER ROLL CALL

Mr. Reuben Teran called the roll of the AWPF Commission. Six voting members were in attendance, and a quorum of the Commission was present. Commissioner Lucinda Earven joined the meeting in person at 10:05 am.

Vice-Chairman Jacobs welcomed recently appointed Commissioner Rodney Held to the AWPF Commission.

CALL TO THE PUBLIC

Vice-Chairman Jacobs made a call to the public to address the Commission. No public comments were made.

COMMISSION MEMBER ELECTIONS FOR CHAIRMAN AND VICE-CHAIRMAN

Vice-Chairman Jacobs called for a discussion on Commission member elections. Mr. Teran stated that elections were being held now, rather than the typical Commission elections held in the summer, due to the resignation of Chairman Charles Paradzick in February 2020. Vice-Chairman Jacobs asked if there were any nominations for Chairman and Vice-Chairman, which could include self-nominations.

Commissioner William Schock asked if Vice-Chairman Jacobs will be continuing to serve on the Commission. Vice-Chair Jacobs responded that his appointment to the Commission is made by the Central Arizona Project Board and is typically for two years. Commissioner Paul Brick asked Vice-Chairman Jacobs if he would still be interested in serving as a Chair or Vice-Chair even if he was not located in the Phoenix metro area. Vice-Chairman Jacobs stated that it has been preferable for either the Chair or Vice-Chair to be located within the Phoenix metro area for Commission business administrative purposes and replied that he would still be interested in serving. Commissioner Brick commented that Commissioner Held is the only member currently located within the Phoenix metro area, and Commissioner Held stated that he would be happy to serve in any capacity necessary.

Commissioner Schock made a motion to elect Commissioner Pat Jacobs to serve as Chairman of the AWPF, with a second from Commissioner Michael Macauley. The motion passed unanimously.

Chairman Jacobs called for nominations for Vice-Chairman. Commissioner Schock made a motion to elect Commissioner Rodney Held to serve as the Vice-Chairman of the AWPF, with a second from Commissioner Roy Pierpoint. The motion passed unanimously.

REVIEW AND APPROVAL OF THE NOVEMBER 19 & 20, 2019 MEETING MINUTES

Chairman Jacobs asked for any discussion or comments on the draft meeting minutes. Commissioner Schock stated that his name was misspelled in several places. Mr. Teran stated that those corrections will be made. Commissioner Macauley made a motion to approve the November 19 & 20, 2019 meeting minutes as corrected, with a second from Commissioner Brick. The motion passed unanimously.

PROJECT PRESENTATION. AWPF GRANT 14-182WPF: ARUNDO ERADICATION & RIPARIAN RESTORATION OF SABINO AND BEAR CREEK, TUCSON, AZ

- Presenter: Jim Washburne, previous instructor at the University of Arizona and current instructor at Pima Community College

Commissioner Macauley stated that in the presentation it was mentioned that an increase in the flow of Sabino Creek was not seen and asked if there was any measuring or monitoring of an increase in soil moisture content, or any notable difference in the native plant community. Mr. Washburne responded that soil moisture content monitoring was not done, but there was a notable difference in native plant vitality.

Commissioner Schock stated that the grant award contract and application manual require a 20-year maintenance commitment and commented that this invasive plant species may be difficult to maintain. He asked what the plans are for keeping the Arundo from recovering. Mr. Washburne stated that through this project he has established good relationships with the participating landowners that allow him to walk the stream courses approximately every 6-months to perform follow up maintenance activities. He also stated that he has and will continue to donate his time to this project.

PROJECT PRESENTATION. AWPF GRANT 17-188WPF: APACHE & NAVAJO COUNTY FOCAL AREA WATERSHED IMPROVEMENT PROJECT

- Presenter: Deborrah Smith, Arizona Association of Conservation Districts

Commissioner Schock asked if any of the slash from the project was used for erosion control purposes. Ms. Smith stated that any slash that cannot be taken for use at the electric plant is piled and burned on site to

minimize any fuel or fire hazard. She also stated there is an erosion control project funded by the Arizona Department of Environmental Quality currently going on in the area, but they are using rock, hay, and other materials for erosion control and soil stabilization.

PROJECT PRESENTATION. AWPF GRANT 17-191WPF: VERDE RIVER HABITAT IMPROVEMENT PROJECT

- Presenter: Tracy Stevens, Friends of the Verde River

Commissioner Schock asked if there was any reduction of plant mortality when herbicide was used during the dormant season, as opposed to being used during the growing season. Ms. Stevens stated that currently they are seeing very little regrowth of both Arundo and Tamarisk and the use of herbicide has been very effective.

GRANT APPLICATION WPF2008 / DRAFT GRANT AWARD CONTRACT 20-205WPF: MIDDLE AND UPPER FOSSIL CREEK INVASIVE PLANT REMOVAL

Mr. Teran stated that he received a message from the National Forest Foundation requesting a modification to the scope of work for the grant application that was awarded by the Commission in November 2019. The requested modifications include adding an additional 6-miles of monitoring and initial and re-treatments of invasive species in the lower section of Fossil Creek, and an additional year to the overall project timeframe. No additional funds were being requested. The original scope of services included treating both invasive species and Himalayan blackberry in the upper section of Fossil Springs. However, now only Himalayan Blackberry treatments will be implemented in the upper section because a recent survey determined that there were not sufficient populations of other invasive species as was anticipated, so those restoration efforts will now be concentrated in the lower section of Fossil Creek. All other proposed actions for monitoring and invasive vegetation treatments in the middle section of Fossil Creek will continue to be implemented as proposed.

Commissioner Held expressed concerns that funding was requested for invasive species treatments in the upper section of Fossil Creek when the project area had not yet been surveyed to determine what funding would be needed to complete that work, and also stated that it appears it was false advertising of the project scope of work.

Commissioner Schock asked if there were assurances that there were no other invasive species further up the watershed from the proposed upper reaches of the project. Mr. Teran stated that the upper reaches of the project area are adjacent to the Fossil Creek Wilderness boundary, and no project work will be taking place in the wilderness.

Ms. Rebecca Davidson, Director of the Southern Rockies Field Program for the National Forest Foundation was present on the conference phone line and stated that she would be happy to answer any questions if appropriate and allowed by the Commission. Chairman Jacobs responded that the National Forest Foundations may answer questions pertaining to this discussion and asked that the name and affiliation of persons wishing to speak be announced again for the record.

Ms. Davidson explained that the intent of the proposed scope of work in the application was to survey the upper section of Fossil Creek to determine the abundance of invasive species that needed treatment. Using other funds, the National Forest Foundation was able to complete a survey of the upper section in late fall. Based on the results of that survey, they are now requesting that the funds originally proposed to be used

for invasive vegetation treatments in the upper section be used to treat invasive species in the lower section of Fossil Creek, while still maintaining the Himalayan Blackberry treatments in the upper section. She apologized for having to request a change in the scope of work but stated that this change is based on new information following the submittal of the grant application proposal.

Commissioner Macauley asked if the proposed timeframe will remain the same. Ms. Davidson responded that they would be looking to extend the overall project timeframe for an additional year to allow for monitoring, treatments in the lower section, and continue treatments of Himalayan Blackberry in the upper section.

Commissioner Brick made a motion to approve the requested changes in the scope of work that include the addition of monitoring and invasive vegetation treatments in the 6-mile section of lower Fossil Creek, and the continued treatments of Himalayan Blackberry in the upper section of Fossil Creek, with a second from Commissioner Pierpoint. The motion passed unanimously.

AWPF AGREEMENT 05-129WPF-OM

Mr. Teran stated that he received an email message from the Lead Grants Management Specialist from USDA Forest Service Region 3 office stating that per the Forest Service authority under the Cooperative Funds and Deposits Act of December 12, 1975 the referenced agreement was issued in error and is currently non-compliant due to the fact period of performance, called the project period, will usually be for 1-5 years, and the Forest Service is requesting that this agreement be closed immediately. Mr. Teran also explained that the grantee for this project awarded in fiscal year 2005 was the National Wild Turkey Federation, but the 20-year operation and maintenance agreement was between the USDA Forest Service and the AWPF Commission since the Forest Service was the land management agency with control and tenure of the project area.

Commissioner Schock stated that he is not clear why the US Forest Service is now stating that this agreement is non-compliant after it has been in effect for 15-years. Vice-Chairman Held stated that when operation and maintenance agreements were being drafted, staff negotiated specific language with the US Forest Service attorneys about complying with the terms of the operation and maintenance agreement only from appropriated funds legally available for such purpose, which is identified in the operation and maintenance agreement under 2. General Requirements, Section C. Commissioner Macauley inquired if AWPF was providing the US Forest Service any more funds for this project and Mr. Teran responded no.

The Commission did not take specific action but provided direction for the AWPF Executive Director to notify the US Forest Service that the agreement will not be cancelled because the Commission believes it still has a valid operation and maintenance agreement and the US Forest Service has complete control on the work they are able to do. The Commission also stated they are not able to enforce the agreement if there are not sufficient funds available to the U.S. Forest Service to perform operation and maintenance requirements. They further stated it is the responsibility of the US Forest Service to notify the Commission on an annual basis if operation and maintenance activities cannot be completed, and this notification should reference the language of the agreement's General Requirements, Section 2(c).

ARIZONA WATER PROTECTION FUND PROGRAM UPDATES

Financial Report

Mr. Teran provided the Commission with an update on the AWPF Fund balance as of February 28, 2020. The overall fund balance was \$3,283,577, which is made up of \$3,210,729 in the grant account and \$72,848 in the administrative account. Current outstanding encumbrances include \$1,420,496 which reflect existing grant award contract balances. Mr. Teran stated that the total FY 2020 uncommitted fund balance is \$1,863,081. Mr. Teran also stated that the last deposit of the FY 2020 Legislative appropriation in the amount of \$187,500 has not yet been credited to the Fund and is not reflected in the uncommitted Fund balance.

Mr. Teran further reported that the uncommitted Fund balance also does not take into account the recent FY 2020 grant awards made by the Commission (\$1,201,670), or a FY 2019 grant award contract that is currently in negotiation (\$166,057). With these figures and the anticipated deposit, the FY 2020 uncommitted fund balance would be reflected as \$682,854.

Chairman Jacobs requested clarification if the administrative fund balance will change based on the updates of available funds that are not currently reflected in the State accounting system report. Mr. Teran stated that there should be no changes to the administrative fund balance, and that amount should get staff through the rest of FY 2020. He also stated that staff will need to request additional administrative funds at the next Commission meeting, which would also reduce the uncommitted balance of \$682,854.

Legislative Update

Mr. Teran reported that House Bill 2101 was introduced in the Legislature to appropriate \$1 million to the Arizona Water Protection Fund for fiscal year 2020-2021. The bill has passed the House Natural Resource Committee, House Appropriations Committee, House Rules Committee, House Majority Caucus, House Minority Caucus, AZ House of Representatives, and has been transferred to the Arizona State Senate. It has passed the Senate Appropriations Committee and was assigned to the Senate Rules Committee on February 24, 2020.

Chairman Jacobs requested the Executive Director to forward each Commission member the URL link with the list of Legislature members that are assigned to the House and Senate budget committees, and asked the Commission members to reach out to these Legislative representatives about the importance of the AWPF program and the need for continued funding at appropriate levels.

Vice-Chairman Held recommended Mr. Teran sign-up to receive Legislative email notifications pertaining to House Bill 2101 for respective committee assignments and meeting information.

Status Update for Active Grant Contracts and Fiscal Year 2020 grant award contracts

Mr. Teran referred the Commission to the handout in their notebooks regarding the current status of active grants and stated this is an informational item unless the Commission had any specific questions or direction on a particular project.

Chairman Jacobs asked if there were any projects in particular on this list that staff has concerns about. Mr. Teran stated that he is still working on negotiating the agreement for grant 19-201WPF: Webber Creek Sediment Control Project which has been going on for over one year. Mr. Teran explained the Grantee is the Boy Scouts of America – Grand Canyon Council and that he has been trying to get this agreement finalized but has run into issues due to a lack of response on draft agreements sent out for review, the Grantee's implementation of an Arizona Department of Environmental Quality grant for the same general scope of

work, and staff turnover. He stated that he has recently been in contact with the Grantee's Director of Support Services which has greatly improved the communication aspect and things are now moving along towards finalizing the grant award contract. Commissioner Macauley asked if there are any potential issues with this grant or the property being part of the financial issues currently being faced by the Boy Scouts of America. Mr. Teran stated that this was discussed with the Grantee and he was informed that this issue is with the parent company and not the Grand Canyon Council or Camp Geronimo.

Commissioner Macauley commented that some of the current contract issues or delays identified in the project updates are because of permitting requirements or other factors outside of a Grantee's control, but signing a contract is within a Grantee's control. He asked if the Commission should put a time limit for grant award contracts to be executed. Mr. Teran stated that there are currently not any policies or procedures that provide a grant award contract execution timeline. Vice-Chairman Held commented that adopting a specific time frame should be carefully considered because different projects require different amounts of time depending on the project scope and complexity. Commissioner Macauley commented that the grant application manual should highlight that if a grant is awarded, the applicant should be prepared negotiate the agreement as soon as possible. Chairman Jacobs stated that this discussion would be more applicable under the upcoming grant application guidelines agenda item.

Commission Member Appointments

Mr. Teran notified the Commission members of their current term expiration dates, and reminded them that it is their responsibility to notify their respective appointing official of their interest in continuing to serve as an AWPF Commission member as their appointment terms are nearing the expiration date. He also stated that several Commissioner terms are currently expired, but these members are still eligible to serve on the Commission until a replacement is appointed.

Mr. Teran reminded those Commission members appointed by the Governor to be sure to apply on the Governor's Boards and Commissions website to ensure that they are still in the system if the Governor moves forward with AWPF Commission appointments in the future. He also reminded Commission members appointed by the President of the Senate or Speaker of the House of Representative to notify these respective offices in writing with your interest in continuing to serve on this Commission.

Administrative Updates

- **New AWPF Website**

Mr. Teran notified the Commission that the Arizona Water Protection Fund website was recently updated and gave them an overview of the live website.

Commissioner Macauley stated a few years ago he had suggested the development of an AWPF funded project map by watershed. Mr. Teran stated that the old website had a built-in application with a database that listed AWPF funded projects by watershed, but that feature is not currently in this new website platform because the associated application is out of date. He also stated that he is working on a GIS based funded project database that will have general project locations identified, with the hope of bringing in an interactive map application into the new website.

Commissioner Schock asked if the application would look similar to the Arizona Department of Water Resources (ADWR) wells online GIS map application. Mr. Teran stated that it will potentially have a very similar look and function.

Commissioner Held asked if there is the ability to have this database query by Legislative District. Mr. Teran responded that the database will have this field and it could be used to help develop those type of queries.

- **Draft AWPF Logo**

Mr. Teran stated that he has been working with the ADWR Public Information staff on the development of a new AWPF logo. He displayed the logo and asked the Commission for input and comments on any aspect of the draft logo.

Commissioner Macauley stated that he sees this program as dealing with environmental issues and likes that the logo incorporates aspects of the natural environment. Chairman Jacobs stated that the logo should also incorporate wildlife such as birds and fish.

There was a consensus with the Commission members that they liked the current version of the draft logo presented, with the request that the color of the sun be yellow instead of orange. Mr. Teran stated that a finalized draft will be presented to the Commission at the next meeting for review and approval.

- **Program Outreach Activities**

Mr. Teran reported that he has recently participated in two different workshops providing information about the AWPF and the general grant application process. One was the *Working Lands and Productive Watersheds* workshop held in Sonoita, AZ on February 12, 2020 hosted by the Santa Cruz Natural Resource Conservation District and Arizona Land and Water Trust (~70 attendees). The other was *Programs and Grants for Farmers and Ranchers* held in Kingman, AZ on February 18, 2020 hosted by the Big Sandy Natural Resource Conservation District and the Arizona Association of Conservation Districts (~20 attendees).

Chairman Jacobs stated that he is glad Mr. Teran is able to participate in these types of events, and if there are other outreach opportunities where the Executive Director is not able to make it, it is encouraged for members of the Commission to participate in outreach events in their local area when possible.

GRANT APPLICATION GUIDELINES REVIEW PROCESS (A.R.S. § 45-2105)

Mr. Teran explained that State Statute requires the Commission to go through a grant application guidelines public review and comment process, and that this process has recently been completed. He stated that to implement this process the following actions were completed:

- 182 notification letters were mailed out to entities in Arizona (91 to towns and municipalities, 31 Natural Resource Conservation Districts, 23 to Indian Tribes, 15 Counties, 12 federal agencies, and 10 to state agencies).
- Notification via the AWPF email distribution list (>1,300 recipients)
- Statewide legal newspaper notices in the Arizona Republic
- Website posts and notifications on the ADWR and AWPF websites.
- Legal posting at the ADWR office.
- Formal Public Hearing

There were two members of the public in attendance at the hearing, but no public comments were made and no written comments were formally submitted at this hearing. Three public comments were submitted

during the 45-day public comment period from the Arizona State Land Department, Aravaipa Watershed Conservation Alliance, and Grants that Go the Distance, LLC.

Arizona State Land Department Comments

The Commission asked that the public comment from Arizona State Land Department be displayed on the screen for review and read aloud into the record.

Mr. Teran read: “*ASLD recommends a provision be added to the application requirements indicating that no application will be considered without support/approval from the landowner or management agency (e.g. from ASLD if the proposed project is on State Trust land).*”

Chairman Jacobs asked if there are any comments or response to this comment from the Commission members. Vice-Chairman Held stated that this provision is already a requirement of the program and is stated on pages 18 and 19 of the grant application manual. He further stated that although the State Land Department may not be able to specifically provide a letter of support for a project because all actions on their managed lands require a permit, they may be able to provide a letter of acknowledgement or intent for the proposed project.

Commissioner Macauley recommended a statement be include in the application manual that if there is a project proposed on State Trust Lands, the Lessee of that land needs to submit an application for the applicable permit for that project, and the AWPF grant application should also include a letter of support from the Lessee indicating that a State Land application for improvement has been submitted.

The Commission provided direction to the Executive Director to incorporate Commissioner Macauley’s recommendations into the grant application manual.

Aravaipa Watershed Conservation Alliance Comments

Chairman Jacobs asked the Executive Director to read the last paragraph of the letter to be included into the record. Mr. Teran read: “As the commission thinks about new grant criteria, we hope you will give appropriate consideration to rural communities such the Aravaipa Valley, that support high biodiversity, functional landscapes and healthy watersheds.”

Grants that Go the Distance, LLC. Comments

Commissioner Macauley stated that the entity who provided these comments has written the last two grant applications for the Landsward Foundation for projects on the Babbitt Ranch that were not funded. He also stated that a major consideration for them not being funded was the cost of the project relative to the acres proposed for treatment. He further stated that the comments provided are generally suggesting the Commission develop a standardized scoring matrix where each application would be weighted and selected for funding based on points for selected criteria, and his opinion was that this process would not work very well for this Commission. He commented that the Commission’s project funding discussions are very thorough, and they do critique a grant application thoroughly to do what is best for the environment.

Commissioner Schock stated that the grant application manual does include cost/benefit evaluation criteria, and he has personally used that criteria during his evaluations of the grant applications.

Mr. Teran read from the Commission Policies and Procedures manual Section 513: Commission Selection Criteria which states “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.”

Chairman Jacobs inquired if a specific response is needed, and Commissioner Macauley stated that as the local AWPF Commission member, he will reach out to Grants That Go the Distance, LLC. and inform them about the Commission Selection criteria referenced by Mr. Teran.

Vice-Chairman Held inquired if the Commission still uses the voting matrix when discussing grant applications. Chairman Jacobs responded they do use the matrix to track how each Commission member votes on individual applications, but there is not a matrix with each Commissioner's criteria. Commissioner Macauley stated that he does not believe the Commission should develop a funding selection matrix that would allow grant applicants to write and tailor their grant applications. Chairman Jacobs stated that the Commission policy 513 reflects the Commission's position on grant selection criteria and reiterated that Commissioners can reference this paragraph if there are any questions regarding Commissioner grant selection criteria.

Mr. Teran read another comment from Grants That Go the Distance, LLC. which stated “Clarify expectations for presentations (last cycle at least one presenter focused her entire presentations on addressing deficits in the staff review and was fully funded, whereas others shared much more detailed project plans and photos and had no adverse findings in the staff review but were not funded—it seems basic guidelines, ensuring consistency, would be helpful, to give everyone a fair shot at being funded).”

Commissioner Macauley stated this comment appears to be a request to standardize the presentation part of the review process. Chairman Jacobs asked if AWPF staff discusses the application process and project applications before they are submitted. Mr. Teran stated that staff does offer pre-application consultations to interested applicants by appointment, and application requirements and applicant presentations are discussed during the grant application workshops.

Vice-Chairman Held commented that staff reviews typically have many questions or comments on items that were not clear in the application, and the Commission has the opportunity to get clarification on those issues during the application presentations. He also stated that standardizing the application presentations would not really fit into that part of review process, and when applicants come to a Commission meeting, they can present whatever information they want to present and the Commission does not have any control over that.

Commissioner Brick commented that if a grant selection matrix is developed, then a Commission may not be necessary if grant selections are going to be based on points. Commissioner Schock commented that an example may exist where many points are gained for several minor project components, but little to no points may be gained for a critical or major project component but the project would still get funded, and stated that the Commission should not do that.

Vice-Chairman Held stated that this Commission is established as a political body to evaluate applications from different positions and points of view and a scoring matrix would alter that purpose. Chairman Jacobs commented that Commission members are appointed by elected officials to represent those interests.

Commissioner Schock asked who the applicant was that made their presentation clarifying deficiencies and staff review comments. Mr. Teran responded it was the research project from the Arizona Association of Conservation Districts.

Mr. Teran read another comment which stated: "Consider partial funding (enabling the funds to go further)." He also stated that below the applicant signature line on the grant application forms it does contain a clause that the Commission may approve grant awards with modifications to scope items, methodology, schedule, final products and/or budget. Commissioner Schock commented that during the review process it does become evident which components of a project are good and which ones are questionable.

Mr. Teran read another comment which stated: "Consider the number of times applicants apply (perhaps favoring "new" entities, over previous awardees; one applicant from the southern part of the state was trying for the fifth time, during the last cycle. Alternatively, if the Commission favors funding proven entities, it would be prudent to explain to applicants, in the grant application manual, that priority is given to those who have successfully completed projects in the past)."

Chairman Jacobs and Commissioner Macauley both stated they are not sure how criteria for these aspects could be developed. Commissioner Brick commented that an entity may submit a proposal multiple times and still not be funded. Vice-Chairman Held commented that applicants have re-submitted the same proposal year after year without taking into account or addressing the Commission's previous comments or concerns.

Mr. Teran read comments pertaining to suggestions on streamlining and/or simplifying the grant application which stated:

- "Electronic submission, via a standardized portal, would be great"
- "Clearly explain to applicants how the staff review factors into the Commissioner selection phase"

Commissioner Schock stated that the staff reviews are very helpful and really point out where sections of the application may be deficient.

Mr. Teran then referred to the agenda that the Commission will discuss and may provide direction on revising grant application guidelines and the grant application manual.

Commissioner Macauley stated that while it is the responsibility of staff to ensure grant award contracts are negotiated and executed after the awards are made, it is the grantee's responsibility to ensure they remain in communication with staff throughout the process, and when communication and replying to staff's requests slip through the cracks it puts an extra workload on staff to follow up with grantee's to get things moving. He asked if the Commission should include a timeline to get the grant award contract executed in the grant application manual or criteria. Vice-Chairman Held recommended adding a paragraph to page 11 under Grant Awards section to include language that 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.

Vice-Chairman Held inquired if additional language is necessary on page 18 of the Grant Application Manual to address the comment of the State Land Department stating that an application should not be considered without support of the land management entity. The Commission provided direction for the Executive Director to draft any additional language under this section as necessary for clarity, and to present these updates to the Commission at the next meeting.

Chairman Jacobs commented that the Commission did an extensive review of the grant application manual last time they went through the triennial review process, and he was glad to receive public comments to help highlight areas where information was not clear or needed more attention.

Commissioner Schock suggested that more clarification is necessary on page 3 of the grant application manual under the Riparian habitats are vital resource areas that: section.

There was a discussion if including desirable or native should be included to further define the *Sustain high biodiversity of plant and animal species* bullet. Commissioner Macauley stated that there may be different interpretations by individual landowners or agencies to what is considered a desirable plant or animal species on their land, even if they are native. Vice-Chairman Held commented that the language in this bullet was intended as a general scientific statement for sustaining a high biodiversity within a riparian area and not differentiating between native and non-native species. He further stated that the grant application evaluation criteria should help to further assess the desirable or non-desirable native and non-native species associated with a particular project.

Commissioner Schock suggested including “water” in the bullet: *Provide important wildlife habitat such as food, shelter, relief and travel corridors*. The Commission supported adding in the word water to this bullet and directed the Executive Director to include this change in the grant application manual, and to present this change at the next meeting.

Commissioner Schock suggested clarifying the bullet *Help stabilize water temperatures for aquatic species*. He commented that some of the work we do may cause water temperatures to drop, increase, or stabilize which may then negatively affect native species already in that system, or may further support introduced species that are thriving. In particular he mentioned that stabilizing water temperature has negatively affected native aquatic species in his area. There was a discussion if native should be included. Vice-Chairman Held stated that this bullet was intended as a general scientific statement that a healthy riparian system will help to stabilize water temperatures, and a project should implement appropriate treatments for the native aquatic species that are currently in that system. The Commission supported adding in the word native into this bullet and directed the Executive Director to include this change in the grant application manual, and to present this change at the next meeting.

Commissioner Schock stated he had concerns with the bullet *Provide economic benefits by increasing property values, improving water supplies, reducing flood damage, filtering pollutants and supporting recreational activities*, specifically with the language pertaining to increasing property values. Commissioner Macauley expressed similar concerns and recommended this language be removed. The Commission supported removing “increasing property values” from this bullet and directed the Executive Director to strike this language in the grant application manual, and to present this change at the next meeting.

Commissioner Schock stated he had concerns with language on page 11 regarding Grant Awards indicating *A grant award by the Commission does not allow you to immediately start your project*. He stated that there may be project actions or components that need to be done at a certain time of year and negotiating a contract may cause a grantee to miss an opportunity to start the project work at the desired time, especially if other funding sources have already been obtained. Vice-Chairman Held responded that per State law a grantee is not eligible for reimbursement for any expenditures made prior to a grant award contract being executed, and technically they can start their project but they will not be able to claim reimbursement of AWPF funds for any time or work completed.

The Commission provided direction to the Executive Director to place the last sentence of the first paragraph “Please note that you cannot be reimbursed for any project expenditure activities conducted prior to executing a contract.” as the second sentence of the paragraph and to present this change at the next meeting.

Commissioner Macauley inquired if language needs be included in the criteria to ensure that certain types of projects or treatments are implemented at the correct time of year so they can be the most effective, or if it would be more appropriate to have that type of information in the reporting requirements to educate future project proponents on the best times to implement certain types of treatments. Mr. Teran responded that the timing or implementation of project actions or treatments are usually dependent on a grantee's available resources and capacity, but timing for treatments and reporting are usually addressed during the contracting process to be as effective as possible.

Commissioner Schock wanted to discuss the language on page 11 under the *Long-Term Maintenance of Project Benefits* section, specifically the statement that the Commission requires that capital improvements be maintained by the grantee for a period of up to 20 years. He stated that he is not clear if some of the non-profit organizations here today would be around 20 years from now, and inquired how this was going to be enforced by the Commission, especially since some of the smaller organizations may not have the funding available to complete long-term maintenance requirements without additional grants or funds from other resources. He commented that he is not sure how practical this statement is in most instances. Vice-Chairman Held commented that this statement was primarily incorporated to meet statutory requirements, but the program also uses the Natural Resource Conservation Service guidelines regarding useful life of improvements for capital projects.

The Commission directed the Executive Director to correct the typo of the repeated words “during the” on page 36 under Section 20. Operation and Maintenance, paragraph (e).

The Commission directed the Executive Director to delete paragraph (c) Equipment may be used only for the purposes of this Contract. under General Provision number 21. Equipment on page 36.

The Commission provided direction to the Executive Director to clarify the language and intent for paragraph (d) under General Provision number 21. Equipment on page 36, and present this change for review and discussion at the next meeting.

The Commission provided direction for paragraph (e) under General Provision number 21. Equipment on page 36 to be clarified and re-stated as “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.”

The Commission had a discussion on the current format applications are submitted and the various electronic files that are submitted as part of an application. The Commission was informed while hard copies of the application are submitted, the electronic files submitted may be in .pdf, .jpg., .xls, .doc, or various combinations of these files combined and/or individually. Commissioner Schock commented that the feature that is helpful for him is a .pdf document that is searchable. Mr. Teran stated that there are many instances where the .pdf is not a searchable format, especially if an applicant submits scanned .pdf copies of the entire application or individual files. Commissioner Macauley suggested that the all grant application documents be submitted in a searchable .pdf format, and that any system or method the Commission ultimately uses needs to reduce the amount of staff time necessary to process the applications for public and Commissioner review. Commissioner Schock suggested that a standardized budget table be developed for use by the grant applicants.

GRANT CYCLE PLANNING

Mr. Teran presented a draft schedule of a fiscal year 2021 grant cycle schedule and stated that it is similar to the schedules that were implemented for fiscal years 2019 and 2020. Commissioner Macauley made a motion to adopt the proposed schedule and planning for a fiscal year 2021 grant cycle, with a second from Commissioner Schock. Commission Brick asked if Mr. Teran was going to add specific dates. Mr. Teran responded that specific dates will be added and presented to the Commission for approval at the next Commission meeting. The motion passed unanimously.

Mr. Teran briefed the Commission on the eCivis program that is a grants management and cost allocation software currently being used by the Arizona Department of Administration to help streamline the grant application process, documentation, and reporting requirements. Mr. Teran recalled a question that brought forth by the Commission at the November Commission meeting inquiring if there will be a cost to either the Commission or the public to use the eCivis program, and stated that per discussion with ADWR finance staff there will be no cost to the Commission or the public.

The Commission provided direction to move forward with the development of the eCivis grant application submission process on a trial basis, and to continue providing grant applicants the opportunity to use the existing grant application forms to submit applications via mail and hand delivery with 1 complete electronic .pdf copy.

FINAL CALL TO THE PUBLIC

Chairman Jacobs made a final call to the public. No public comments were made.

FUTURE MEETING DATE(S)

The Commission selected the next meeting date for Tuesday, June 16, 2020 in Phoenix, AZ, at the Central Arizona Project headquarters office.

ADJOURN

Chairman Jacob requested that a standing agenda item be added to all subsequent agenda items to identify future agenda item topics.

With no other agenda items Chairman Jacobs asked if there is a motion to adjourn. Commissioner Brick made a motion to adjourn, with a second from Vice-Chairman Held. The motion passed unanimously, and the meeting adjourned at 2:25 p.m.

Arizona Water Protection Fund Commission Meeting:

March 10, 2020

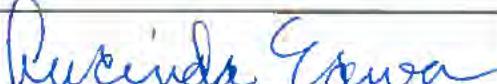
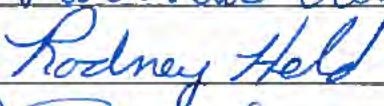
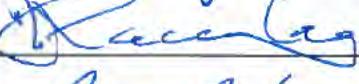
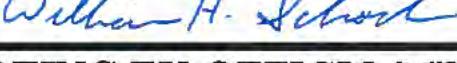
10:00AM

Meeting Location:

Wheeler-Taft Abbott Sr. Library
Community Meeting Room
7800 N Schisler Dr.
Tucson, AZ 85743



Arizona Water Protection Fund Commission

Name	Signature	Participating by Telephone
VOTING MEMBERS		
Pat Jacobs**		
Paul Brick		
Lucinda Earven		
Rodney Held		
Michael Macauley		
Roy Pierpoint		
William Schock		
NONVOTING EX-OFFICIO MEMBERS		
Lisa Atkins		
Thomas Buschatzke		
NONVOTING ADVISORY MEMBERS		
Honorable David L. Cook		
Honorable Sine Kerr		

*Chair (Vacant) **Vice-Chair



ARIZONA WATER PROTECTION FUND
1110 West Washington Street, Suite 310
Phoenix, AZ 85007
602-771-8528

Location: Wheeler-Taft Abbott Sr. Library, Community Meeting Room, 7800 N. Schisler Dr., Tucson, AZ 85743

Date: March 10, 2020, 10:00AM

NOTE: Sign-in for the meeting is not required. You are welcome to provide your contact information if you would like to receive email updates regarding the Arizona Water Protection Fund.

NAME	E-MAIL	
Jim Washburn	jwashburn@arizona.edu	
Deb Smith	Personal Identifying Information	
Tracy Stephens	Tracy.S@verderiver.org	

ARIZONA WATER PROTECTION FUND COMMISSION

Business Meeting – November 19 & 20, 2019
Arizona Department of Water Resources
Middle Verde River Conference Room
1110 W. Washington St., Ste. 310
Phoenix, AZ 85007

DRAFT Meeting Minutes

November 19, 2019

ATTENDANCE

Commission Members Present

Charles Paradzick – Chairman
Pat Jacobs – Vice Chairman
Paul Brick
Michael Macauley
Roy Pierpoint
William Schock

Arizona Water Protection Fund Staff

Reuben Teran

Commission Members Absent

Lucinda Earven

CALL TO ORDER

Chairman Charles Paradzick 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. Six voting members were in attendance, one member was absent, and a quorum of the Commission was present.

CALL TO THE PUBLIC

Chairman Paradzick made a call to the public to address the Commission. No public comments were made.

REVIEW AND APPROVAL OF THE JUNE 11, 2019 MEETING MINUTES

Commissioner Pat Jacobs made a motion to approve the meeting minutes, with a second from Commissioner Roy Pierpoint. Chairman Paradzick asked if there were any comments or questions on the draft meeting minutes. Chairman Paradzick stated he did find one typo on page 1 which was corrected by Mr. Teran. Chairman Paradzick asked if there was a motion to approve the minutes as amended. Commissioner Jacobs made a motion to approve the meeting minutes as amended, with a second from Commissioner Paul Brick. The motion passed unanimously.

ARIZONA WATER PROTECTION FUND PROGRAM UPDATES

Fiscal Year 2019 Draft Grant Award Contracts

Mr. Teran stated that there are currently 2 projects selected for funding during the fiscal year 2019 grant cycle that have not yet gone into grant award contracts. These projects include WPF1914: Headwater Stream Restoration - Coyote Springs, Museum of Northern Arizona, Flagstaff, and WPF1919: Webber Creek Sediment Control Project. Mr. Teran stated that draft agreements have been developed and sent to the grantees for review and comment at the beginning of calendar year 2019, and has followed up with them periodically, but there has been a lack of response and communication from these entities.

Mr. Teran explained that the grantee for the Webber Creek project did receive a grant from the Arizona Department of Environmental Quality (ADEQ) for essentially the same project, and they have nearly completed the engineering design plan for the entire site and implemented a few small volunteer work projects. He did meet with the grantee in October 2019, and felt that they did want to continue moving forward with a grant award contract.

Commissioner Michael Macauley asked if they are changing the scope of the AWPF approved project because they have the other grant from ADEQ. Mr. Teran responded that the scope of work has not changed because both fund sources will be needed to implement the work.

Mr. Teran was notified that the executive director for the Museum of Northern Arizona had resigned earlier in the year, and that the draft grant award contract that was sent to them fell through the cracks as they were trying to fill that position. A new executive director has been hired and it appears that they are ready to move forward with finalizing a grant award contract. One contract clause that is being added to the agreement is the requirement to obtain a severance and transfer of an existing surface water right that will be required to implement the project as proposed. This process could take up to 1 year, and the draft agreement has stipulations that if this process cannot be completed, then no further work can be implemented, and the parties will re-assess the project.

Chairman Paradzick stated that he has been in discussion with Mr. Teran over the last 2 month on the status of these projects, and that if there had not been any response from the grantees or positive actions taking place then these projects may have been placed on the Commission agenda for discussion and possible action. He stated that based on today's updates it looks favorable that the grantees will be forward with grant award contracts.

Fund Balance

Mr. Teran reminded the Commission members that the financial information he will be going over is in the Commissioner's notebooks and will also be displayed on the screen. Handouts were also available on the table in the meeting room. The period covered by the update was July 1, 2019 – October 31, 2019, and Mr. Teran reminded Commission members that there are 2 fund accounts in the AWPF which include a grant account and an administrative account.

The grant fund balance at the beginning of fiscal year 2020 (July 1, 2019) was \$2,684,831. Revenues into the fund include \$18,965 from interest, \$655,965 from Central Arizona Project (CAP) in-lieu fees, and a general fund appropriation of \$750,000. This totaled \$1,424,930 of new monies into the fund.

Commissioner William Schock asked if staff could briefly explain the in-lieu fee tax and its origin. Mr. Teran responded that whenever an entity purchases CAP water for use outside of the CAP tri-county service area, there is a fee charged and those fees are transferred into the Water Protection Fund. Commission Schock inquired if this year's deposit of in-lieu fees will be the last. Commissioner Jacobs stated that the State of Nevada has indicated that they will not be storing CAP water in the State of Arizona, and there are no anticipated in-lieu fees coming into the program.

Mr. Teran stated that active grant award contract expenditures have been \$454,976, and a transfer of funds to the administrative account was \$161,720. Total grant fund expenditures were \$616,696. The AWPF grant fund balance as of October 31, 2019 was \$3,493,065 and existing grant award contract obligations total \$1,685,709. This leaves an uncommitted grant fund balance of \$1,807,357.

In the administration account the beginning fund balance was \$7,185. Total revenue included \$531 from interest. Expenditures from this account included \$54,872 for staff support, \$416 for travel, and \$966 for operating expenses. The administrative fund account balance as of October 31, 2019 was \$113,182, which does include the transfer of \$161,720 from the grant account.

The total fund balance as of October 31, 2019 was \$1,920,539.

Brief on Probable Transition to eCivis Process for Future Grant Application Submissions

Mr. Teran stated that the Arizona Department of Administration is encouraging all state agencies with grant funding programs to use the eCivis grant tracking program, and went over a handout that gave a brief overview of eCivis.

Chairman Paradzick asked if a formal Commission action or decision is needed at this point. Mr. Teran responded that formal action is not necessary at this time, but could be discussed at the next Commission meeting and possibly rolled into the overall grant application guidelines review process.

Commissioner Macauley asked if going to an electronic grant submission process would reduce workload for staff. Mr. Teran responded that from an application processing standpoint, this program would eliminate the physical paper possessing, and may help facilitate the electronic processing and website public review if the application documents can be combined into one single document within the system.

Commissioner Jacobs asked if there was going to be a cost to the AWPF or to the end user to use the eCivis system. Mr. Teran responded that he does not believe there is a cost to use this system, but he will do more research and follow up with the Commission.

Commissioner William Schock commented that some of the applications submitted during the last grant cycle appeared to be stand-alone .pdf copies, while others appeared to be scanned copies, and asked if this new system would be able to generate the electronic copy. Mr. Teran stated that while individual documents may be uploaded into the eCivis program as part of an online application process, the system should be able to generate a combined file with the application contents. Commissioner Schock asked if it would be difficult for members of the public who are not very proficient or comfortable with the use of this technology to use this online application system. Mr. Teran stated that the Arizona Department of Administration (ADOA) is encouraging all state agencies to move to the online grant tracking system.

Chairman Paradzick suggested that during the triennial grant application review process, questions should be added to include the scope of projects that the Commission should be considering, and ask for

suggestions about simplifying the application process. He stated that he has had some feedback from applicants about the challenge to put together paper copies of an application, and the Commission has been challenged with the volume of information that has been submitted. He further commented that with the triennial review it is timely for the Commission to review this information to get set up for the next year.

Commission Member Expenses

Mr. Teran reminded the Commission that per A.R.S. § 2103(C) members are eligible to request compensation related to their travel and meal expenses associated with Commission business according to State Travel guidelines. He also stated that those who wish to request reimbursement should do so in a timely manner following the Commission meetings, preferably within 30 days of the travel. If requests are made after 60 or more days, this becomes an issue with the Arizona Department of Administration and approvals for reimbursement would no longer come from the Arizona Department of Water Resources (ADWR), but would have to be from the General Accounting Office. Mr. Teran stated that he was also informed that a recent State audit related to Commission member reimbursements found that very few AWPF Commission members have requested compensation or reimbursement for their travel related expenses. Vice-Chairman Jacobs stated that the Central Arizona Project does cover his travel expenses for Commission related business, and Chairman Paradzick stated that Salt River Project covers his travel expenses.

Commissioner Shock asked if travel related costs are the only eligible reimbursable expenses for Commission members, or if time spent at attending Commission meetings is also eligible. Mr. Teran responded that Commission members are eligible to receive reimbursement for meals, lodging, and mileage for Commission related business.

With a time certain agenda item at 10:30am, Chairman Paradzick tabled the Triennial Grant Application Guidelines Review Process and Commission Conflict of Interest Notice to later in the agenda.

FISCAL YEAR 2020 GRANT APPLICANT PRESENTATIONS

WPF2008 - Middle and Upper Fossil Creek Invasive Plant Removal

- Presenter: Rebecca Davidson, National Forest Foundation

During the presentation Ms. Davidson clarified the AWPF grant request should be \$98,662, and not \$105,000 as noted on the application cover page. The clarification was presented to address the AWPF staff review which noted that the grant request amount was unclear based on discrepancies between the detailed budget table and scope of work task figures in the application.

Commissioner Michael Macauley asked if any treatments have occurred above the dam location. Ms. Davidson responded that treatments have not yet been completed in that area or in the wilderness, and the planned treatments will be in the perennial reaches and spring sources in the upper section of Fossil Creek. Commissioner Macauley also asked how they would keep salt cedar at less than 10% since it is a very prolific plant. Ms. Davidson responded that the Friends of the Verde River typically work 5-6 years in specific areas to implement salt cedar re-treatments year after year, and it appears that they are having success with these types of re-treatments to make sure invasive plant species can be minimized while the native vegetation reestablishes. Commissioner Macauley asked how the tamarisk beetle will affect the treatments. Ms. Davidson responded that she did not know how that might affect treatments, but speculated that if tamarisk is removed and native vegetation is reestablished, then the beetle would not have much effect in the area and may eventually die out. Chairman Paradzick stated that there has been a lot of

emphasis from restoration proponents to get ahead of the tamarisk beetle, and that this project fits into the general approach of the various watershed groups and agencies who are trying to get ahead of the beetle by getting the non-native vegetation out and letting the native vegetation re-establish or support revegetation efforts.

Chairman Paradzick asked if there is an educational or outreach component for this project. Ms. Davidson responded that the grant funds requested would primarily be used for restoration efforts and would not be used for outreach activities, but the Verde Watershed Restoration Coalition is engaged in overall outreach activities.

WPF2007 - El Rio Riparian Restoration Project

- Presenters: Jim Conroy, all from the Town of Marana.

Commissioner Brick stated that there was a comment in the AWPF Staff review about the potential for water from the Santa Cruz River to be flow into the Preserve and be impounded, and asked if the Town of Marana has a surface water right or authority to impound surface water from the Santa Cruz River. Mr. Teran followed up by stating that this was identified by the ADWR Surface Water program during their review of the application, and that the Town of Marana currently does not have any surface water rights on file with ADWR related to this particular property. Mr. Conroy stated that they do, and as part of the bank protection project design there is a notch at the end of the structure to allow water to flow out of the Preserve and back into the channel, and they would also have the ability to pump water out.

Commissioner William Schock asked what the Cortaro-Marana Irrigation District (CMID) water would normally be used for, rather than it being pumped into the Preserve. Mr. Doug Greenland from CMID responded that it would normally go to irrigate farmland, and that with their water right and available resources they have they are well within their water right, so it is not an issue. He also stated that the approximate amount of water to be used for this project is less than 10-acre feet, and the CMID delivers over 40,000-acre feet. Commissioner Schock asked how water in the Preserve is currently being maintained, whether it is being pumped in there, leftover from the last flood, or coming in from rain sources. Mr. Conroy responded that the Preserve is currently getting water from 4 concrete stormwater entrances, with big influxes coming in from flooding in the Santa Cruz River. He also stated that with the planned construction of the back protection, they will need more water going into the Preserve to keep it a viable wildlife corridor.

Commissioner Macauley stated that the Preserve was created by a flood in 2015, and asked how the Town of Marana was going to deal with the next flood. Mr. Conroy responded that the bank protection project will start in approximately 90-days, and be done in about a year, but there would be no dramatic measures taken to address the next flood other than absorb the water. Commissioner Macauley stated that the Town is currently cleaning out a lot of residue from the last flood, and will get more residue from the next flood. Mr. Conroy stated that until the bank protection is completed, they will continue to function in the same manner as they have to deal with the debris and everything else that comes with the floods.

WPF2015 - Restoration in the Gila River Riparian Corridor

- Presenters: Bethany Drahota and Melanie Thuczek, Gila Watershed Partnership

Chairman Paradzick commented that the AWPF staff review had some comments regarding the land tenure and access for the project, and asked Mr. Teran to elaborate on this. Mr. Teran stated that during his review of the application packet several restoration sites were listed as part of the applicant's overall restoration plan, but it was not clear exactly which project sites were going to be restored with AWPF grant funds. He also stated that although today's presentation clarified the planned restoration areas, the grant application did not contain any letters of support or documentation of access for the restoration locations. Chairman Paradzick asked if the Gila Watershed Partnership has legal access to the selected restoration sites. Ms. Tluczek responded that they do have all the permits necessary to work on the sites and permission from the landowners.

Commissioner Schock stated that in Task #3 the first item is to procure signed landowner agreements from new landowners, and asked if that should occur long before Task #3. Ms. Tluczek replied that is already complete.

Commissioner Macauley inquired about the source of water for the project, and stated that water could not be taken from the Gila River. Ms. Drahota responded that with the irrigation system they use a water truck and they have an arrangement with County to fill up that truck from a local fire hydrant about 2 miles offsite. They then use the truck to fill up on-site storage tanks to run the irrigation system.

WPF2005 - Winkelman Natural Resource Conservation District Riparian Restoration

- Presenter: Kyle Thompson, Winkelman Natural Resources Conservation District

Commissioner Macauley asked what would be done with the salt cedar after it was removed. Mr. Thompson responded that the Town of Kearny fire department has expressed interest in using the site for training and could burn the salt cedar, in addition to grubbing and possible mastication.

Chairman Paradzick asked for more clarification on the revegetation effort of the project. Mr. Thompson stated that he has talked with the Gila Watershed Partnership and understands that some of their issues included herbivory and noxious weeds, and so the WNRCD has included a funding request for herbivore protectors, and may also use a local community garden to grow plants in addition to maintenance of weeds and salt cedar with herbicide.

Chairman Paradzick commented that the WNRCD's overall tamarisk management plan may require coordination with landowners along the Gila and San Pedro Rivers, and asked who the landowners and stakeholders would be on the San Pedro River. Mr. Thompson responded that there are a handful of landowners around Dudleyville, AZ that have small parcels along the San Pedro River, there is a rancher who expressed interest in salt cedar removal, and there is an ongoing local effort in Aravaipa Canyon to remove salt cedar. He also stated that this project would provide a good opportunity to coordinate with other entities interested in tamarisk removal efforts.

WPF2014 - Rio de Flag Riparian Enhancement Project

- Presenter: Art Keith, Post-Doctoral Researcher, Northern Arizona University

Commissioner Brick commented that the plan is to plant 1,000 cottonwood trees along approximately 1,000 ft. of streambank, and asked if this was going to take a lot of the water out of the creek provided they don't

die or if there are a lot of survivors. Mr. Keith responded that he is hoping they won't die, and once they get tapped into the water table, they should be fine and not need any more irrigation. Until that point, the trees would be irrigated with reclaimed water from the City of Flagstaff. He also stated the cottonwood trees planted on the streambank do provide a lot of shade as the trees get bigger, and this would help to reduce evaporation.

Chairman Paradzick asked if any prior work has been done to assess what the previous vegetation community was like in the project area prior to manipulation, or if there were any reference sites up or down stream with cottonwood trees. Mr. Keith responded that he was not aware of any information, but he would fully expect that the area could support a cottonwood gallery.

Commissioner Schock commented that the project will plant 1,000 cottonwood trees on 3-acres, and they will need to be planted pretty close to each other. He asked how there will be paths or openings in the 1,000 cottonwood trees. Mr. Keith responded that the trees would be on 3-meter spacing in several rows, and as the trees get bigger, they start competing and would eventually thin out naturally. Commissioner Shock asked if the amount of water transpiration from the planted cottonwood trees has been considered and if this would have any effect on the amount of water flowing in the stream. Mr. Keith responded that he does not know the elevation of the water table in this area, but they have a similar cottonwood garden area along the Agua Fria River right along the stream with 4,500 trees, and although the stream is dry right now the trees appear to be doing fine even though it is an arid habitat. He also stated that the benefits to the forest would get would far outweigh the amount of water they would use.

Commissioner Macauley inquired about the pond that was in the project area, and asked if it was an existing stock tank or if it was put in to catch the runoff from Interstate-40. Mr. Keith stated that this is City of Flagstaff property and there has been some grading done there to create a catchment pond, but he does not know why it was done. Commissioner Macauley stated that they may need a surface water right. Chairman Paradzick asked if they would be using water from that the existing pond, or if the pond would be modified as part of the project. Mr. Keith stated that they will not be pumping water from the pond, and they would only plant trees along the bank.

- LUNCH BREAK

- Chairman Paradzick resumed the meeting resumed at 1:30pm.

WPF2002 - Little Colorado River Valley Conservation Area Restoration Project

- Presenters: Ian Torrence, American Conservation Experience

Commissioner Macauley commented that the presentation referenced another project taking place downstream of the proposed project area, and asked if any restoration work will be completed upstream. Mr. Torrence stated that they hope to continue working upstream along the Babbitt Ranch property and with partners such as the Navajo Nation as opportunities allow.

Commissioner Pierpoint asked what type of follow up maintenance program American Conservation Experience (ACE) has since there are invasive plant seed sources upstream and downstream. Mr. Torrence replied that ACE has a 5-year agreement with Babbitt Ranches which would be used to facilitate maintenance of the project site.

Commissioner Schock commented that the applicant is proposing to treat a square shape of tamarisk in a heavily infested area with a seed source on all sides and if the Little Colorado River floods there is a potential for the treated area to be exposed to a large seed load and be re-infested. Mr. Torrence stated that the existing infestation occurred at under ideal conditions at one point in time, and in the future the right conditions may occur to enable a re-infestation after the treatment is implemented, but with the ACE crews and constant maintenance they would be able to address any sprouting tamarisk or regrowth.

Commissioner Schock commented that the total treatment area is 5-acres, and costs for treatment will be around \$134,000 which equates to approximately \$26,000/acre, which is high when compared to other projects that are proposing to remove tamarisk. Mr. Torrence responded that this site is different than anyone else's proposal with high density, well established stands of tamarisk.

WPF2016 - Reduction of Erosion and Sedimentation Along San Pedro River Through Hydrologic Restoration of Upland Watershed

- Presenters: Alana Riggs, Fort Huachuca Sentinel Landscape Partnership Coordinator, and Owen Lonsdale, Elquen Ranch LLC

Commissioner Schock commented that this was a very ambitious project and asked if anything like this has ever been done before. Ms. Riggs responded that upstream of the project area a project has been implemented on a ranch to create sediment catchment basins. Commissioner Schock asked if this was the Horseshoe Draw project, and Mr. Lonsdale responded that the Horseshoe Draw project was done in partnership with Cochise County. Commissioner Schock stated that the proposed project is very different from the Horseshoe Draw project, and Mr. Lonsdale replied that the costs between both projects are very different, the proposed project has a lot of local support, and will have a multitude of benefits.

Commissioner Schock stated that there are not any engineering designs available that describe exactly what would be done in the project area, aside from general drawings on a map. Mr. Lonsdale commented about his backgrounds in engineering and heavy equipment use and stated that the project would be a success if implemented.

WPF2003 - Promoting a Conservation Incentive Program in the Lower San Pedro Watershed

- Presenter: Bailey Kennett, Arizona Land and Water Trust

Commissioner Brick asked what the incentives are of water transactions for landowners. Ms. Kennett responded that current transactions included payments for fallowing land, crop conversion which includes payments to the landowner and for the purchase of native seed for the pasture, and irrigation efficiency improvements which includes the purchasing of infrastructure.

Commissioner Macauley asked if water transactions include transferring water from one basin to another. Ms. Kennett responded no, and explained that the agreements are between the Trust and the individual landowner which would include a monitoring program to ensure that water use will be minimized according to term of the agreement.

Chairman Paradzick if there has been any preliminary investigations on who the major landowners and land user are from an industrial standpoint along the Lower San Pedro River, and if there has been any interest

from these entities regarding water rights and current adjudications. Ms. Kennett responded that the Trust recognizes there are major industrial users in the watershed, and before they reach out to those entities, they really want to be sure they are prepared for those conversations.

Vice-Chair Jacobs asked if there is similar program in Colorado, and who the primary participants are. Ms. Kennett responded that there are programs in other western states, and the primary participants are agriculture. Vice-Chairman Jacobs stated that his interested in learning more on these other programs.

WPF2012 - Paria Beach Riparian Restoration

- Presenters: Kelly Burke, Grand Canyon Wildlands Council

Commissioner Macauley asked what historical type of native tree was present at the Paria Beach site prior to the arrival of tamarisk. Ms. Burke responded that Gooding's willow and cottonwood, hackberry, and box elder trees were present.

Commissioner Brick asked if there is a water right to take water out of the Colorado River to irrigate the new plants. Ms. Burke responded that the project is located in the Upper Colorado River basin which falls under State water rights law, and the letter of support provided by the GLCA was intended to document that GLCA has the authority to use water and the ability for the Grand Canyon Wildlands Council (GCWC) to use it will be documented through an agreement between GLCA and GCWC.

WPF2000 - Gila Valley Irrigation District System Optimization Phase I

- Presenter: Justin Layton, Gila Valley Irrigation District

Vice-Chairman Jacobs asked if the water in the canals would be electronically monitored. Mr. Layton responded that currently water is monitored and measured with a weir stick, but this project could allow for automation in the future.

Commissioner Macauley asked if the Gila Valley Irrigation District GVID has toured or seen the central electronically controlled system in Yuma, AZ. Mr. Layton stated that he has not, but has been in conversation with many people both in-state and out-of-state about irrigation efficiencies and stated that they need to have the infrastructure in place before they can work on centralized automation.

Chairman Paradzick stated that by Statue the Commission should be able to justify that this project has some sort of tangible benefit to the riparian system and stream flows in the Gila River, and asked how the proposed project will benefit the riparian system, stream flows, and wildlife. Mr. Layton responded that he appreciates and understands this a goal for the Commission, and stated that it is a concern for GVID to try to put any number or percentage on how they can improve river or stream flows, but it would have an indirect benefit to the Gila River itself by not having the GVID draw as much water as they have in the past. He reiterated that the GVID is nervous to put any kind of hard figure on the amount of water they might be saving because there are too many unknowns for them.

WPF2001 - Sandhill Farm Water and Wildlife Conservation Project

- Presenter: J. Blanton Belk, Sandhill Farms, LLC

Commissioner Schock asked how many gallons of water per minute the new solar pump would produce, the depth of the well, and the inside diameter of the casing. Mr. Belk responded that the well would produce 35 gallons of water per minute, the well is currently 400ft. deep with the water level at 50ft. below the earth's surface, and the diameter of the well casing is 8in.

Since there was time before the next scheduled presentation, Chairman Paradzick brought forth agenda item VI. Triennial Grant Application Guidelines Review Process (A.R.S. § 45-2105)

TRIENNIAL GRANT APPLICATION GUIDELINES REVIEW PROCESS (A.R.S. § 45-2105)

Mr. Teran informed the Commission that an application guidelines review is required by State statute and went over the criteria described in A.R.S § 45-2105. He also reminded the Commission that during the last update on this topic at the June 11, 2019 Commission meeting that it was decided to table implementing the grant application guidelines review process until after the current fiscal year grant applications were submitted, and that is why this agenda item is now being discussed today.

Chairman Paradzick stated that the last time the Commission went through this process, all requests for comments was done at one time, and he did not recall that the Commission received any comments. Chairman Paradzick recommended that staff review and update the request for comments letter that was developed last time and include the option for a public hearing. He further commented that an outcome from the last guidelines review process led to the Commission supporting the inclusion of watershed restoration related projects as part of the program's overall goals and objectives.

Commissioner Macauley asked if the guidelines review process will be affected by the probable transition to eCivis. Mr. Teran responded that the overall grant application process and content requirements should remain the same, with the only difference that it would be submitted through the online portal rather than on paper, or scanned paper forms. The eCivis program would also allow the applicant to upload existing information such as water rights documentation, maps, or supplemental reports as individual files, which would be combined with the entire online application packet.

Commissioner Schock commented that a lot of work goes into the staff's review of the grant applications because of the need to review and document if the application has identified or addressed the applicable evaluation criteria outlined in the grant application manual. He also commented that it can be difficult to specifically identify where the information may be located in extensive or large grant application documents.

Vice-Chairman Jacobs asked if there can be a limit to the number of pages in an application. Chairman Paradzick responded that the Commission has the ability to determine that, and recommended that it might be valuable to have other entities that have experience with grant administration to provide some suggestions or tips for streamlining the grant application process.

Commissioner Macauley made a motion for staff to work with the Chairman to develop the request for comments letter and to move forward with the grant applications guidelines review process, with a second from Commissioner Brick. The motion passed unanimously.

FISCAL YEAR 2020 GRANT APPLICANT PRESENTATIONS (continued)

WPF2011 - Harrenburg Wash Enhancement Project

- Presenters: Elizabeth Krug and Geoffrey Gross, Coconino County Parks and Recreation

Commissioner Macauley inquired about the pond that was breached, and asked if that feature was dug by a golf course as a recreational site. Mr. Gross responded that the pond was dug as a recreational site. Commissioner Macauley asked if there was a water right obtained for the pond at that time. Mr. Gross responded that through their research the Coconino County Parks and Recreation Department (Department) does not believe there was a water right, and stated that the Department currently does not have a water right for the breached pond. Mr. Teran stated that the ADWR Surface Water program did review this application and found that there were no official State records of a surface water right associated with the breached pond. Commissioner Macauley stated that typically when there is an issue, you could go back to the County courthouse where the water right was recorded and look under mill sites and water rights, but that documentation may not always be available in the ADWR office.

Chairman Paradzick asked the applicant to elaborate a little more on the public outreach and public use of the project site. Ms. Krug stated that a lot of people already use the site and it is a major amenity to the people who live in the area, and there is a great opportunity for public outreach to the community.

Commissioner Macauley commented about the use of weed-free hay or straw that will be used on the project, and stated that the herbicides that were used to make it weed free may end up killing the existing vegetation where it is distributed because it can linger.

Commission Schock asked if the project will require a lot of fill material, and if that fill will be coming from off site. Mr. Gross responded that the fill would come from on-site, and will be primarily taken from the breached pond feature.

Mr. Teran requested clarification regarding the scope of work and overall intent of the project, and asked if the Department was intending to restore the pond feature or retain any surface water as part of the project. Mr. Gross responded no, and commented that the intent is to restore the wetland function of the project area which would include a re-design of the pond feature so it would not retain surface water.

WPF2013 - Fort McDowell Yavapai Nation Verde River Riparian Restoration Project

- Presenters: Melissa McMaster, Mariposa Ecological and Botanical Consulting LLC, and Karen Shaw, Ft. McDowell Yavapai Nation

Commissioner Schock commented that from his perspective the FMYN has been really efficient with the design and implementation of the currently funded AWPF project, and commended them on their current work.

Mr. Teran referred to his staff review of the project and informed the Commission that as part of the scope of work funding is being requested to develop plans that will not be implemented in the timeframe of this project, and it is not clear if or when those planned restoration activities would be implemented. He further commented that he just wanted the Commission to be aware of this in the event there were any concerns.

RECESS UNTIL WEDNESDAY, NOVEMBER 20, 2019 – 9:00 A.M.

Chairman Paradzick stated that the presentations scheduled for today are over, and the meeting will need to be recessed and be resumed tomorrow at 9:00 a.m. Commissioner Macauley made a motion to recess until 9:00 a.m. on Wednesday, November 20, 2019, with a second from Commissioner Pierpoint. The motion passed unanimously, and the meeting was recessed at 4:35 p.m.

November 20, 2019

ATTENDANCE

Commission Members Present

Charles Paradzick – Chairman
Pat Jacobs – Vice Chairman
Paul Brick
Michael Macauley
Roy Pierpoint
William Schock

Arizona Water Protection Fund Staff

Reuben Teran

Commission Members Absent

Lucinda Earven

RESUME ORDER FROM MEETING STARTED TUESDAY, NOVEMBER 19, 2019

Chairman Charles Paradzick called the meeting of the AWPF Commission to order at 9:01 a.m.

Commission Member Roll Call

Mr. Reuben Teran called the roll of the AWPF Commission. Six voting members were in attendance, one member was absent, and a quorum of the Commission was present.

Since there was time before the next scheduled presentation, Chairman Paradzick brought forth agenda item VII. Commission Conflict of Interest Notice.

COMMISSION CONFLICT OF INTEREST NOTICE

Mr. Teran referred to the handout in the Commissioner's meeting materials regarding the Commission Conflict of Interest Memo, and reminded the Commission that if anyone believes they have a conflict of interest regarding any grant application that they should fill out the Memo accordingly, give it to staff, and refrain from any discussion or decision regarding the identified grant application. No conflict of interest memos were submitted.

FISCAL YEAR 2020 GRANT APPLICANT PRESENTATIONS (continued)

WPF2006 - Sonoita Creek Wildlife Linkage Watershed Stewardship Project

- Presenter: David Seibert, Borderlands Restoration Network

Commissioner Bill Schock asked if there are any riparian areas located within the 3 canyons identified as part the project area. Mr. Seibert responded that the area to the north know as Big Casa Blanca Canyon

does have riparian habitat. Commissioner Schock asked if there are grazing permits within the project area. Mr. Seibert responded that there are grazing permits on the USDA Forest Service lands. Commissioner Schock asked if they know how much water this project could add to the watershed if the rock structures were installed. Mr. Seibert stated that they are interested in developing a water budget, and also support ground water recharge. Commissioners Schock asked if they have a plan for getting this information. Mr. Seibert responded that they do not have a plan at this time.

Mr. Teran referred to the staff review of the application and stated that if this project were selected for funding, the ADWR Surface Water Rights program would like to review the designs and specifications of the proposed rock dam structures to make sure there are no possible surface water right impoundments based on the designs of the structures and maintenance. Mr. Seibert stated that this would be helpful to get this review and clarification to help inform others that may be interested in doing similar work.

WPF2004 - Restoring Sutherland Creek, an Intermittent Creek in a Critical Shallow Groundwater Area

- Presenter: Trevor Hare, Watershed Management Group

Commissioner Paul Brick commented that most of the project area appears to be privately owned land, and asked if the public would be able to access any of the project area. Mr. Hare responded that there is no public access to the project area.

Chairman Paradzick requested clarification that a landowner initially modified the stream channel on their private property which ultimately led to all the downstream erosion and stream channel issues, and asked if that landowner would be providing any in-kind or matching funds to support the restoration effort. Mr. Hare responded that landowner actions did initially cause the issues, and the landowner is not providing any in-kind or matching funds for this specific project.

Commissioner Macauley inquired about access to USDA Forest Service managed lands. Mr. Hare responded that there is no parking in the area, but there is access to State Trust Lands before you reach the project site and that could eventually provide access to Forest Service managed lands. Commissioner Macauley also commented that it is a violation of State law to redirect water across to someone else's property. Mr. Hare responded that there was no State action taken on the previous matter, and he was not clear if Pima County elevated the matter to the State level.

Mr. Hare stated that Mr. Teran's staff review indicated that irrigation line was to be purchased, but he clarified that this was no longer the intent and if there was going to be a revegetation or planting effort that irrigation would be the responsibility of the individual landowner. Mr. Hare also stated that he does not have signed agreements with all the landowners in the project area, but he still working on this and understands that a grant award contract would not be developed until these agreements are in place.

Commissioner Macauley asked how the drainage structures for the road crossing would be designed. Mr. Hare stated that rock cross vanes will be used, which would be designed to hold the grade and keep the water in the middle of the channel.

Commissioner Schock asked how many rock structures are planned to be installed. Mr. Hare responded that he does not have an exact number, but it could be hundreds.

WPF2009 - San Pedro Natural Resource Conservation District Riparian Restoration Program

- Presenters: Sharon Reid, San Pedro Natural Resource Conservation District and Deborrah Smith, Arizona Association of Conservation Districts

Chairman Paradzick commented that the San Pedro River is a major focus for conservation, and asked if the proposed management plan is going to research the available literature and past work completed by various entities to help identify the underlying reasons why the tamarisk has established, and not just looking to treat the symptoms. Ms. Reid responded that the big picture intent is to reduce the water drawdown of the river by removing tamarisk and increase riparian restoration. Chairman Paradzick asked if the water balance has been considered for what vegetation would replace the tamarisk, and what the drawdown of the river might be with those plants and the evapotranspiration of the native vegetation. Ms. Reid responded that they would use woody type shrubbery along the bank, and where necessary they would use the metal railroad iron jack fence types structures in areas of heavy erosion to help slow the water from the uplands similar to what was done along the Santa Cruz River, and stated that they do not plan on planting willows or cottonwoods.

Commissioner Paul Brick asked if there has been any consideration what would be done if the tamarisk beetle arrives. Ms. Reid stated that there is some evidence that the beetle is there, and there are some people interested in removing the remaining wood. Commissioner Brick asked if the tamarisk will be removed after treatments are implemented. Ms. Reid stated that they will not take it out, but are investigating how they could use it, possibly for erosion control but they do have some people interested in going in and cutting it up.

Commissioner Schock commented that the application budget identified hand cutting and stump treatments at \$2,400/acre, and asked how that figure was derived since other applications submitted with the same proposed treatments had significantly less costs per acre identified. Ms. Reid responded that those cost figures came from the Bureau of Land Management (BLM) who is working with other Natural Resource Conservation Districts (NRCD) in the BLM district through contracted rates, and they used the higher end rates for the application so the wouldn't under budget the costs.

Ms. Smith commented on the earlier question of identifying the initial causes of salt cedar establishment and stated that all the NRCDs across the state are working to address the issue of tamarisk and identifying the causes which are mostly issues in the uplands due to vegetation and ground cover loss. Commissioner Paradzick commented that even though the San Pedro is a naturally flowing system, it should be considered that anthropogenic changes to the environment have allowed tamarisk to outcompete the native riparian vegetation and had inquired earlier if the proposed tamarisk management plan would be identify the underlying causes of the tamarisk establishment in addition to how to manage the existing vegetation. Ms. Reid stated that they will only be addressing tamarisk treatments since they have no control on the causes of its establishment.

WPF2010 - Quantifying Benefits for Brush Management on Arizona Rangelands

- Presenter: Deborrah Smith, Arizona Association of Conservation Districts

Commissioner Macauley inquired about the timeframe for this project. Ms. Smith replied 2 years which would include 1 year of research and 1 year of data gathering, but it may be 3-4 years to get to the end of the overall project and published results. The remainder of the project would be funded though other

sources. Commissioner Macauley commented that it may take many years before you see any results from a given treatment. Ms. Smith replied that they will be looking at treatments that have already been completed.

Commissioner Schock commented that research and data will be gathered on what is currently existing or available, but stated that there are other successful projects out there being completed by landowners that are not in any published literature. He asked if any social media or internet site would be available to highlight successful practices in the short term while this project is implemented. Ms. Smith responded that interim reports could be produced to provide useful information as the project progresses.

FISCAL YEAR 2020 GRANT CYCLE AWARDS

Discussion on Fiscal Year 2020 Grant Applications

Chairman Paradzick stated that as in previous years, the Commission has the ability to provide their initial priorities and feedback on the grant applications, and Mr. Teran does have a grant application / Commission priority matrix ready to capture this input, in addition to a spreadsheet to track grant award selections and funding amounts.

Mr. Teran stated the current unobligated fund balance is \$1,807,357, and reminded the Commission that they do have the ability to discuss and consider additional program administrative funding along with grant application awards. Mr. Teran explained the current funding available and projected administrative costs over the next four fiscal years.

The Commission discussed if there was need to approve additional administrative funding now, and Commissioner Schock asked what the chances are of the program not getting funding in the future and what communication or reporting there has been with the Legislature about program funding. Mr. Teran stated that the only reporting he provides to the Legislature is the required submission of the AWPF annual report to the Governor, President of the Senate, and Speaker of the House of Representatives which is due on July 1 each year.

Commissioner Macauley stated that there are currently 2 projects that were awarded funding last grant cycle that have not yet gone to contract and asked if the Commission should put a time limit for the execution of a grant award contract. Chairman Paradzick replied that he did not feel this was the appropriate time to get into that discussion and recommended that if this is something the Commission wants to discuss that we could make note of it at the end of the meeting and possibly discuss it at a future Commission meeting.

Chairman Paradzick stated that based on current available grant fund balance and projected administrative costs he recommended the Commission plan for grant funding between \$1,645,607 and \$1,160,477, and asked each Commission member to provide their top 5-6 priority projects for funding.

Chairman Paradzick's priorities included WPF2002, WPF2007, WPF 2008, WPF2011, WPF2012, and WPF2013.

Vice-Chairman Jacobs' priorities included WPF2000, WPF2001, WPF 2002, WPF2003, WPF 2008, and WPF2010.

Commissioner Brick's priorities included WPF2001, WPF2005, WPF2008, WPF2009, WPF2010, and WPF2012.

Commissioner Macauley's priorities included WPF2000, WPF2002, WPF2008, WPF2010, WPF2012, and WPF2015.

Commissioner Pierpoint's priorities included WPF2000, WPF2001, WPF2003, WPF2008, and WPF2013.

Commissioner Schock's priorities included WPF2004, WPF2005, WPF2009, WPF2010, and WPF2013.

Based on the Commissioners initial priorities 2 applications that had a majority support of 4 or more voting Commission members present and included WPF2008 and WPF2010.

The Commission then deliberated on the projects that had 3 supporting Commission members. These included WPF2000, WPF2001, WPF2002, WPF2012, and WPF2013. Chairman Paradzick supported WPF2001.

WPF2001 has a majority support of the voting Commission members present.

The Commission continued deliberating on the projects that had 3 supporting Commission members which included WPF2000, WPF2002, WPF2012, and WPF2013. Commissioner Brick supported WPF2013 and WPF2000.

WPF2000 and WPF2013 have a majority support of the voting Commission members present.

The Commission continued deliberating on the projects that had 3 supporting Commission members which included WPF2002 and WPF2012. Vice-Chairman Jacobs asked if anything was funded related to the Paria Beach Riparian Restoration project in fiscal year 2019. Mr. Teran responded the project was not funded, and WPF2012 is a re-submission of essentially the same project and scope of work that was submitted during the last grant cycle. Chairman Paradzick stated that a concern that the Commission had with the previous application was the cost of monitoring program with little in-kind contribution from the National Park Service, and the current application addressed that concern and reduced the cost. He also stated the applicant has had several successful AWPF projects, and the current project is in an area highly visible to the public. Commissioner Jacobs supported WPF2012.

WPF2012 has a majority support of the voting Commission members present.

Chairman Paradzick asked for any comments related to WPF2002. Commissioner Macauley stated he already supports the project, and Commission Schock stated that he thought it is a great project, but did not support it because it was very high cost for only 5-acres of treatment. Commissioner Pierpoint did not support the project because the treatment area would be still surrounded by tamarisk and the seed source would be a maintenance issue into the future.

Chairman Paradzick asked for any comments or discussion on the applications that have not yet been considered for funding. Vice-Chairman commented that WPF2005 and WPF2009 projects are similar in scope and asked if they were in the same general vicinity, and Commissioner Brick stated that they are not. Chairman Paradzick stated that he supports WPF2005. Commissioner Pierpoint stated that he also supports project WPF2005. Commissioner Brick commented that he already supports the project.

WPF2005 has a majority support of the voting Commission members present.

Chairman Paradzick asked again for any comments or discussion on the applications that have not yet been considered. Mr. Teran described the list of remaining applications. Chairman Paradzick stated that he initially supported WPF2011. Commissioner Macauley stated that he supports WPF2011. Commissioner Paul Brick expressed support for WPF2011. Commissioner Pierpoint supported WPF2011.

WPF2011 has a majority support of the voting Commission members present.

Chairman Paradzick asked again for any comments or discussion on the applications that have not yet been considered. Mr. Teran described the list of remaining applications. Commissioner Schock commented that the Commission has not generally funded many projects involving dirt work or erosion control, and stated that he voted for WPF2004 because the project involves erosion control and slowing down water. Commissioners Brick and Paradzick responded that they understand the issue, but did not feel comfortable supporting work to fix a problem caused by someone else's actions.

Commissioner Schock commented that WPF2016 was a real ambitious project and it may be helpful for them to try to implement some of the work at a smaller scale before attempting such a big project. Commissioner Macauley commented that overall it appeared like a good project, but there are lot of issues to consider.

Chairman Paradzick stated that WPF2003 requested \$62,000 for water conservation actions. Commissioner Macauley commented that his concern with the project is taking water from one entity and giving to another and essentially repurposing the water, and how this could be done legally based on land ownership and applicable water use. He stated that a question that remained unanswered was how water savings is being quantified. Commissioner Schock stated that he was not clear how the program would work. Vice-Chairman Jacobs commented that for \$62,000 it could be possible to see how the program would work, and Chairman Paradzick stated that he does see value for the applicant to go through the research process and look at Arizona Water Law and all the issues and determine what it would take to get there. Vice-Chairman Jacobs asked if the Commission is willing to make the effort to fund the project and have them come back and report how it is working. The Commission continued deliberating on the potential issues of water rights and land ownership. Chairman Paradzick stated that the Commission has a lot of questions about the project, and asked if any Commissioner members support this project after the discussion. No other Commissioners expressed support for the project.

Commissioner Brick asked for the grant application numbers being considered for funding. Mr. Teran responded WPF2000, WPF2001, WPF2005, WPF2008, WPF2010, WPF2011, WPF2012, and WPF2013. Chairman Paradzick asked the Commission for comments regarding the list of project funding recommendations. Commissioner Macauley requested that for any projects that may have a discrepancy between the applicant's fund request and AWPF staff calculations that a justification for the difference be made by the applicant.

Commissioner Macauley made a motion to approve the following grant applications WPF2000, WPF2001, WPF2005, WPF2008, WPF2010, WPF2011, WPF2012, and WPF2013 up to the amount recommended by the Executive Director, and with the conditions as stated in the staff reviews, and approved by the Chair, with a second from Commissioner Shock. The motion passed unanimously.

Mr. Teran updated the AWPF funds tracking table with the projects selected for funding which totaled \$1,201,670. He also reminded the Commission that they have an opportunity to consider administrative funding for the program during this meeting or at a future Commission meeting.

FINAL CALL TO THE PUBLIC

Chairman Paradzick made a final call to the public to address the Commission. Mr. Gary Gold, Policy Advisor for U.S. Senator Krysten Sinema addressed the Commission and stated that they are interested in addressing the tamarisk issue and have introduced a bill that would set up a program within the US Department of Agriculture specifically for tamarisk removal, replacements, and monitoring and he wanted to inform this Commission and could forward a copy of the bill and additional information if anyone was interested.

Ms. Sara Wagner, Grants that Go the Distance, LLC addressed the Commission and stated that she is a grant professional and worked with the Landward Foundation in preparing grant application WPF2002. She expressed that what probably did not come across in their application was that the project was not specifically on the Babbitt Ranches, but on a conservation easement of over 200-acres that will be a place where people can come to learn about restoration. Ms. Wagner also commented that although their application did very well in the staff technical review, she was not aware how important project visibility and costs per acre were to the Commission.

FUTURE MEETING DATE(S)

Chairman Paradzick stated that he will be resigning from the AWPF Commission as he has taken a new position within Salt River Project, and this will be his last Commission meeting. The Commission and staff thanked him for his time and service.

Mr. Teran stated that the Commission has typically held general business meetings in March. Chairman Paradzick asked the Commissioner members to identify possible dates in March 2020. Vice-Chairman Jacobs suggested meeting on Tuesday, March 10, 2020, in Tucson, AZ, and there was a consensus from the Commission.

Mr. Teran stated he will plan for a March 10, 2020 meeting date and research possible meeting locations.

ADJOURN

With no other agenda items Chairman Paradzick asked if there is a motion to adjourn. Commissioner Pierpoint made a motion to adjourn, with a second from Commissioner Brick. The motion passed unanimously, and the meeting adjourned at 12:47 p.m.



Arundo Eradication & Riparian Restoration in Sabino/Bear Ck

Jim Washburne & Mike McGrath
2014-2019



Arundo Eradication Project

THE PLANT

What's the problem?



Desert splendor or Desert invader ?



Arundo



Water Use

Fast growing → thirsty

Plant	Water use [af/ac/yr]	Ratio Arundo / Plant
Arundo donax ¹	20	1
Tamarisk ²	4-6	~4
Alfalfa	5	~4
Cottonwood ³	~2	~10
Mesquite ⁴	1-4	5-20



Characteristics of invasive plants:

Hardy, drought tolerant, rapidly re-colonize disturbed areas, spreads readily, outcompetes native plants

Arundo donax L

*“Giant Cane, Elephant Grass,
Spanish Cane, Carrizo Cane”*

- Monocot, Poaceae
- Stalk and leaves resemble corn and is sometimes confused with Bamboo
- Rapidly grows to 15-20 feet (3-4 in/day)
- Seeds are sterile.

The danger:

- Giant reed can completely overwhelm native vegetation, which reduces wildlife habitat, increases fire risks and interferes with flood control



Downstream Spread - Rhizomes



Arundo Eradication Project

Upstream Spread – a) Woodchucks



Arundo Eradication Project

after Geico (2019)

Upstream Spread – b) Tepees



Arundo Eradication Project

REMOVAL STRATEGIES

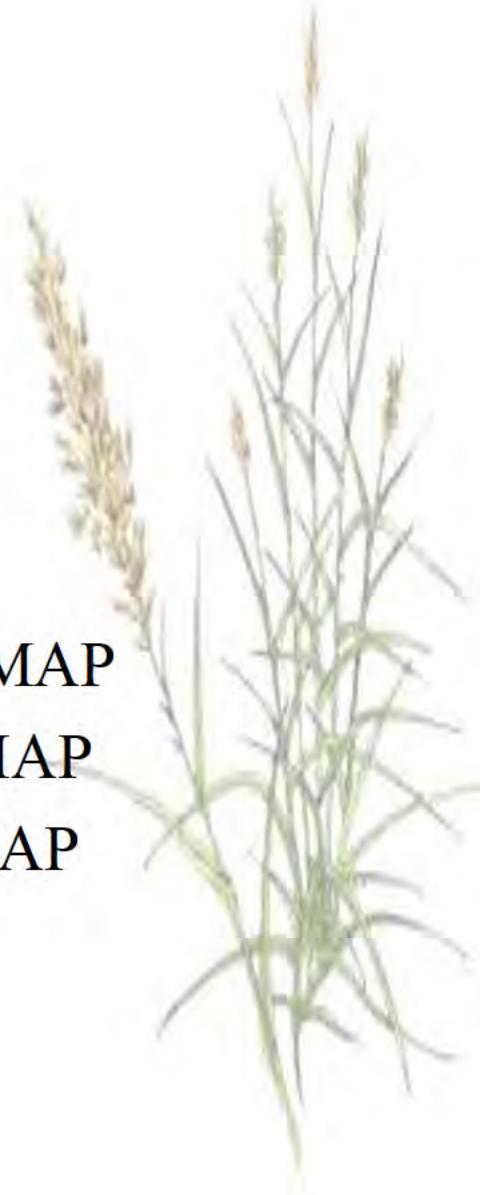


Arundo Eradication Project

Annual Pacing

- Year1:
 - work holidays while Rec.Ctr. closed
- Current:
 - Winter: Cold, no snakes: work AMAP
 - Spring: Cool, Summer is coming => work AMAP
 - Summer: Hot but so much to do => work AMAP
 - Fall: still hot but mornings cool => work AMAP

* AMAP: as much as possible



Current Practices

1. Upstream -> Downstream
2. Cut cane, Bundle, Haul
3. Rhizomes: Surround, Divide,
Conquer, Dry for 12 mo. above
flood plain, 95% effective
4. Deep? Longwall trenching
5. Initial 3 mo revisit
6. “Cut – spray stump” regrowth



Patient Zero

Before



After 2 hours of work



Arundo Eradication Project

Longwall Trenching

Initial Trench



Continuous Backfill



Arundo Eradication Project

~25 ft³/hr?

Tools of the Trade

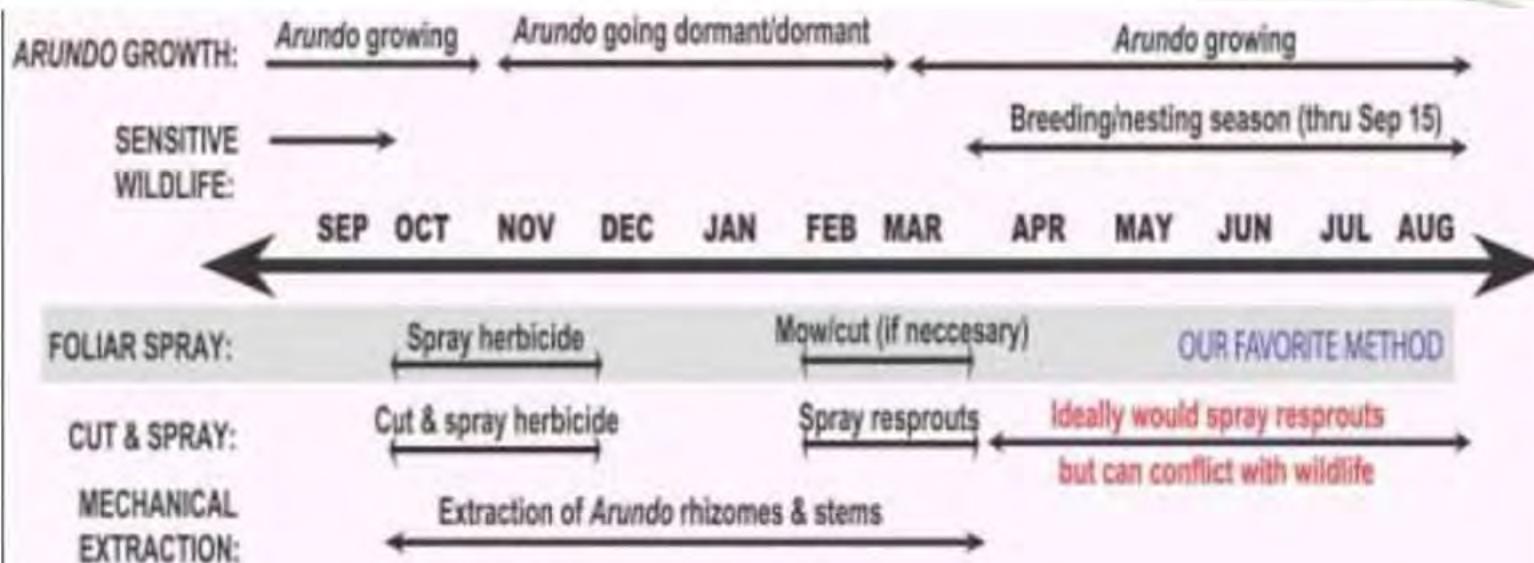


Arundo Eradication Pro,

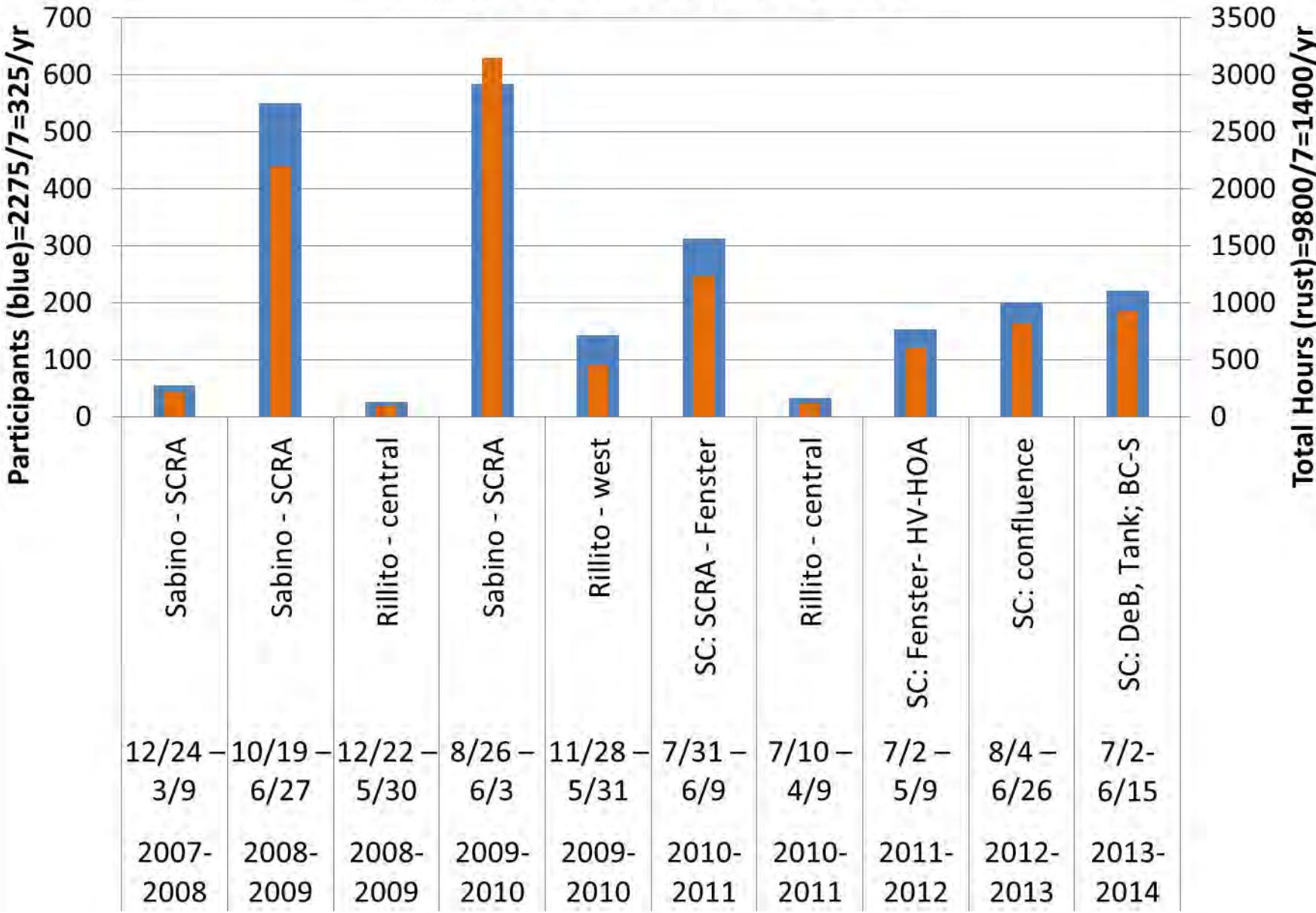


Chemical Control

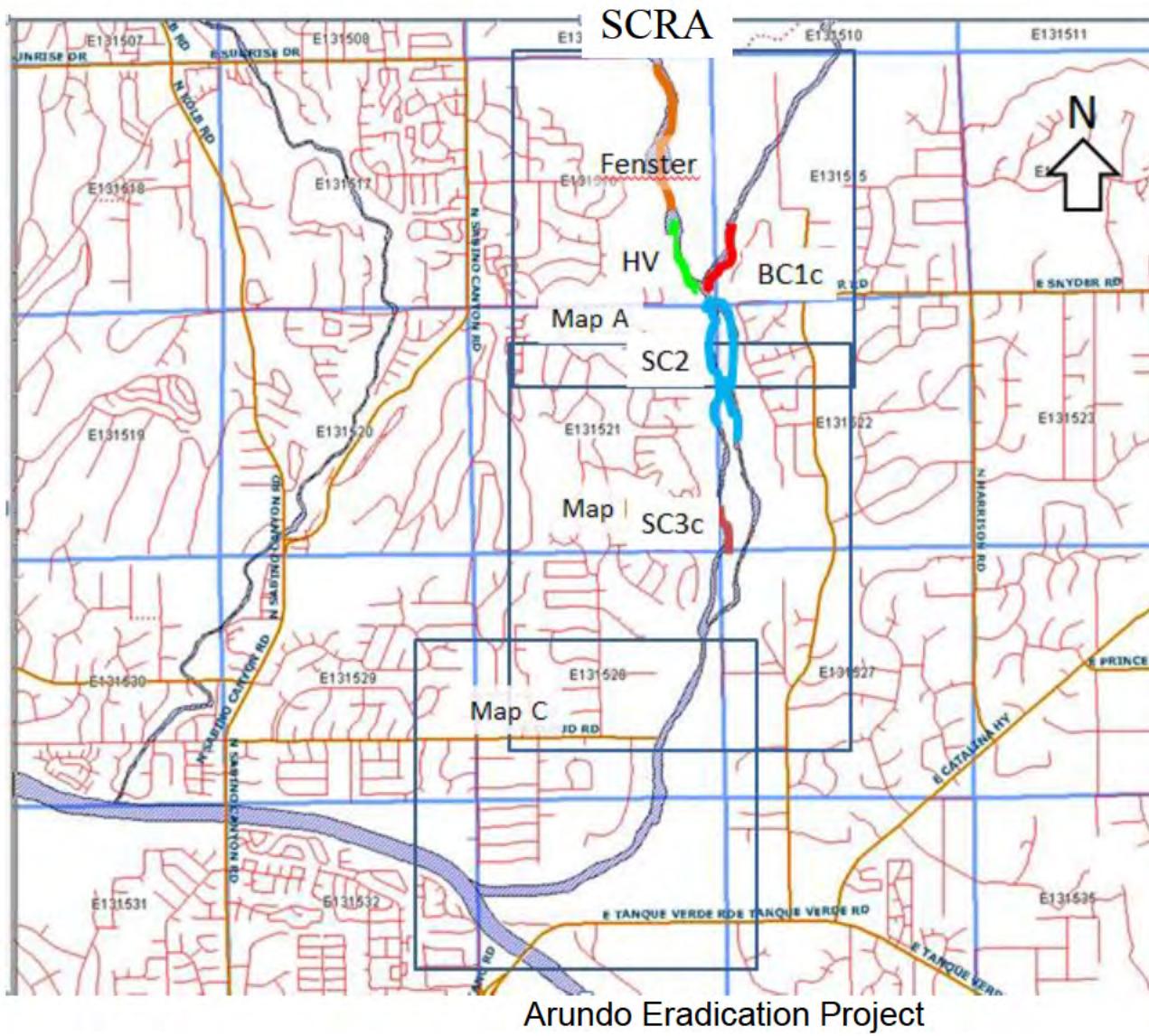
- Rodeo® (54% Glyphosate)
 - Cut – stump (Oct) (-76%) (**-99%**)
 - 100% applied to stem soon after cutting
 - Cut – spray (Sept) (-82%) (**-50%var**)
 - 1.5-2% foliar application
 - No cut - spray (-33%)
 - Control (+21%)



Legacy Period - Pre AWPF Efforts



Pre-AWPF Award Efforts



2008-2009, SCRA-upper
2200 Hrs, 550 Participants



Arundo Eradication Project

2009-2010, SCRA-lower
3146 Hrs, 583 Participants



2010-2011, SCRA-Fenster
1230 Hrs, 310 Participants



project

2010 Fenster 2014



2009-2011, Rillito

660 Hrs, 200 Participants



Arundo Eradication Project

2011-2012, HV-HOA
600 Hrs, 150 Participants



Arundo Eradication Project

2012-2013, Confluence
800 Hrs, 200 Participants



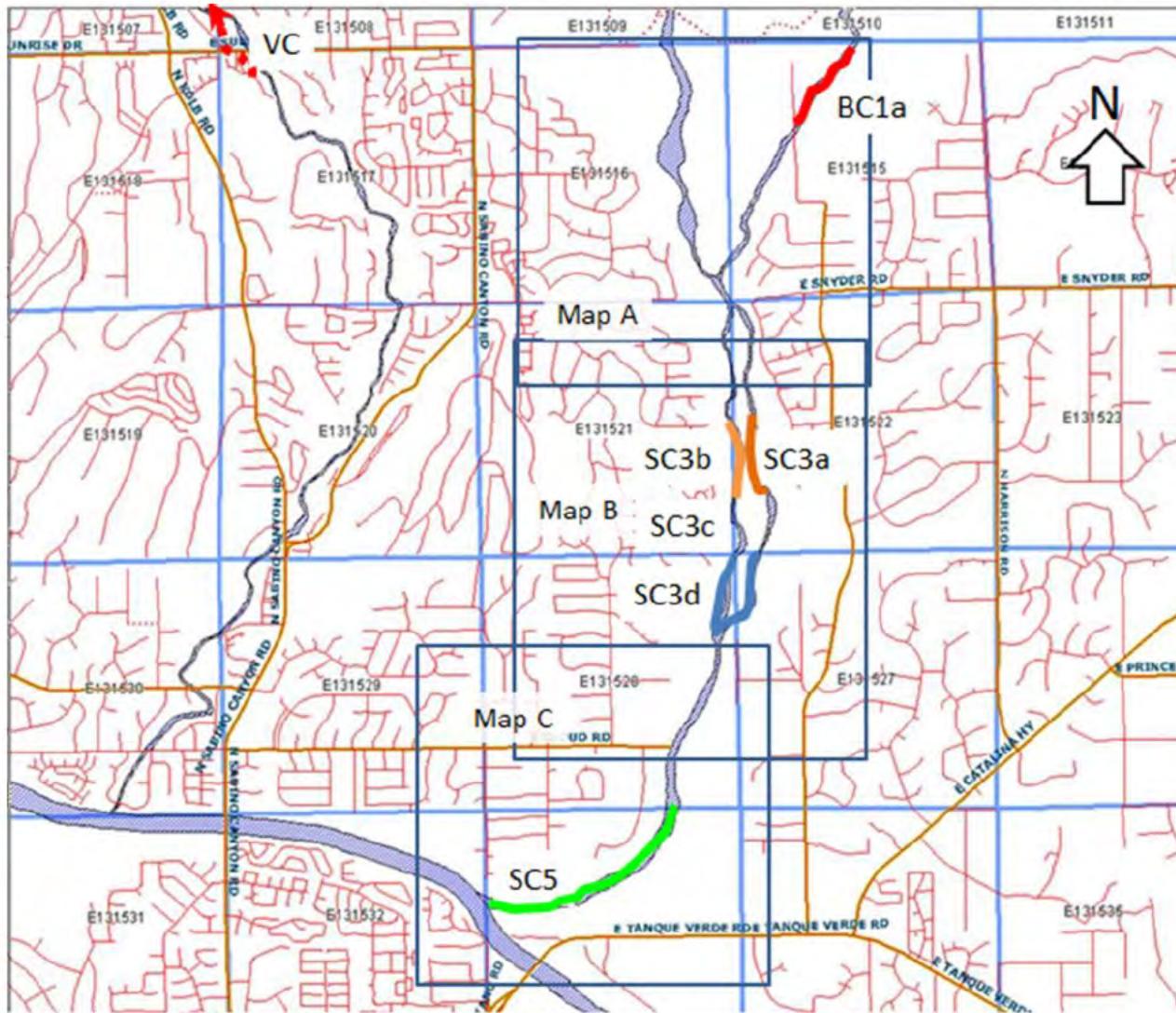
Arundo Eradication Project

2013-2014, SC3c/Tank
920 Hrs, 220 Participants



Arundo Eradication Project

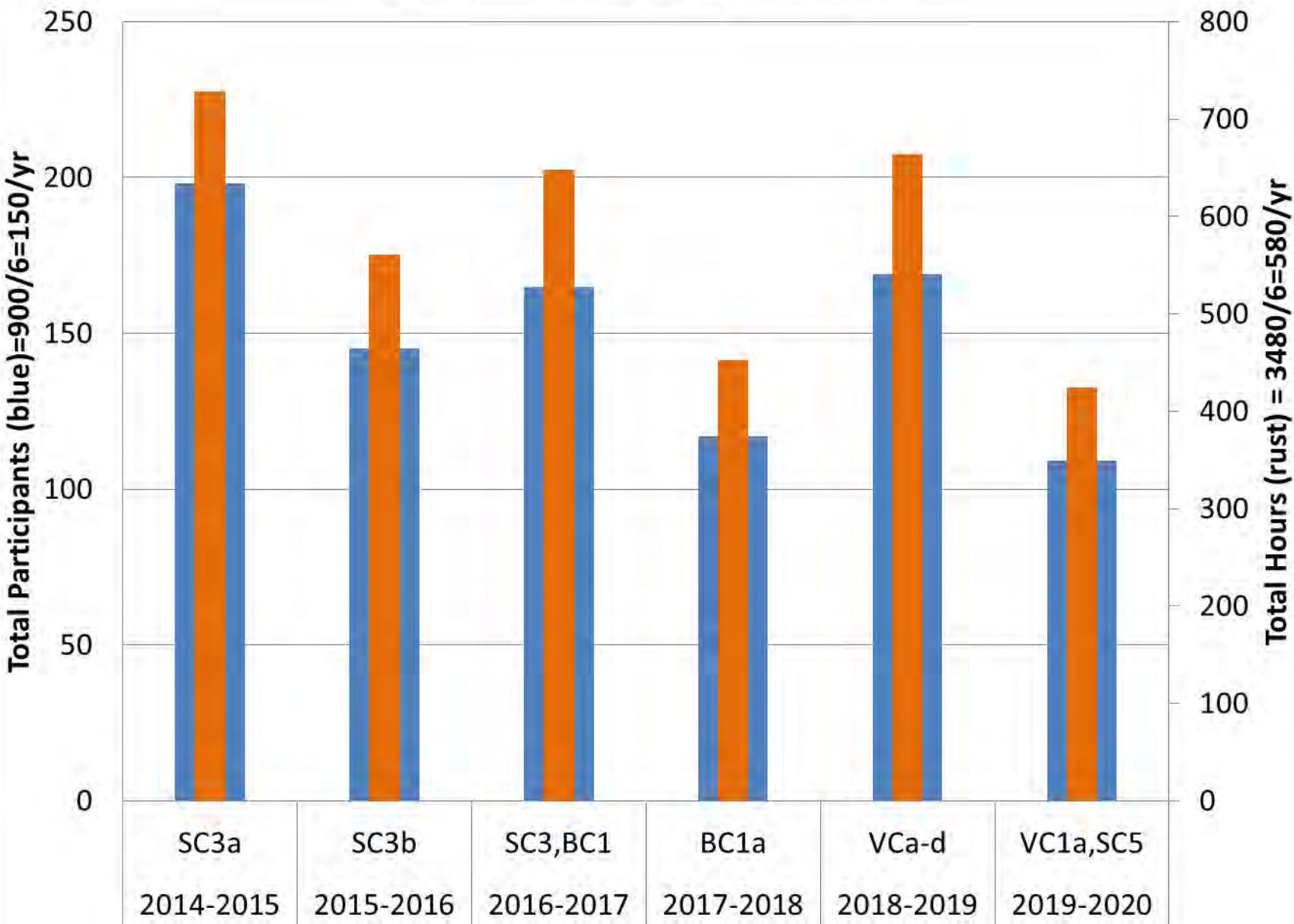
Post-AWPF Award Efforts



Arundo Eradication Project



AWPF Period - Post Award Efforts



2014-2015, SC3a/Tank
730 Hrs, 200 Participants



Arundo Eradication Project

2015-2016, SC3b/CRR
560 Hrs, 145 Participants



Arundo Eradication Project

2016-2017, SC3d/BC1c
650 Hrs, 165 Participants



Arundo Eradication Project

2017-2018, BC1a

450 Hrs, 120 Participants



Arundo Eradication Project

2018-2019, VCb-d

664 Hrs, 170 Participants



2014 - Flying V - 2020



ect

2019-2020, VCa/SC5

424 Hrs, 109 Participants



Impact – Affected Area

Table 2 – Primary Stream Reach Work Areas funded by AWPF

Reach	Length (ft)	Period
BC1a	1800	2017-2019
SC3a	1500	2015-2017
SC3b	1500	2015-2016
SC3d	1800x2	2016-2018
SC5b	2700	2015; 2019-ongoing
VC1	3000	2018-ongoing
Totals	14,100 ft = 2.67 mi	

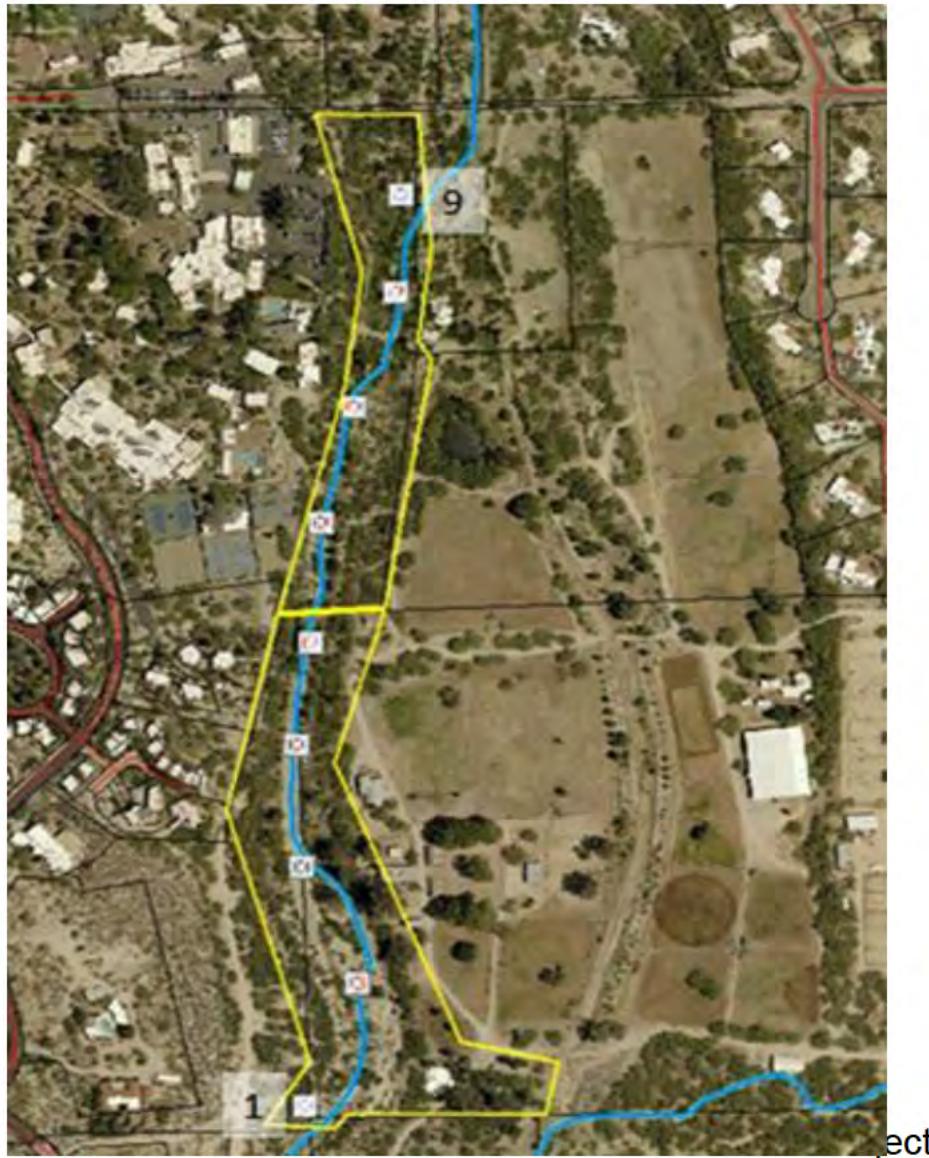


Impact – Water Savings

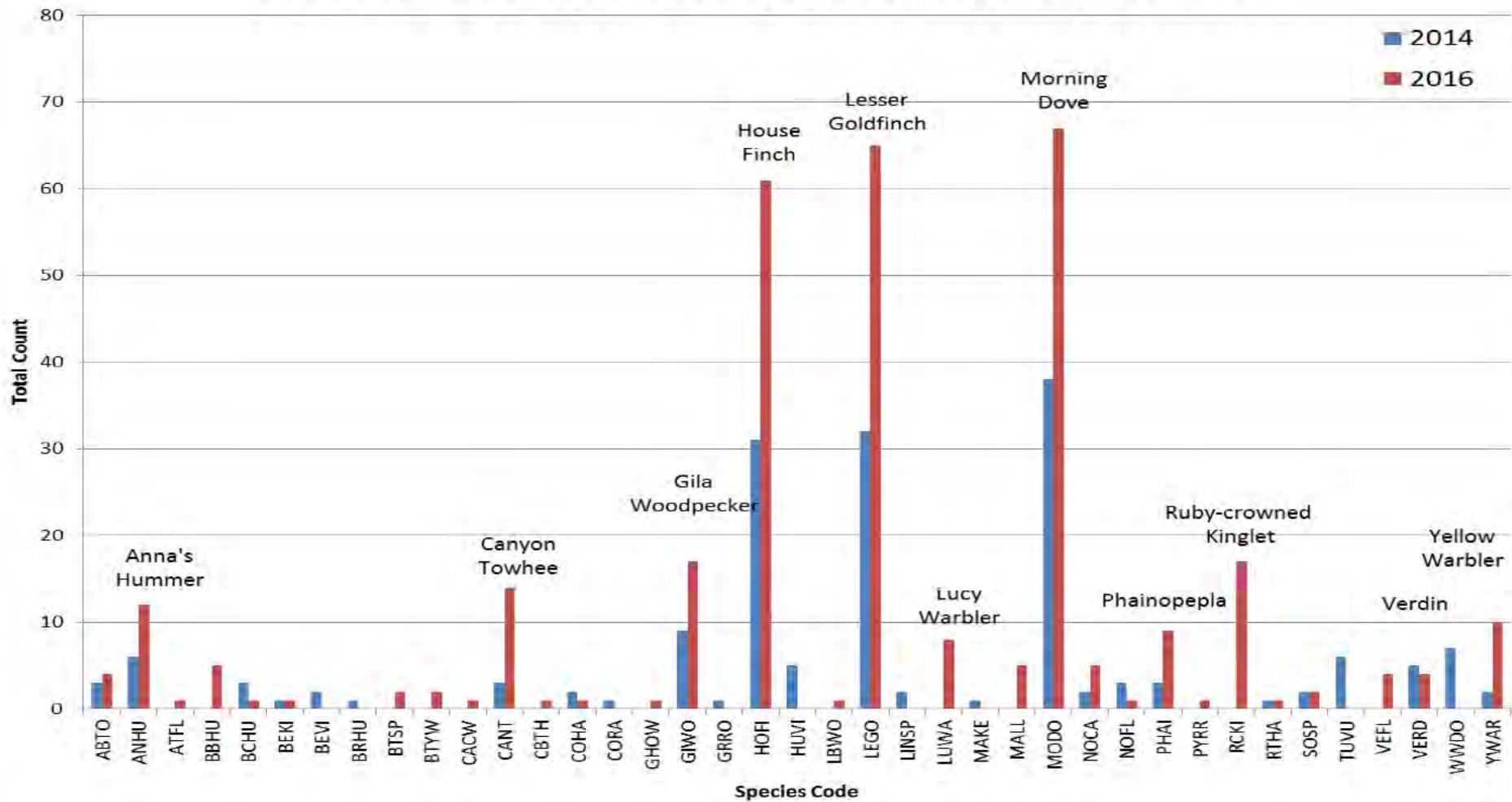
- Transpiration rate ~ 20 mm/day = 24 af/ac/yr
- 33 loads x 60 bundles x 30 canes = 60,000 stalks, ~40% green
- 10 stalks/m²? → 0.6 ac green stalks = 14 af/yr
- Eq. flow rate of 0.3 cfs for 1 mo.



Impact - Bird Surveys

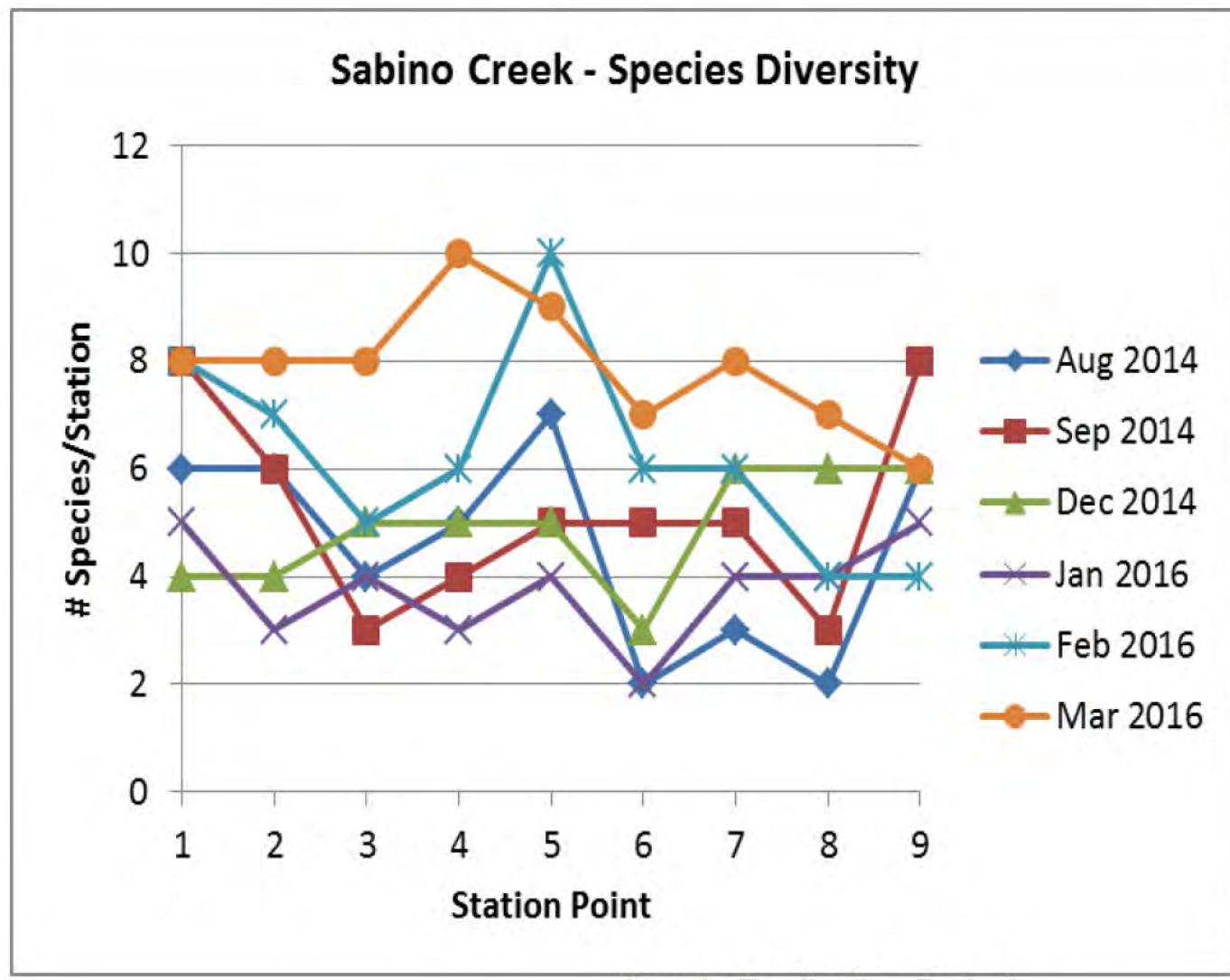


2014-2016 Bird Survey - Sabino Creek adj. Al Marrah, n=500

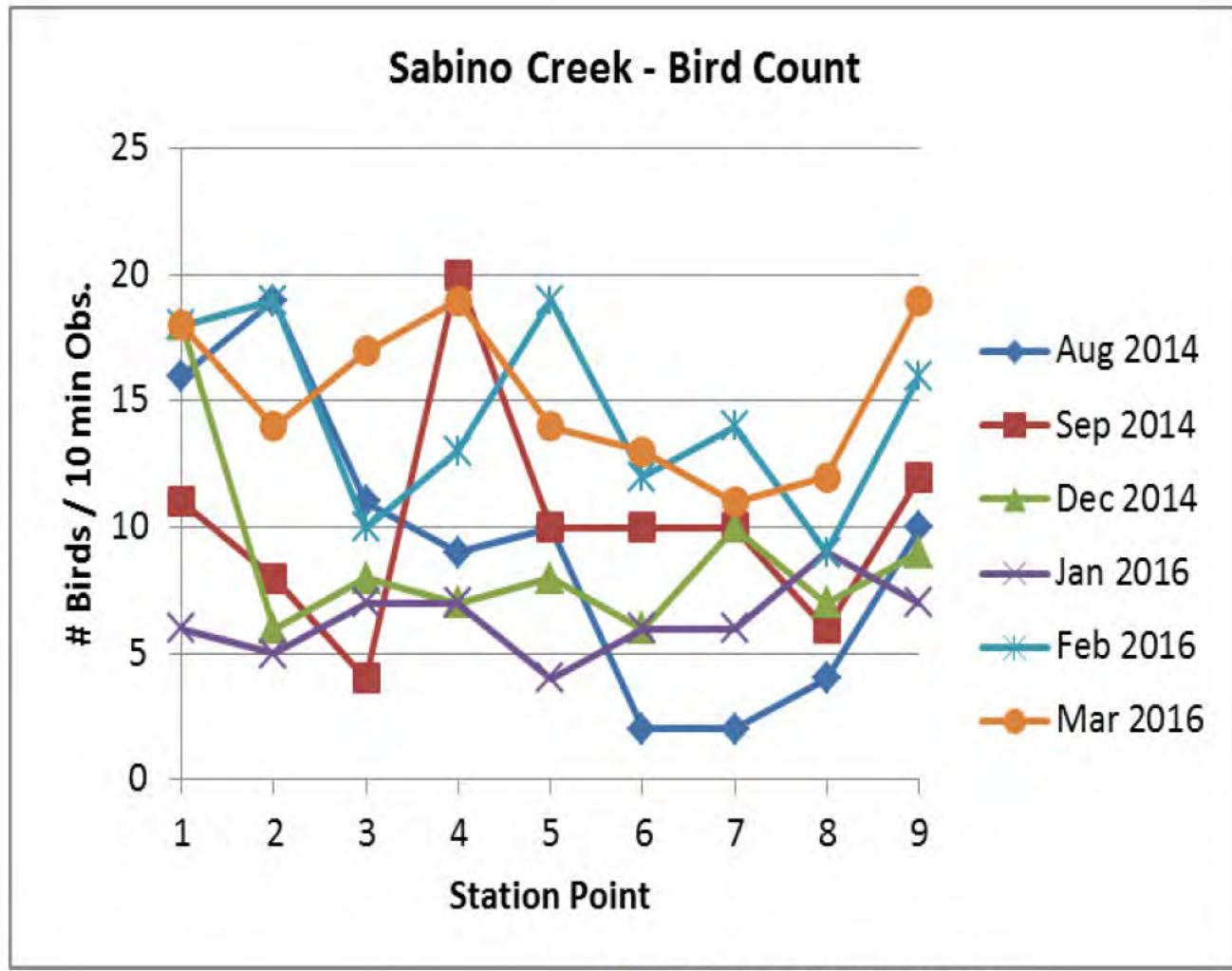


Arundo Eradication Project

Bird - Species Diversity



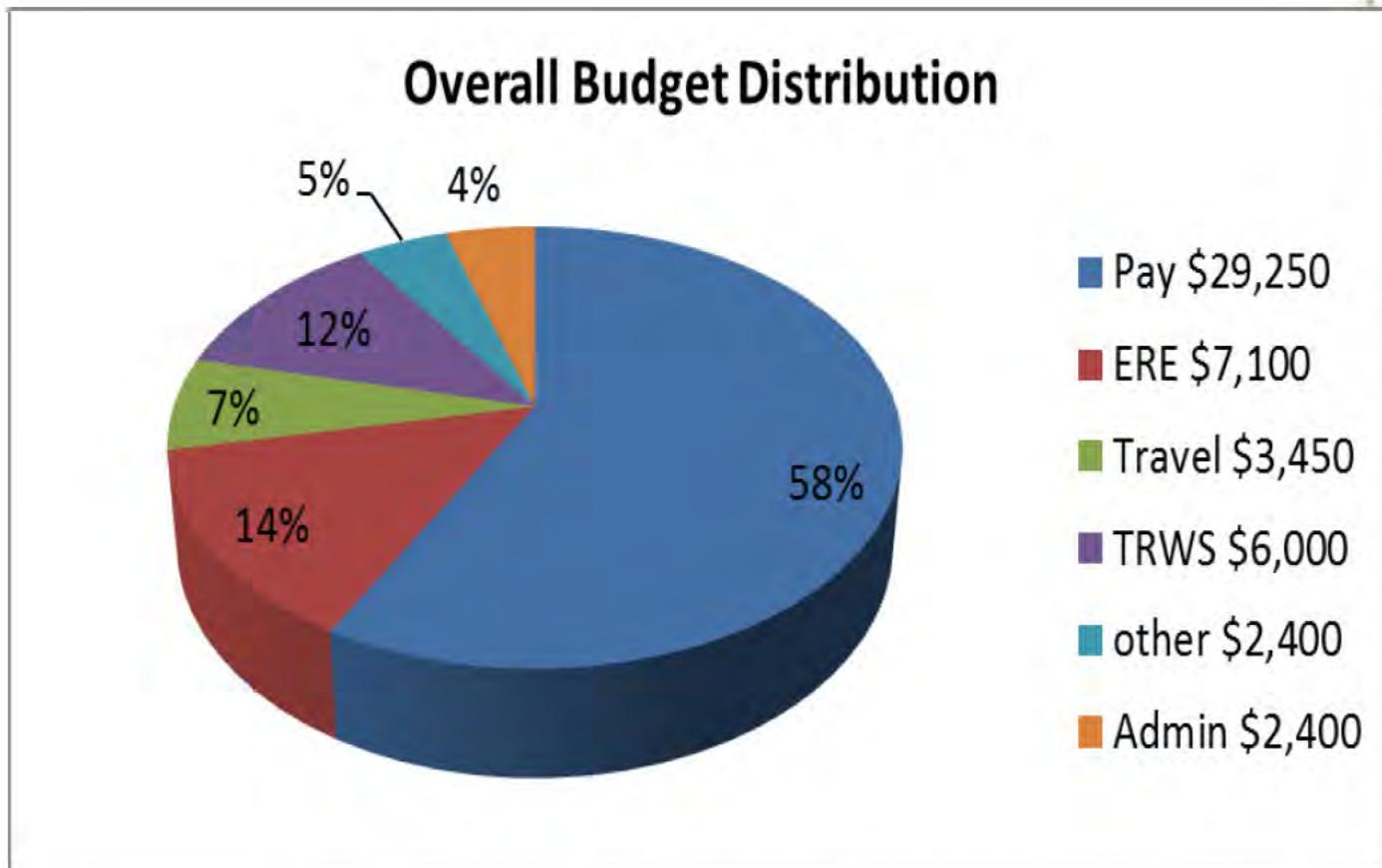
Bird Count



Arundo Eradication Project



Budget=\$51k



Goal – make it last as long as possible!!

Arundo Eradication Project

Coordinator Responsibilities

Management

- Funding
- Agency Coordination
- Access Permitting & Communication
- Budgeting
- Expense Reimbursement
- Reporting
- Publicity

Every Field Session

- Weather/Stream forecasts
- Tool maintenance
- Landowner permission
- Parking
- Go/No go calls
- Marching orders - Priorities
- Safety, Safety, Safety
- Debris Management

Management Issues – (lack of) Synchronicity

	A	B	C	D	E	F	G	H	I	J	K	L	M
1	Quarter A												
2													
3	Worked	Request	Defered	Prior	Hauling	Travel	Request	Defered	Prior	SubTotal	5%	Invoice	
4	Task 1												
5	Task 2												
6	Task 3												
7													
8	Quarter B												
9													
10	Task 1												
11	Task 2												
12	Task 3												
13													
14													

The diagram illustrates a management issue related to task synchronization. It shows two quarters of work. In Quarter A, Task 1 has a value in the 'Defered' column (row 4, column D) and Task 3 has a value in the 'Prior' column (row 6, column E). In Quarter B, Task 1 has a value in the 'Prior' column (row 10, column E) and Task 3 has a value in the 'Defered' column (row 12, column D). Two arrows point from the 'Defered' cell in Quarter A, row 4, column D to the 'Prior' cell in Quarter B, row 10, column E, and from the 'Prior' cell in Quarter A, row 6, column E to the 'Defered' cell in Quarter B, row 12, column D.

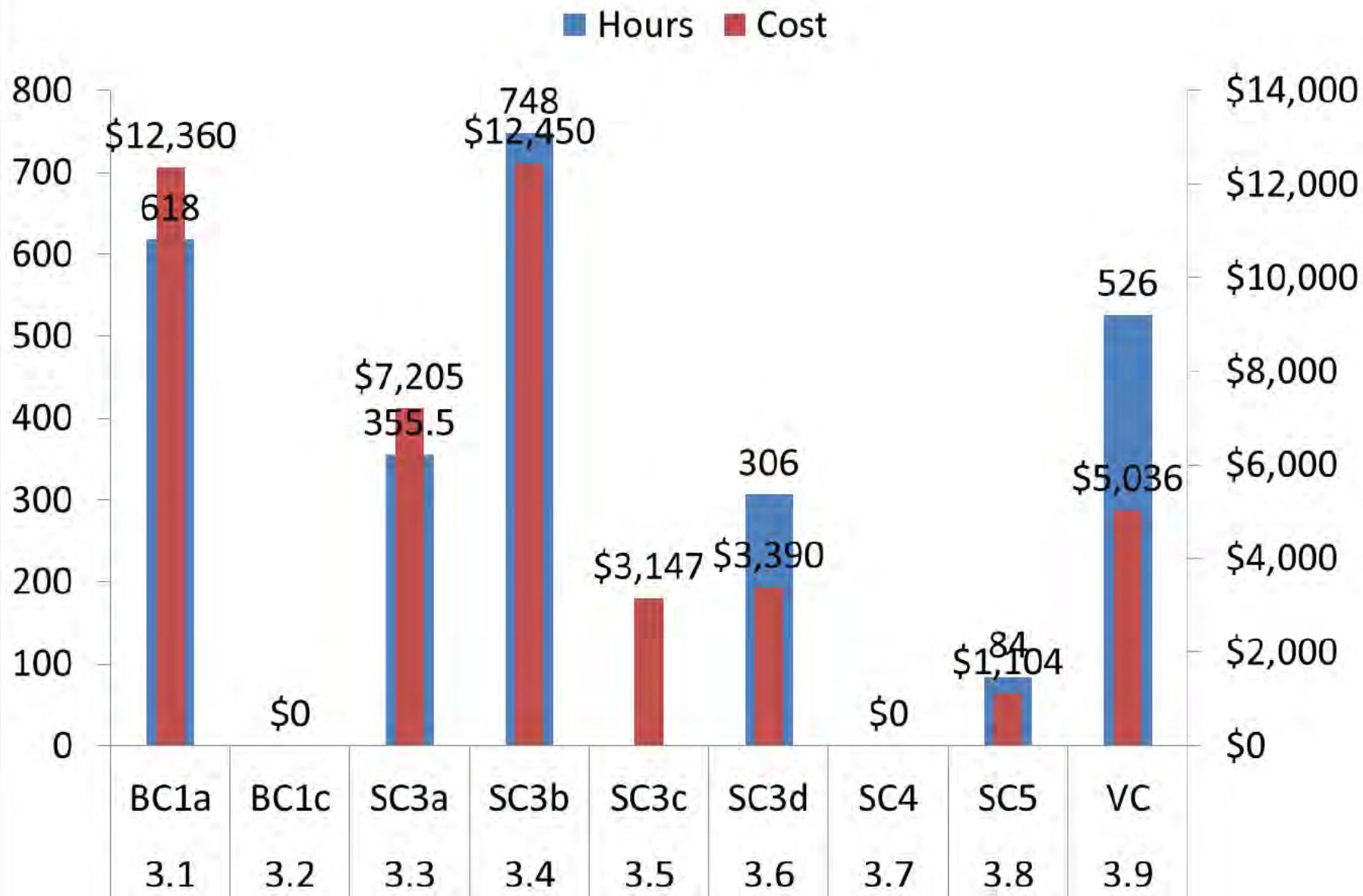
Management Issues - Tracking

Videos

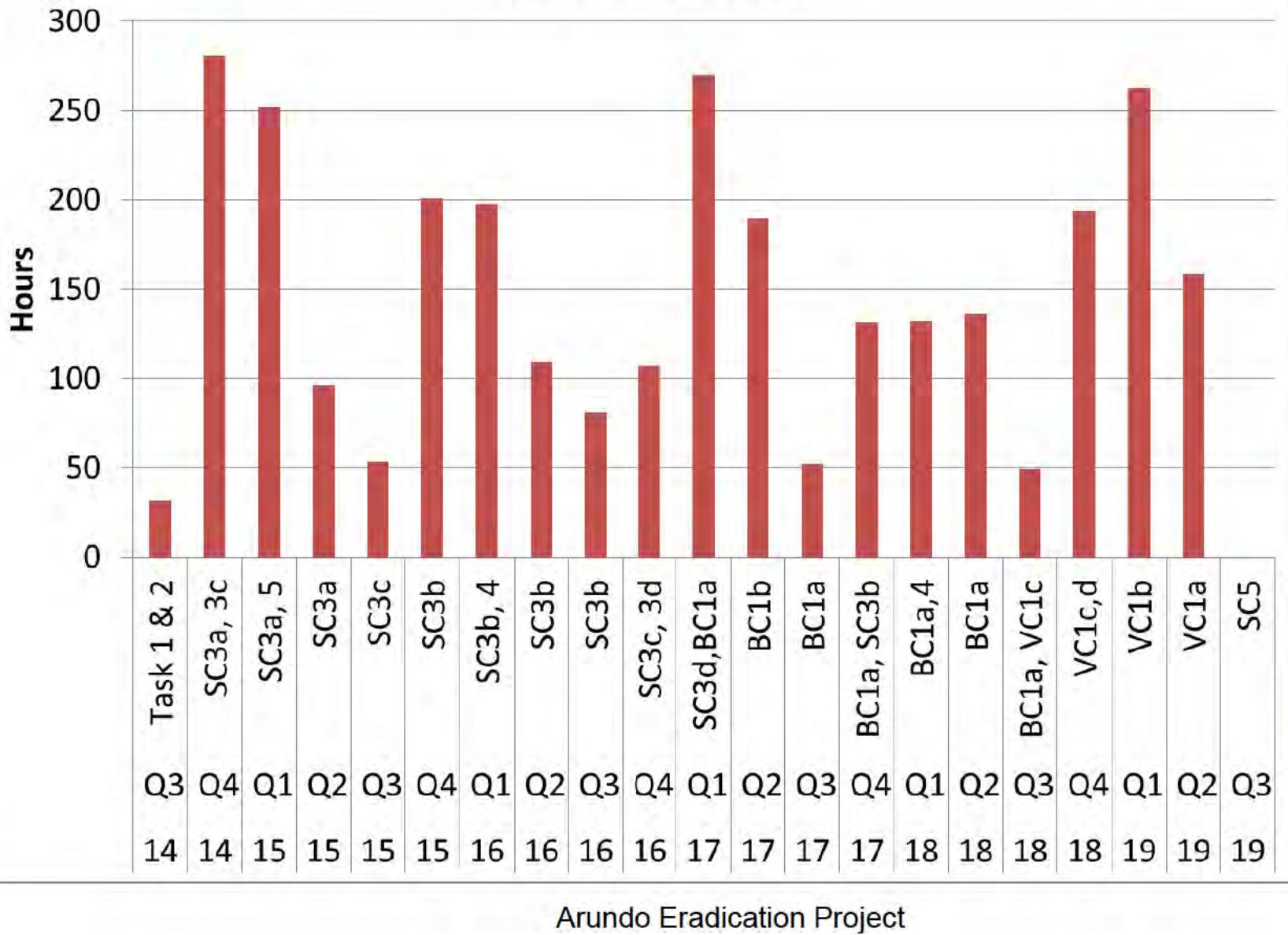
- 12/23/16, Flip video walking tour of Sabino Reach 3c, vimeo.com/196913549; private PW: SabinoArundo
- 12/23/16, Flip video walking tour of Sabino Reach 3d, vimeo.com/196915795; private PW: SabinoArundo
- 3/26/16, Time lapse cutting/digging near CRR, SC3c, <https://vimeo.com/159664634>; <https://vimeo.com/160483227>
- 7/2018, Slide show of work on Bear Canyon 3.1-Stilb, <https://vimeo.com/281186135>
- 7/2018, Slide show of work on Bear Canyon 3.1a, <https://vimeo.com/281185914>
- 7/2018, Slide show of work on Bear Canyon 3.1b, <https://vimeo.com/281186101>
- May 2019, Slideshow of work on Ventana Canyon 1a, <https://animoto.com/play/5y1uPrJ3PwhPEIAk5RK98g>
- March 2019, Slideshow of work on Ventana Canyon 1b, <https://animoto.com/play/2QkYWM9vgKruPeXM1W30fg>
- February 2019, Slideshow of work on Ventana Canyon 1c, Arundo Eradication Project <https://animoto.com/play/ydsowqlNMSzDRM0iJDSVAQ>



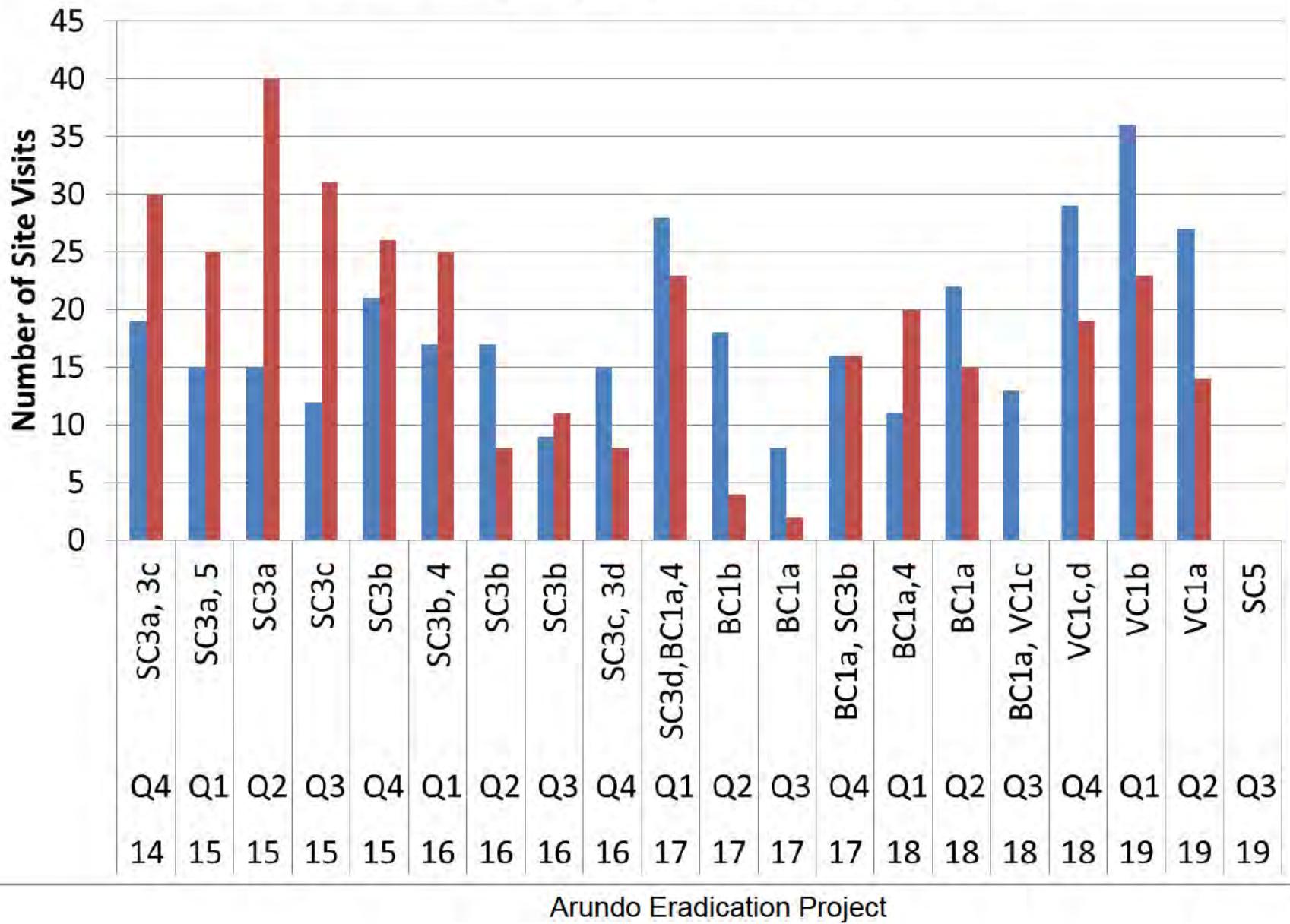
Hours and Cost



Total Hours = 3000

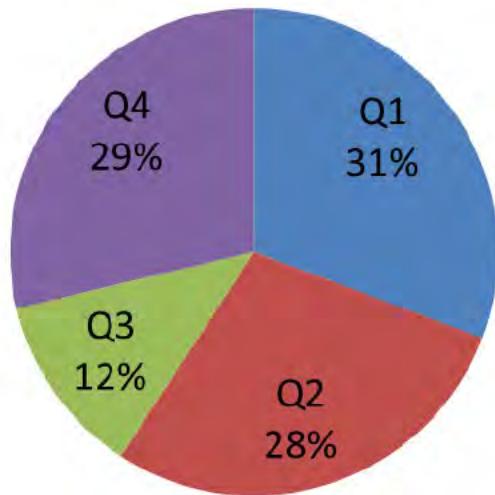


Site Visits - Jim (blue) and Mike (red) by Quarter

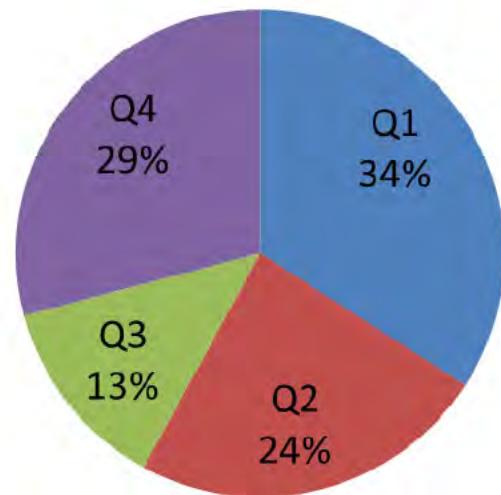


Total Site Visits by Quarter

Jim, Total=348



Mike, Total=340



Arund





A & NC Focal Area Watershed Improvement Project Brown Ranches Apache County Arizona

GRANT NO. 17-188 WPF

“The Arizona Water Protection Fund Commission has funded all, or a portion, of this report or project. The views or findings represented in this deliverable are the Grantees and do not necessarily represent those of the Commission or the Arizona Department of Water Resources.”



Watershed Improvement Through Grassland Restoration

PARTNERS

AACD

Landowner

Apache NRCD

BLM

AG&F

NRCS

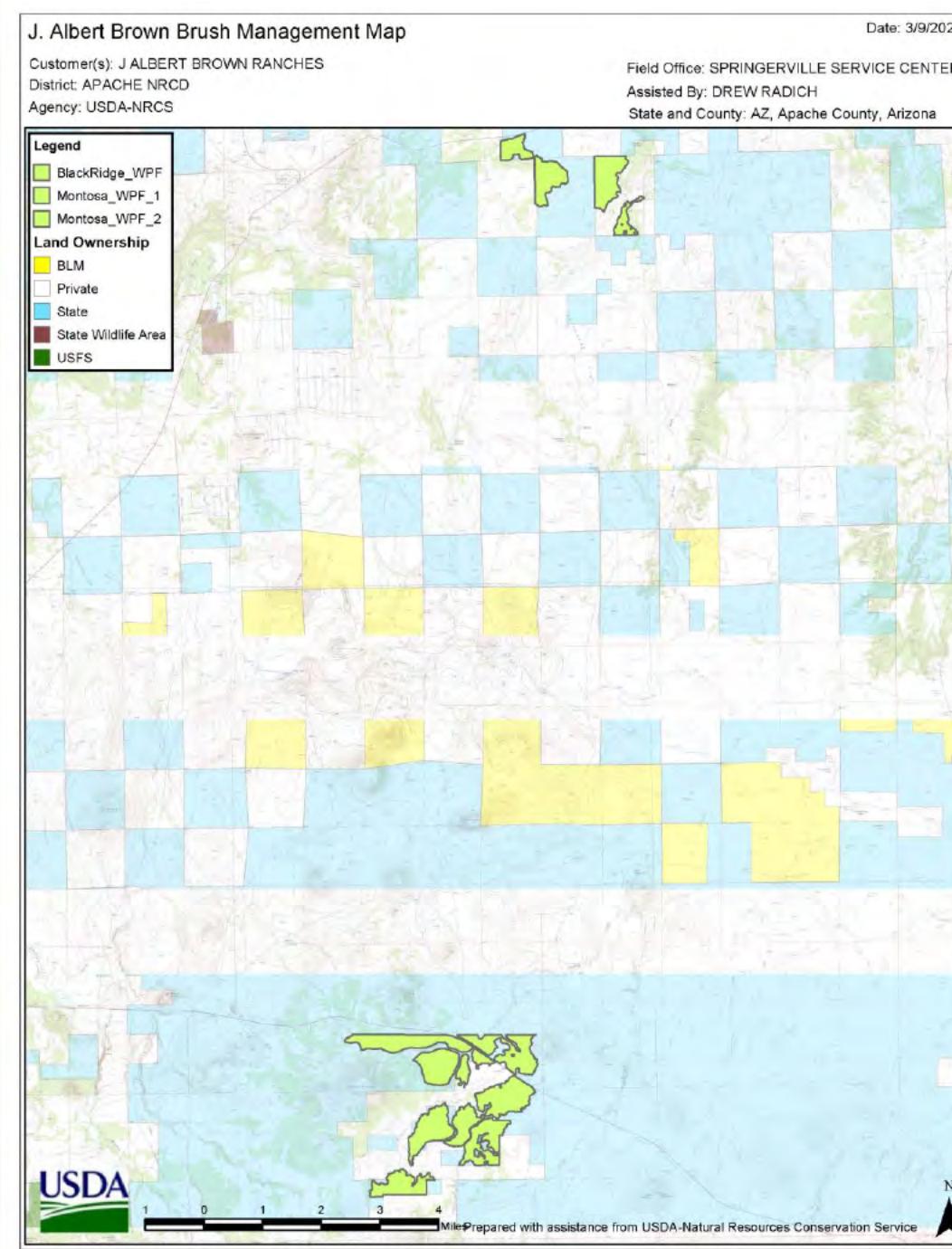
Apache County

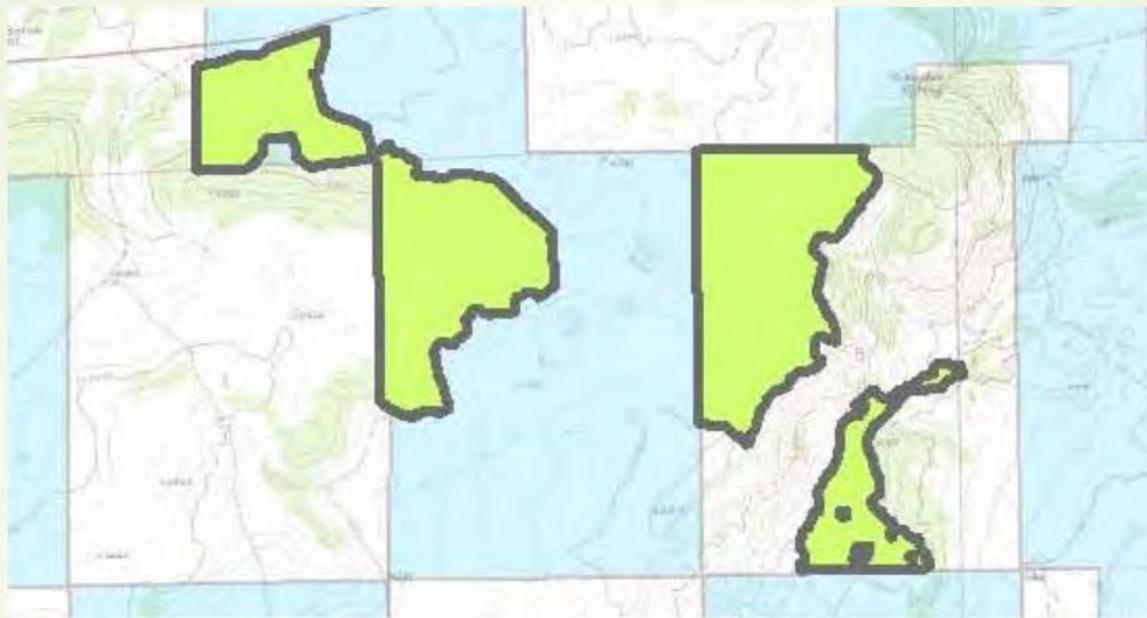
Removal of pinyon and juniper trees on 2000 acres of rangeland in Apache County.

- ▶ Ecological sites had the potential to produce increased grass cover
- ▶ Objective was to restore watershed function
 - ▶ reduce flood runoff
 - ▶ soil erosion
 - ▶ improve ground cove
 - ▶ reduce loss of water by evapotranspiration
 - ▶ improve forage for wildlife and livestock
 - ▶ increase biodiversity.
- ▶ Trees removed by bulldozing
- ▶ Biomass stacked and burned
- ▶ Pre treatment photo points established
- ▶ Quantitative data on vegetation and soil cover were collected prior to treatment.

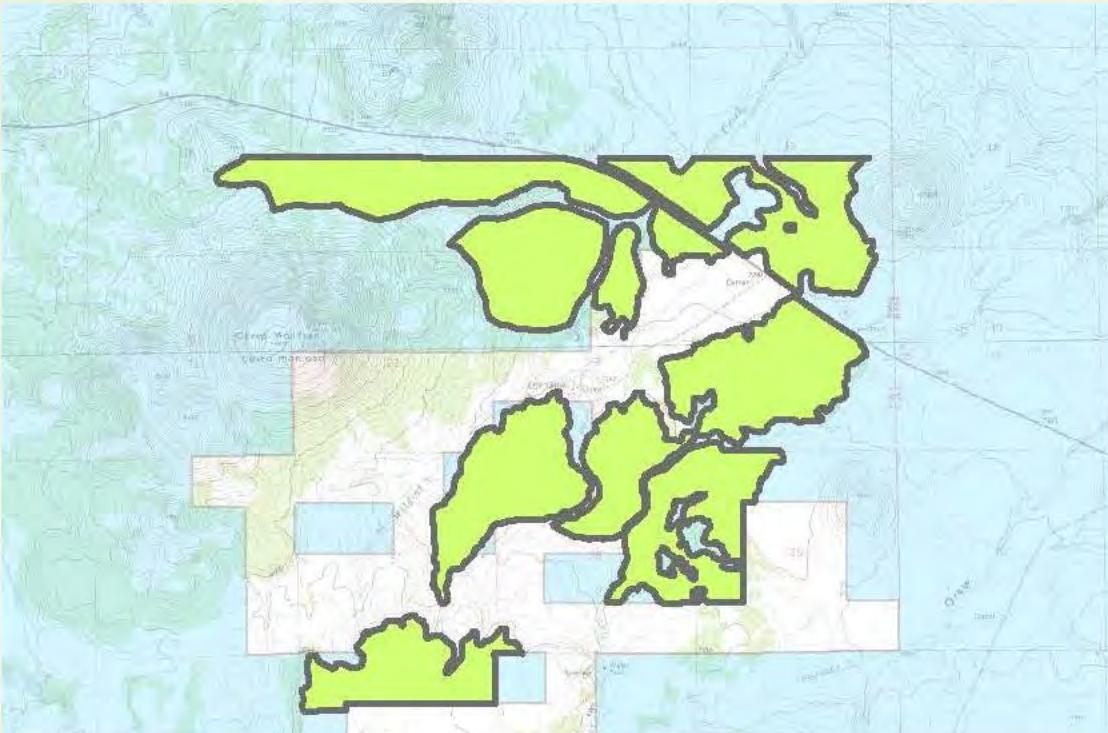
These data, along with photos, will be used to document changes in vegetation and soil as a result of the treatments over time.

Landscape Project





South of Highway 180



South and North of Highway 60

PHASE II 2016

A14T4



Pre treatment photo made in September
2016 by Munda, Means and Lambeth.

PHASE III
A1OPP1A WEST



PHASE IV
A11PP1 NORTH





Outreach

Workshops & Meetings

ISSUES

SHPO

PERMITS

PRE & POST TREATMENT MONITORING





Verde River Habitat Improvement Project

Grant #17-191

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



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 Habitat Improvement Project

- Grant #17-191, 2017-2019
- Retreatment of Invasive Plants
 - Arizona State Parks Verde River Greenway State Natural Area (Greenway)
- Two-year cycle of monitoring and retreatment
- 297 acres along 2.8 river-miles

Project Partners:

- Arizona Conservation Corps
- Arizona State Parks
- Arizona Water Protection Fund
- City of Cottonwood
- EcoPlateau Research
- RiversEdge West
- Town of Clarkdale
- Vets4Hire
- Walton Family Foundation



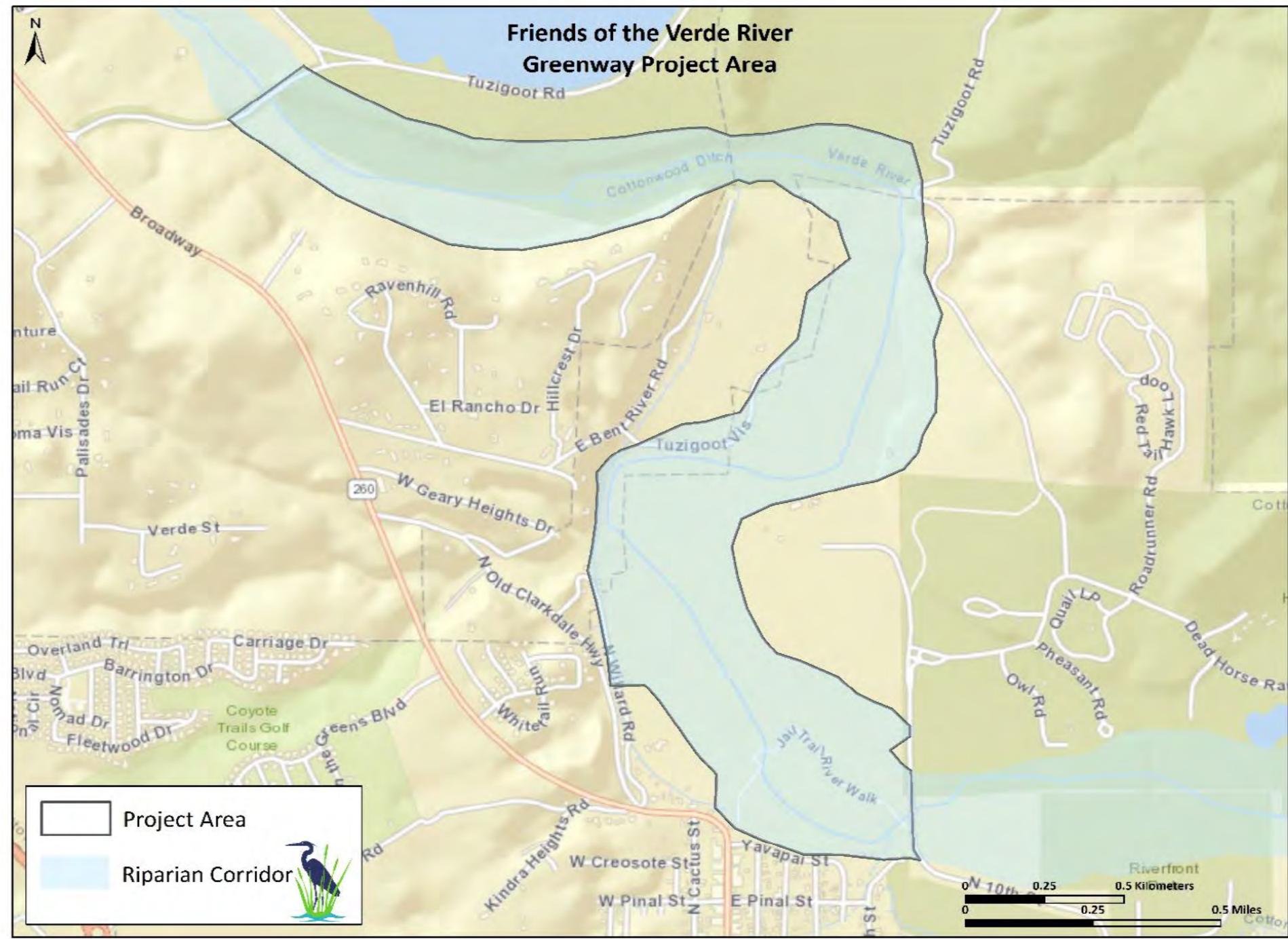


Verde River Greenway State Natural Area

- Unit of Dead Horse Ranch State Park
- Protects almost 1,000 acres of riparian and upland habitat
 - 35 river miles
- Great diversity of plant and animal life
- Contiguous with Prescott and Coconino National Forest, Tuzigoot National Monument, and the Verde Valley Botanical Area



**Friends of the Verde River
Greenway Project Area**



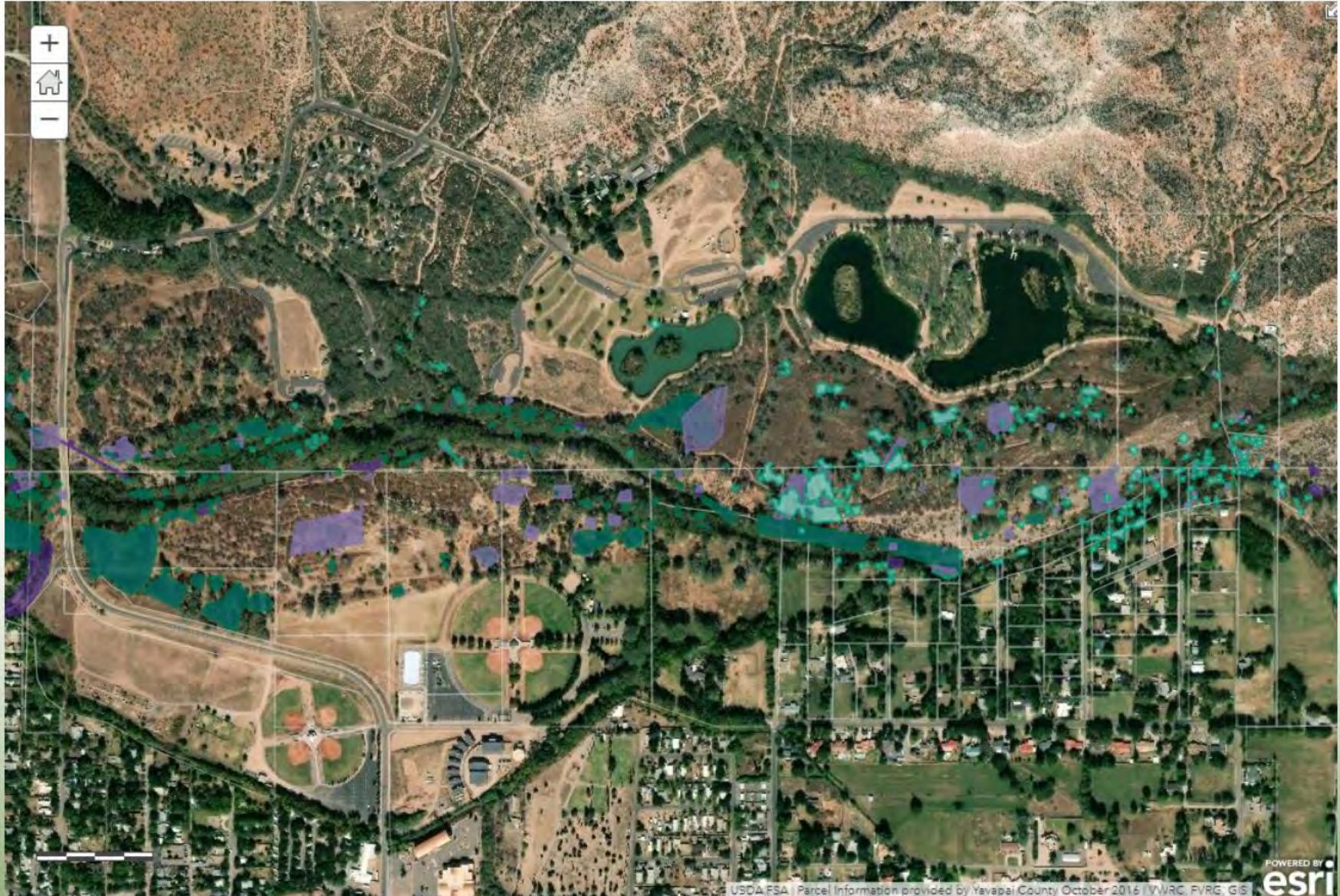
Verde River Habitat Improvement Project

- Retreatment
- Mapping and monitoring
- Three volunteer events
- Southwestern willow flycatcher and Western yellow-billed cuckoo surveys



Methods

- Map



Methods

- Map
- Treat



Methods

- Map
- Treat
- Monitor
 - Regrowth
 - Native Recruitment



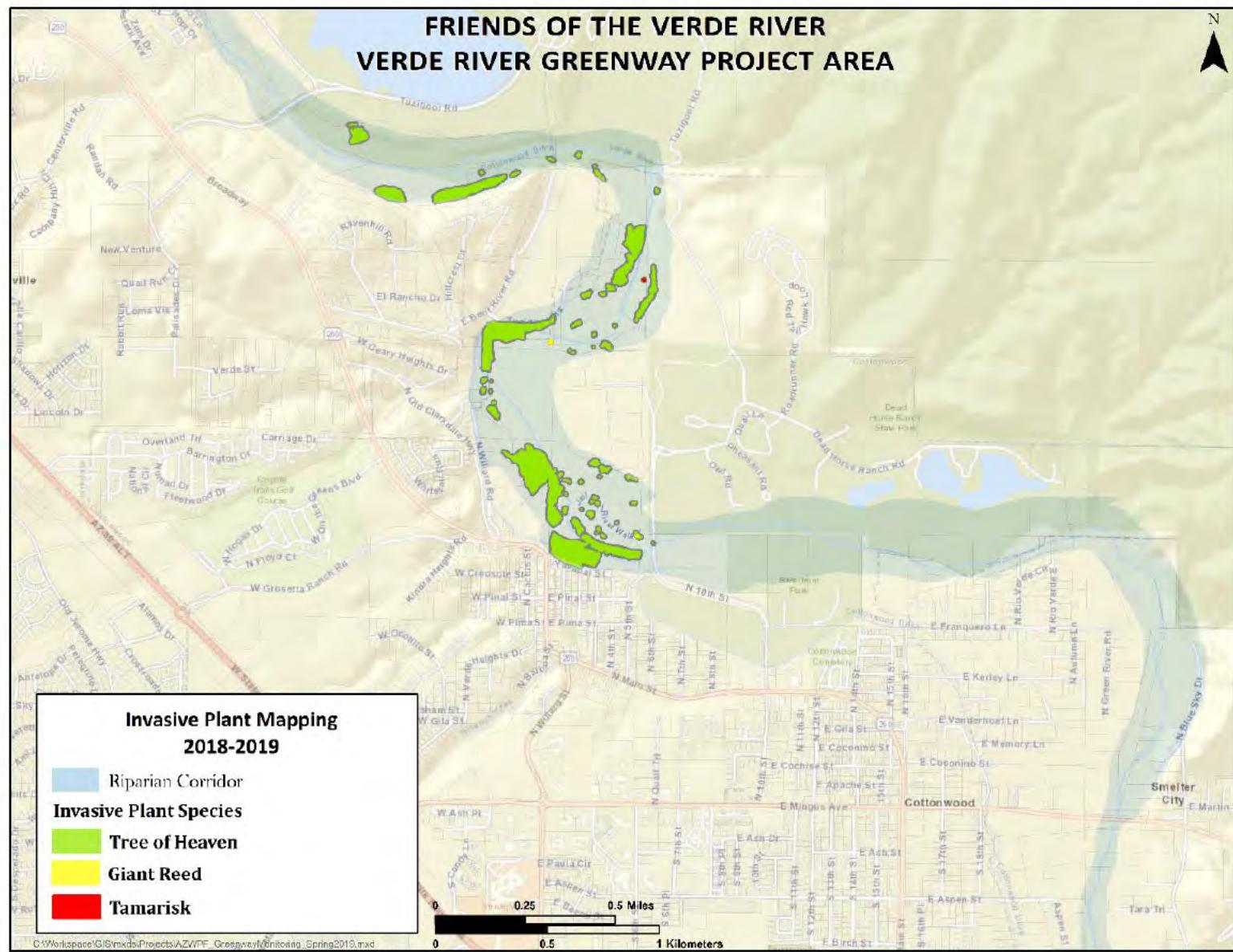
Methods

- Map
- Treat
- Monitor
- Retreat
- Monitor



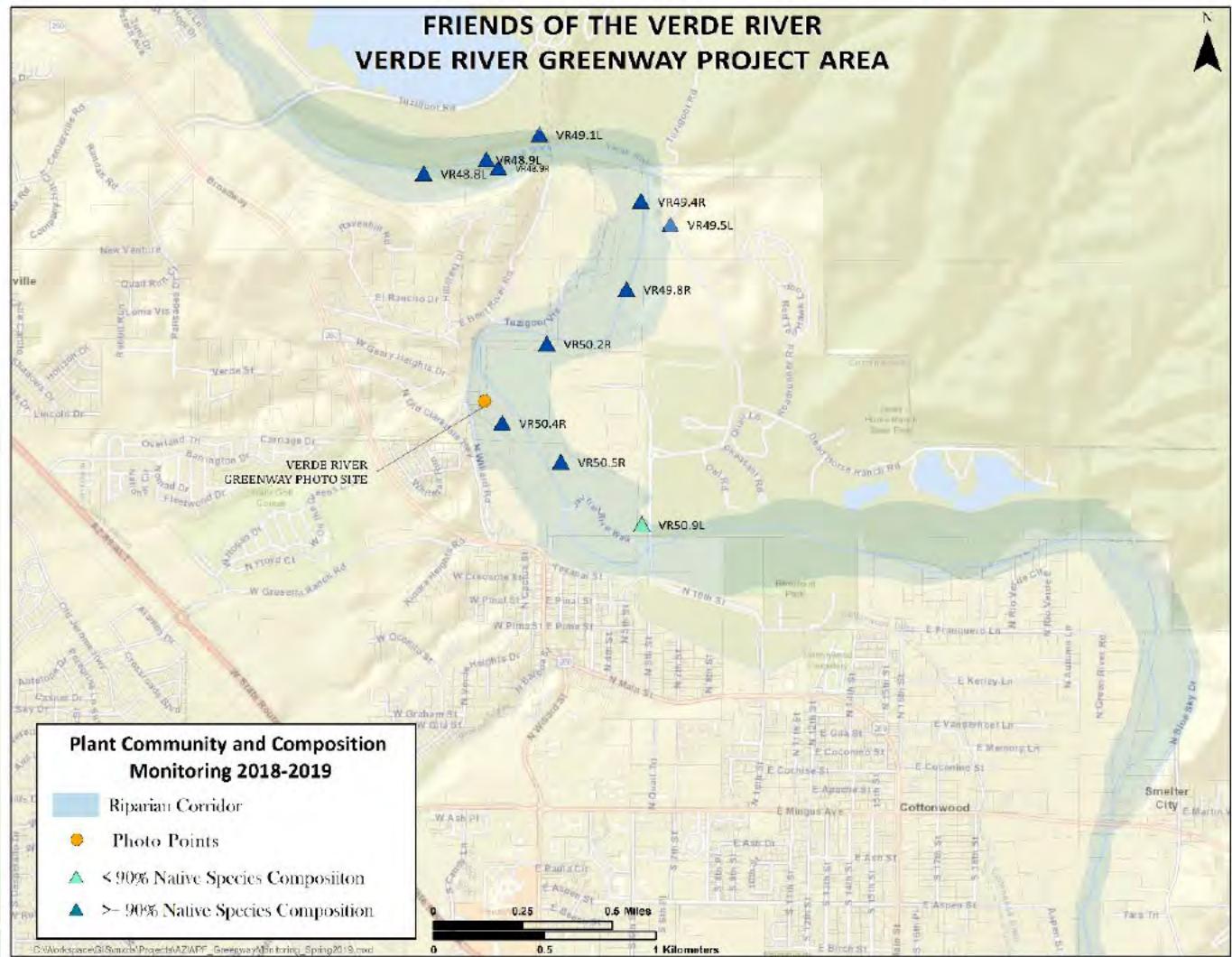
Monitoring

- No Russian Olive
- No new populations of tree of heaven were found
- Small, isolated patches of giant reed and saltcedar regrowth



Plant Community Composition Monitoring

- Eleven plots in project area
- Established where invasive plants were removed
- Quantify native growth and canopy structure
- Ten had a relative canopy cover of >90% native vegetation





Before and After photos



2017



Before and After photos



2017



2019

Volunteer events

- Advertised through social media and email list
- Three events held near the Tuzigoot River Access Point
- 29 volunteers contributed 86 hours





Volunteer events





Volunteer events





Challenges

- Tree of heaven
- Tamarisk leaf beetle?

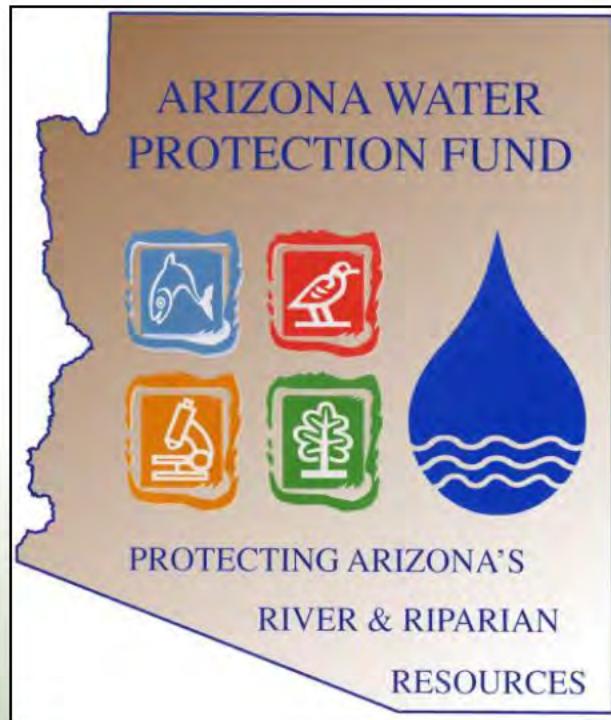


Successes

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

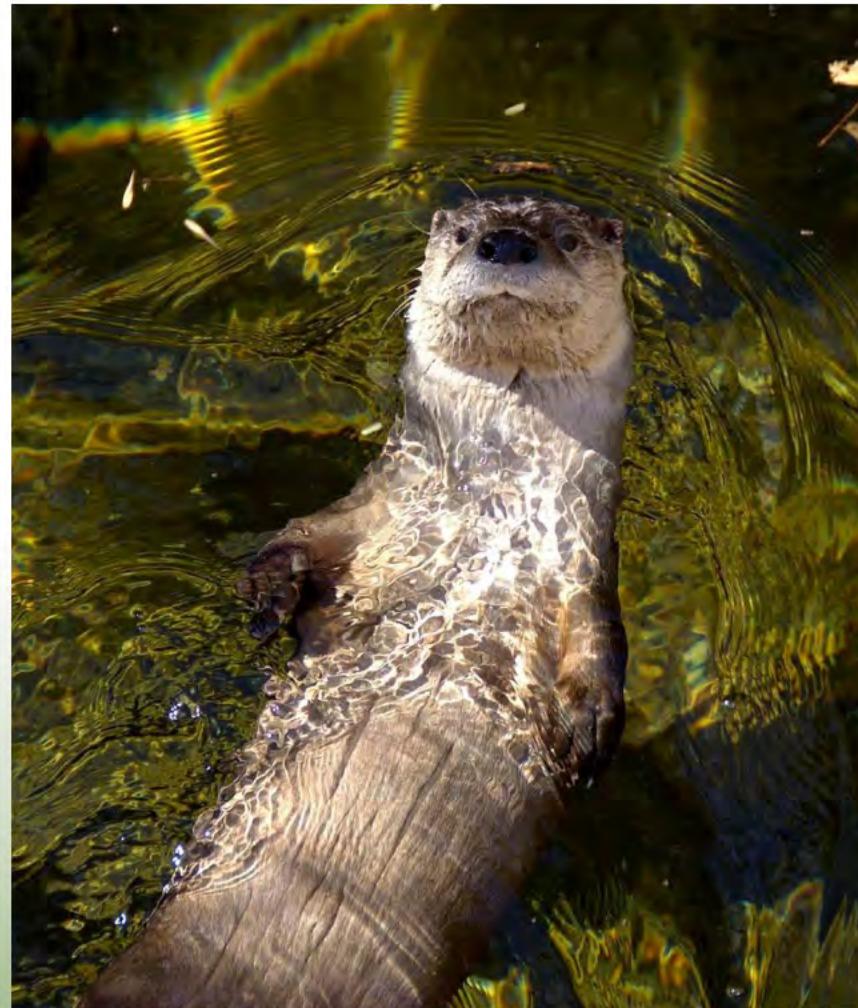


"Inspiring a Vibrant Community"





Thank you!





Reuben Teran <rteran@azwater.gov>

FW: Fossil Updates on SOW

1 message

Rebecca Davidson <rdavidson@nationalforests.org>
To: Reuben Teran <rteran@azwater.gov>

Thu, Feb 13, 2020 at 4:43 PM

Hi Reuben,

Per our conversation a few days ago, NFF would like to modify its current AWPF grant award to include 1) an additional 6 miles of treatment area (map attached), and 2) an additional year of service (timeline attached). **No additional funds are being requested. No changes to the scope of services are requested.** Specifically:

As originally proposed, the project included initial invasive plant removal and monitoring of the upper section of Fossil Creek and retreatment of the middle section. A pilot project to treat Himalayan blackberry in the Fossil Springs area to prevent the blackberry from reaching the wilderness area was also included.

After project initiation during the 2019-2020 treatment season as part of NFF's commitment to the project, FVR proposes extending the project area to include an addition of up to approximately six (6) river miles of lower Fossil Creek and extending the project timeline to include the 2021-2022 field season.

The additional work would include initial and re-treatment of lower Fossil Creek. The additional work would be completed within the existing project budget although the project timeline and area would be extended.

Fossil Creek is an Outstanding Arizona Water and one of only two designated Wild and Scenic Rivers in Arizona. Completing invasive plant removal of saltcedar, Russian olive, giant reed, and tree of heaven within the riparian corridor of a larger extent of Fossil Creek would be an impressive accomplishment for FVR, National Forest Foundation, Arizona Water Protection Fund, and our Verde Watershed Restoration Coalition Partners.

Proposed changes:

Task 3: Implement Initial Treatment and Monitoring Plans

FVR will implement initial treatment and monitoring of Lower Fossil Creek during the 2020-2021 treatment season.

Task 4: Implement Retreatment and Monitoring Plans

FVR will implement retreatment and monitoring of Lower Fossil Creek during the 2021-2022 treatment season.

Task 4: Rescheduling retreatment and monitoring of middle and upper Fossil Creek

Retreatment and monitoring of the middle and upper sections of Fossil Creek would occur during the 2021-2022 treatment season. This is a change of one year as it was originally proposed to occur during the 2020-2021 treatment season. Minimal invasive plant growth was found during the 2019-2020 treatment season. Extending the retreatment period a year would allow an additional growing season for any invasive plant regrowth. This would allow better detection and treatment effectiveness by the crews.

End of Grant:

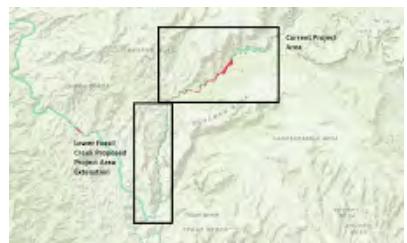
Currently, the final report is due August 31, 2021. NFF proposes extending this to March 31, 2022.

Rebecca Davidson

Director, Southern Rockies Field Program - National Forest Foundation

Mobile: Personal Identifying Info [REDACTED]

2 attachments



Fossil Creek Project Area 02132020.jpg
178K

Fossil Creek Project timeline.docx
12K



Reuben Teran <rteran@azwater.gov>

FS 05-PA-11030101-017 / AWPF # 05-129WPF-OM

1 message

Bell, Eddie - FS <eddie.bell@usda.gov>
To: "rteran@azwater.gov" <rteran@azwater.gov>
Cc: "LeSueur, Loren -FS" <loren.lesueur@usda.gov>, "Tanner, Alissa L -FS" <alissa.tanner@usda.gov>, "Mink, Loretta - FS" <Loretta.Mink@usda.gov>

Thu, Feb 13, 2020 at 1:18 PM

Hi Reuben,

This message is in reference of FS 05-PA-11030101-017 / AWPF # 05-129WPF-OM. Per the FS authority the Cooperative Funds and Deposits Act of December 12, 1975 the referenced agreement was issued in error and is currently **non-compliant** due to the fact period of performance, called the project period, will usually be for 1-5 years. (b) Generally, the **agreement** will initially be for one year and subsequent continuation awards will also be for one year at a time. A grantee must submit a separate application to have the support continued for each subsequent year. **Cooperative Funds and Deposits Act of December 12, 1975** (16 USC 565a1-a3, Public Law 94-148) - Authorizes FS and partners to perform work from which they would accrue mutual non-monetary benefit. ... Partners may be public or private agencies, organizations, institutions, or individuals. The Forest Service is requesting that this agreement be closed immediately. If you have any questions please feel free to contact me.

Kind regards,



Eddie W Bell Jr, CPIM, CSCP, CGMS, MCSE
Lead Grants Management Specialist R3 AZ

Forest Service

Forest Service Acquisition Management Grants and Agreements

p: 602-694-1060
eddie.bell@usda.gov

333 Broadway Boulevard SE
Albuquerque, NM 87102
www.fs.fed.us



Caring for the land and serving people

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**ARIZONA WATER PROTECTION FUND
OPERATION AND MAINTENANCE AGREEMENT**

AGREEMENT NO. 05-129WPF-OM

Page 1 of 9

This Operation and Maintenance Agreement ("Agreement") is entered into by the U.S. **DEPARTMENT OF AGRICULTURE, FOREST SERVICE, APACHE SITGREAVES NATIONAL FOREST (USFS)** and the **ARIZONA WATER PROTECTION FUND COMMISSION (COMMISSION)** through its Chair, in conjunction with Grant Award Agreement No. 05-129WPF ("Grant Award Agreement"), attached hereto for reference. The Commission enters into this Agreement pursuant to authority granted to the Commission by A.R.S. §45-2101 et. seq. The USFS enters into this Agreement under the provisions of the Cooperative Funds and Deposits Act of December 12, 1975.

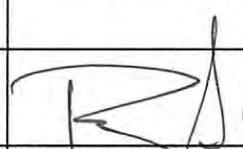
EFFECTIVE DATE

This Agreement shall become effective upon the date it is signed by all parties.

TERMINATION DATE

This Agreement shall terminate no later than December 31, 2025.

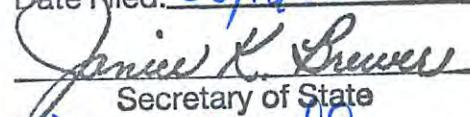
The undersigned agree to fulfill the terms and conditions of this Agreement.

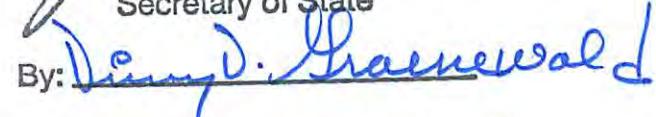
USFS		COMMISSION
		 3/17/05
Signature of Authorized Representative Elaine J. Zieroth	Date 3/5/05	Signature of Authorized Representative Roger S. Manning
Typed Name JZ		Typed Name
Forest Supervisor		Chair
Typed Title		Typed Title

NO. 27422-B WPF-OM

Filed with the Secretary of State

Date Filed: 03/18/05


Janice K. Shaeffer
Secretary of State

By: 
Cindy D. Haenewald

**ARIZONA WATER PROTECTION FUND
OPERATION AND MAINTENANCE AGREEMENT**
AGREEMENT NO. 05-129WPF-OM

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GENERAL PROVISIONS

1. DEFINITIONS

As used throughout this Agreement, including the General Provisions and Scope of Work, the following terms shall have the meanings set forth below:

- a. "Agreement" means this Operation and Maintenance Agreement.
- b. "Arizona Water Protection Fund" means the fund established by Arizona Revised Statutes ("A.R.S.") § 45-2111 and consisting of monies as set forth in A.R.S. § 45-2112.
- c. "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.
- d. "Commission" means the Arizona Water Protection Fund Commission or its authorized representative.
- e. "Grant Award Agreement" means **Grant Award Agreement 05-129WPF**, the Arizona Water Protection Fund Agreement in which the Commission provides funds to a qualifying Grantee for protection or restoration of a river or stream and/or associated riparian habitat pursuant to A.R.S. § 45-2101. The operation and maintenance of such Project is the subject of this Agreement.
- f. "Operation and Maintenance Period" means the period of time during which the USFS shall operate and maintain grant-assisted structures, human access or educational facilities, revegetation sites and any other grant-assisted improvements developed as a result of the related Grant Award Agreement.
- g. "Project" means the total of all work performed in the Grant Award Agreement.
- h. "Project Manager" means the Arizona Department of Water Resources technical staff person delegated by the Chair to administer this Agreement.
- i. "Scope of Work" means the part of this Agreement that describes the operation and maintenance work to be performed by the USFS to maintain the Project purpose.
- j. "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.
- k. "State" means the State of Arizona, including the Department of Water Resources.

**ARIZONA WATER PROTECTION FUND
OPERATION AND MAINTENANCE AGREEMENT**
AGREEMENT NO. 05-129WPF-OM

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1. “Task” means the specific provisions in the Scope of Work of this Agreement that describe the nature and manner of the specific work to be performed by the USFS.

2. GENERAL REQUIREMENTS

- a. This Agreement shall be interpreted in accordance with applicable Arizona or federal law.
- b. By entering into this Agreement, the United States does not concede that this is a contract subject to the Contract Disputes Act of 1978, 41 U.S.C. § 601 et. seq.
- c. The Commission and the USFS acknowledge that the USFS can comply with the terms of this Agreement only from appropriated funds legally available for such purpose. Nothing in this Agreement shall be construed or interpreted as a requirement that the USFS obligate or pay funds in contravention of the Anti-Deficiency Act, 31 U.S.C. § 1341, or any other applicable provision of law.
- d. Improvements placed on National Forest System lands pursuant to the Grant Award Agreement shall thereupon become property of the United States and shall be subject to the same regulations and administration of the USFS as other forest improvements of a similar nature.
- e. The USFS shall obtain and maintain all licenses, permits and authorizations necessary to perform its obligations under this Agreement. The USFS is responsible for compliance with all laws applicable to the administration of National Forest System Lands and all other applicable federal, state and local laws.
- f. The USFS shall be responsible for operation and maintenance as described in the Scope of Work of this Agreement.
- g. Operation and maintenance responsibilities for individual items in the Scope of Work shall begin upon receipt of written notice from the Project Manager that the capital improvement associated with that Scope of Work item has been completed.
- h. During the term of this Agreement, the USFS shall provide reasonable protection from vandalism to the Project site and to any grant-assisted structural or revegetation improvements thereon installed as part of the related Project.
- i. If a major flood, fire or other natural disaster causes substantial damage to the Project site or to any grant-assisted structural or revegetation improvements prior to the expiration of this Agreement, the USFS shall notify the Project Manager in writing within 15 calendar days of discovering the damage. The parties shall assess the damage and determine whether continued operation and maintenance is required.

**ARIZONA WATER PROTECTION FUND
OPERATION AND MAINTENANCE AGREEMENT**
AGREEMENT NO. 05-129WPF-OM

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- j. In the event the USFS transfers control or access to the Property during the term of this Agreement through sale, lease, or other alienation of title, the USFS shall provide prior written notice to the Commission. To the extent allowable by federal law, responsibility for completion of operation and maintenance responsibilities shall be assigned to the person, entity, or organization purchasing or leasing the Property if such person, entity, or organization is willing to accept any remaining operation and maintenance responsibilities under this Agreement.

3. RELATIONSHIP OF THE PARTIES

- a. The USFS shall not be considered an employee, associate, partner, officer, joint venturer or agent of the Commission or the State as a result of this Agreement. The USFS is solely responsible for the operation and maintenance of capital improvements funded by the Grant Award Agreement. Neither the Commission nor the State is responsible for any liabilities resulting from USFS work pursuant to this Agreement.
- b. The USFS has willingly entered into this Agreement and will discharge its obligations as an independent entity. Neither party to this Agreement agrees to indemnify the other party. Each party is responsible for its own negligence.

4. RESOLUTION OF DIFFERENCES

- a. The USFS Land and Resource Management Plan (LRMP), written pursuant to the National Forest Management Act of 1976, 16 U.S.C. § 1604, et. seq., directs the USFS to maintain or improve, where necessary, riparian areas and water resources on National Forest System lands. In the event that USFS funding becomes unavailable, or the USFS fails to substantially perform any or all of the operation and maintenance work as assigned and described in the Scope of Work of this Agreement, consistent with the LRMP, the parties shall meet and attempt to develop a mutually acceptable operation and maintenance plan.
- b. By entering into this Agreement, the USFS does not waive and hereby reserves all rights, defenses and privileges.
- c. Disputes arising during the performance of this Agreement will be resolved to the maximum extent possible through cooperation and coordination of the USFS, Staff and Commission.

5. TERMINATION OF AGREEMENT

- a. The Commission, in addition to other rights set forth elsewhere in this Agreement, reserves the right to terminate this Agreement in whole or in part, with or without cause, effective upon receipt of written notice of termination sent by certified mail to the USFS.

**ARIZONA WATER PROTECTION FUND
OPERATION AND MAINTENANCE AGREEMENT**
AGREEMENT NO. 05-129WPF-OM

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- b. In the event the parties mutually agree to terminate a portion of this Agreement, the USFS shall continue to perform work under this Agreement to the extent not terminated under the provisions of this Section.
- c. In the event the Grant Award Agreement is terminated, the Commission will evaluate whether continued operation and maintenance under this Agreement is necessary.
- d. In the event the parties mutually agree that continuation of the Agreement would not produce beneficial results commensurate with the further expenditure of USFS funds, the parties may terminate the Agreement in whole, or in part at any time before the date of completion. The parties shall agree in writing upon the conditions and effective date of termination.
- e. The State may cancel this Agreement 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.

6. NOTICES

Whenever notice is required pursuant to this Agreement, such notice shall be in writing and shall 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.

7. BOOKS AND RECORDS

In consideration for benefits to National Forest System Lands, as described in the Grant Award Agreement, the USFS shall keep adequate records related to work performed during the term of this Agreement. Such records shall be made available for inspection by the Commission, Staff, public, or other appropriate agents of the State upon timely written notice.

8. INSPECTION

In consideration for benefits to National Forest System Lands, as described in the Grant Award Agreement, Commission representatives and other appropriate agents of the State shall, during the term of this Agreement, be entitled to review and inspect the Project site and data which pertain to the work specified in the Scope of Work. Timely written notice shall be provided prior to any inspection. The right to inspect shall include performance of field analyses and data

**ARIZONA WATER PROTECTION FUND
OPERATION AND MAINTENANCE AGREEMENT**
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collection to assess the effectiveness and appropriateness of the USFS operation and maintenance activities.

9. NON-DISCRIMINATION

- a. The USFS shall comply with all applicable federal and state laws, rules and regulations, including the Americans with Disabilities Act.

10. AMENDMENTS

No amendments to this Agreement shall be effective unless in writing and signed by all parties to the Agreement.

11. WAIVERS

- a. None of the parties shall waive or modify any condition or requirement contained in or made a part of this Agreement without a written amendment to this Agreement.
- b. A waiver by the Commission of any breach or default of any of the provisions of this Agreement shall not be construed as a waiver of any succeeding breach or default of the same or other provisions.

**ARIZONA WATER PROTECTION FUND
OPERATION AND MAINTENANCE AGREEMENT
AGREEMENT NO. 05-129WPF-OM**

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SCOPE OF WORK

A. EFFECTIVE DATE

This Agreement shall become effective upon the date it is executed by all parties.

B. TERMINATION DATE:

This Agreement shall terminate no later than December 31, 2025.

C. NOTICES AND CORRESPONDENCE

1. Notices and correspondence from the Commission or Staff to the USFS regarding operation and maintenance under this Agreement shall be sent to:

USFS

Rick Davalos, District Ranger
Apache Sitgreaves National Forest
Alpine Ranger District
P.O. Box 469
Alpine, AZ 85920
Phone: 928-339-4384
Fax: 928-339-4323
E-mail: ravalos@fs.fed.us

2. Notices and correspondence from the USFS to the Commission or Staff shall be sent to:

Project Manager

Reuben Terán
500 North Third St.
Phoenix, AZ 85004
Phone: 602-417-2400 ext.7167
Fax: 602-417-2423
E-mail: rsteran@adwr.state.az.us

D. DESCRIPTION OF TASKS

Task 1: Operation and Maintenance of Elk Exclosure Fencing

Upon completion of the elk exclosure fencing under Grant Award Agreement No. 05-129WPF, the USFS shall operate and maintain the elk exclosure fencing for a minimum of 20 years insofar as consistent with Sections 2-c and 2-j of the General Provisions of this Agreement. This shall

**ARIZONA WATER PROTECTION FUND
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include maintaining the structural integrity of the elk enclosure in an appropriate condition to meet the objectives of the project funded under the Grant Award Agreement. USFS shall retain these duties unless assumed by another party with written approval of the Commission, insofar as consistent with Sections 2-c and 2-j of the General Provisions of this Agreement.

Task #2: Operation and Maintenance of Educational Signs

Upon completion and installation of the educational signs under Grant Award Agreement No. 05-129WPF, the USFS shall operate and maintain the educational signs for a minimum of 20 years insofar as consistent with Sections 2-c and 2-j of the General Provisions of this Agreement. This shall include maintaining the structural integrity of the educational signs in an appropriate condition to meet the objectives of the project funded under the Grant Award Agreement. USFS shall retain these duties unless assumed by another party with written approval of the Commission, insofar as consistent with Sections 2-c and 2-j of the General Provisions of this Agreement.

**ARIZONA WATER PROTECTION FUND
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APPROVAL AS TO FORM

The attached Operation and Maintenance Agreement has been submitted to the Legal Division of the Arizona Department of Water Resources. The undersigned Deputy Counsel has determined that said Agreement is in proper form and is within the powers and authority granted under the laws of the State of Arizona to the Arizona Water Protection Fund.

Dated this 22nd day of February, 2005

Arizona Department of Water Resources

By: Maxine Becker
Maxine Becker
Deputy Counsel

Department of Water Resources

Water Protection Fund

FY20 Fund Activity

For the period July 1, 2019, through February 28, 2020

Description	1302 WPF - Grants	1303 WPF - Administration	Total
Beginning Fund Balance - 7/1/2019	\$ 2,684,830.51	\$7,185.18	\$2,692,015.69
Revenues:			
4631 Interest Income	\$ 23,283.21	\$15,313.89	\$38,597.10
4699 Interstate Water Sales (In Leiu Funds)	\$655,965.00		\$655,965.00
4901 Receipts and Donations	\$562,500.00	\$161,720.00	\$724,220.00
Total - Revenues	\$1,241,748.21	\$177,033.89	\$1,418,782.10
Expenditures:			
Personal Services		\$76,579.60	\$76,579.60
Employee Related Expenditures		\$33,264.87	\$33,264.87
P & O (Grantee Payments & PY Expenses	\$554,128.81		\$554,128.81
Travel - In-State		\$438.92	\$438.92
Travel - Out-of-State		\$91.31	\$91.31
Other Operating Expenditures		\$996.40	\$996.40
Non-Capital Equipment			\$0.00
Indirect Costs			\$0.00
Operating Transfers - Out (Administrative)	\$161,720.00		\$161,720.00
Total - Expenditures	\$715,848.81	\$111,371.10	\$827,219.91
Fund Balance -February 28, 2020	\$3,210,729.91	\$72,847.97	\$3,283,577.88
Less: Outstanding Encumbrances	(1,420,496.67)		(\$1,420,496.67)
FY 20 Uncommitted Balance	\$1,790,233.24	\$72,847.97	\$1,863,081.21

State of Arizona
House of Representatives
Fifty-fourth Legislature
Second Regular Session
2020

HOUSE BILL 2101

AN ACT

APPROPRIATING MONIES TO THE ARIZONA WATER PROTECTION FUND.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Appropriation: Arizona water protection fund

3 The sum of \$1,000,000 is appropriated from the state general fund in
4 fiscal year 2020-2021 to the Arizona water protection fund established by
5 section 45-2111, Arizona Revised Statutes.

Arizona Department of Water Resources
Status of Active WPF Contracts

Grant Number	Encumb. Number	Grantee	Grant Amount	Adjustment Amount	Payment Amount	Funds Obligated	Expiration Date
14-182	EB4182WP	University of Arizona	51,262.00		51,260.11		CLOSED
			AY 14 SUBTOTAL	51,262.00	-	51,260.11	-
15-186	E1715186	Coronado Resources Conservation & Development Area	133,338.42		125,447.53		CLOSED
			AY 15 SUBTOTAL	133,338.42	-	125,447.53	-
17-188	E17188WPF	Az. Assoc. of Conservation Districts	303,975.00		77,175.00	226,800.00	1/1/2020
17-189	E17189WPF	Town of Prescott Valley	138,183.00		-	138,183.00	9/30/2020
17-191	E17191WPF	Friends of the Verde River Greenway	246,448.00		240,379.90	6,068.10	10/31/2019
17-192	E17192WPF	Fort McDowell Yavapai Nation	113,896.00	20,675.00	9,784.68	124,786.32	10/31/2020
			AY 17 SUBTOTAL	802,502.00	20,675.00	327,339.58	495,837.42
19-193		Friends of the Verde River	292,451.00		9,540.93	282,910.07	12/31/2021
19-194		Arizona Association of Conservation Districtw	341,626.00		339,665.55	1,960.45	3/31/2022
19-195		Gila Valley Irrigation District	32,982.50		28,612.00	4,370.50	6/30/2020
19-196		Az Board of Regents for NAU	32,496.00			32,496.00	9/20/2022
19-197		National Forest Foundation	315,000.00			315,000.00	6/30/2021
19-198		City of Prescott	79,401.00		25,880.77	53,520.23	10/31/2020
19-199		The Museum of Northern Arizona, Inc	31,846.00			31,846.00	12/31/2023
19-200		Town of Payson	202,556.00			202,556.00	11/30/2020
			AY 19 SUBTOTAL	1,328,358.50	-	403,699.25	924,659.25
			TOTAL ACTIVE GRANTS	2,315,460.92	20,675.00	907,746.47	1,420,496.67

STATUS OF ACTIVE AWPF GRANTS

as of March 2, 2020

17-188WPF: Apache & Navajo County Focal Area Watershed Improvement Project

Grantee: Arizona Association of Conservation Districts
AWPF Grant Amount: \$303,975
Total Paid to Date: \$ 77,175
Contract Expiration Date: January 31, 2020

The Grantee has completed the implementation of the project and submitted progress reports and the project Final Report on January 31, 2020. Staff is reviewing the information submitted and working with the Grantee to obtain clarification where necessary to finalize the reports, process the final payment request, and officially close out the project.

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

Grantee: Town of Prescott Valley
AWPF Grant Amount: \$138,183
Total Paid to Date: \$ 0
Contract Expiration Date: September 30, 2020

The Grantee experienced permitting delays that were out of their control, which delayed the overall implementation of this project. A contract extension was granted by the Commission to September 30, 2020. Reports for the silt dam construction, baseline monitoring, and public outreach were to be submitted in August 2019, and to date have not been submitted. A request for an update on the project status was sent out to the Grantee on January 6, 2020. The Grantee did not respond, but staff did have a phone conversation with the project coordinator Sage Consulting on January 7th, 2020 and was informed that the State Land Right of Way permit was issued for this project and the construction of the juniper silt dams has begun. At this point it is not clear what actions have been completed for this project and the overall project status is unknown. The next deliverables due are the Step-by-Step Instruction Guide (March 31, 2020) and the Final Report (July 31, 2020).

17-191WPF: Verde River Habitat Improvement Project

Grantee: Friends of the Verde River
AWPF Grant Amount: \$246,448.00
Total Paid to Date: \$240,379.90
Contract Expiration Date: October 31, 2019

The Grantee has completed the project and the Final Report has been approved. The final payment request was received on January 24, 2020 and staff is working on processing the payment request to formally close out the project.

17-192WPF: Lower Verde River Riparian Restoration Project

Grantee: Ft. McDowell Yavapai Nation
AWPF Grant Amount: \$134,571.00
Total Paid to Date: \$ 9,784.68
Contract Expiration Date: October 31, 2020

A grant award contract extension was executed extending the expiration date to October 31, 2020. The Grantee has completed the permitting and site analysis phase of the project, and has implemented the invasive species removal activities and monitoring along the Verde River and the pilot project site. An annual report for invasive species tree tobacco treatments along the Verde River and the Ft. McDowell Materials Plant was due January 31, 2020.

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

Grantee: Friends of the Verde River
AWPF Grant Amount: \$ 292,451.00
Total Paid to Date: \$ 9,540.93
Contract Expiration Date: December 31, 2021

The Grantee has completed the permitted phase of the project and submitted the vegetation treatment, monitoring, and public outreach plans. The Grantee has completed the baseline monitoring and public outreach activities, and has begun the initial and re-treatment invasive species removal activities. The project is currently up to date.

19-194WPF: Davis Cattle Co. Grassland Restoration

Applicant: Arizona Association of Conservation Districts
AWPF Grant Amount \$341,626.00
Total Paid to Date: \$339,665.55
Contract Expiration Date: March 31, 2022

The Grantee has submitted the plans for the project and has implemented the aerial herbicide treatment on 5,345-acres to treat mesquite encroachment on grasslands. The pre-treatment vegetation monitoring report was due on September 30, 2019 and has not yet been submitted.

19-195WPF: Gila Valley Irrigation District Rapid Appraisal for Modernization

Grantee: Gila Valley Irrigation District
AWPF Grant Amount: \$32,982.50
Total Paid to Date: \$28,612.00
Contract Expiration Date: June 30, 2020

The Grantee has completed the rapid appraisal assessment and implemented public outreach efforts. Public outreach has included the development of informational brochures, establishing local partnerships with future partners and organizations, participating in 11 local events and meeting with various constituents, participation in the Agribusiness Water Solutions Panel seminar, posting information about the project on the Gila Valley Natural Resources Conservation District Facebook page, and mailing over 132 project related brochures to local agricultural producers, agencies, and organizations. The last deliverable for this project is the Final Report which is due March 31, 2020.

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

Applicant: Northern Arizona University
AWPF Grant Amount: \$32,496
Total Paid to Date: \$ 0
Contract Expiration Date: September 30, 2022

The grant award contract was executed in August 2019. Research activities are planned to be implemented on USDA Forest Service Lands within the Blue River mainstem, Campbell Blue Creek (lower reach), and Lower Grant Creek (tributary of the Upper Blue River). In the event that of unforeseen circumstances, two alternate sites have been identified on Bureau of Land Management lands within Bonita Creek (near Midnight Canyon) and Lower Grant Creek (tributary to the Upper Blue River).

Per status update provided by the Grantee in January 2020, there has been a major delay in the implementation of the project due to the change in program study of the graduate student initially identified to conduct research activities. The Grantee has provided assurance that research activities will be implemented as planned in fall 2020. However, based on deliverable due dates for plans and progress reports currently identified in the grant award contract, an amendment to the agreement will be necessary.

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

Grantee: National Forest Foundation
AWPF Grant Amount: \$315,000
Total Paid to Date: \$ 0
Contract Expiration Date: June 30, 2021

On January 24, 2020 the Grantee submitted copies of permits for the project and the steep slope mechanical thinning plan. Staff is currently reviewing this information to determine if the contract requirements have been met. The next deliverable to be submitted is a report on the steep slope mechanical thinning activities due June 30, 2020.

19-198WPF: Granite Creek Corridor Enhancement Master Plan

Grantee: City of Prescott
AWPF Grant Amount: \$79,401.00
Total Paid to Date: \$25,880.77
Contract Expiration Date: October 30, 2020

The Grantee has submitted the site assessment and public outreach plans, completed the project area site assessment, and has begun implementing the public education and outreach activities. Public outreach activities included a stakeholder meeting (33 attendees) and a general public open house meeting (37 attendees). 13 displays were used at these meeting which depicted site photos, aerial plan sets, and potential amenities. The next deliverables are the Master Plan for the Granite Creek Corridor Enhancements and the project Final Report due June 30, 2020.

19-99WPF: Headwater Stream Restoration: Coyote Springs, Museum of Northern Arizona, Flagstaff

Applicant: Museum of Northern Arizona, Inc.
AWPF Grant Amount: \$31,846.00
Total Paid to Date: \$ 0.00
Contract Expiration Date: December 31, 2023

The grant award contract was finally executed on January 7, 2020, and does include a provision that the severance and transfer of Certificate of Water Right No. 2919 must be complete before any other grant related actions take place. To date, the severance and transfer process has not yet been begun and it may take up to one year. If the severance and transfer is not successful, the matter will need to be brought forth to the Commission for further discussion.

19-200WPF: American Gulch Channel and Riparian Enhancement

Applicant: Town of Payson
 AWPF Grant Amount: \$202,556
 Total Paid to Date: \$ 0
 Contract Expiration Date: November 30, 2020

The Grantee has completed permitting, the final construction plan, and final design report. To date mobilization and grading have been completed, and the installation of channel features is in progress. Revegetation and demobilization are anticipated to be completed by May 2020.

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

Applicant: Boy Scouts of America - Grand Canyon Council
AWPF Grant Request: \$166,057.50

A draft of the grant award contract was sent to the Grantee for review in January 2019. There was no communication or response from the Grantee and staff followed up in August 2019. Staff had a meeting with the Grantee, and an updated draft of the grant award contract was sent out for review in October 2019. There was no communication or response from the Grantee and staff followed up again in January 2020. Per conversation with the Grantee's Director of Support Services, I was notified that the project coordinator that staff was working with will no longer be a point of contact for the project and apologized for the delay and confusion with getting the grant award agreement reviewed and finalized. Per follow-up correspondence from the Grantee on February 27, 2020, they will be meeting with their project contractor to work out final details on the draft agreement and provide comments to staff.

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

Applicant: Gila Valley Irrigation District
AWPF Grant Request: \$257,775

The grant award contract is in negotiation. No other information to report at this time.

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

Applicant: Sandhill Farm Water and Wildlife Conservation Project
AWPF Grant Request: \$35,254

The grant award contract is in negotiation. No other information to report at this time.

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

Applicant: Winkelman Natural Resource Conservation District
AWPF Grant Request: \$205,844

The grant award contract is in negotiation. No other information to report at this time.

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

Applicant: National Forest Foundation
AWPF Grant Request: \$98,662

The grant award contract is in negotiation. No other information to report at this time.

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

Applicant: Arizona Association of Conservation Districts
AWPF Grant Award: \$50,000

The grant award contract has not yet been developed. No other information to report at this time.

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

Applicant: Coconino County Parks & Recreation
AWPF Grant Request: \$129,190

The grant award contract is in negotiation. No other information to report at this time.

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

Applicant: Grand Canyon Wildlands Council
AWPF Grant Request: \$187,699

The grant award contract has not yet been developed, and is pending based on clarification of the water source to be used for the project revegetation efforts and documentation of the legal authority to use the water for this specific purpose. No other information to report at this time.

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

Applicant: Fort McDowell Yavapai Nation
AWPF Grant Request \$237,246

The grant award contract has not yet been developed. No other information to report at this time.

45-2105. Application guidelines

Before any monies are granted pursuant to section 45-2113, and by July 1, 1995, and every three years thereafter, the commission shall develop in conjunction with the department guidelines for applicants for funding. Guidelines shall include the following:

1. Delineation of geographic areas in this state where protection and restoration will be emphasized.
2. Identification of issues of concern.
3. Types of measures needed to address issues of concern.
4. A requirement that the applicant include a description of the relationship between the proposed project and existing plans, reports and information that are relevant to the proposed project.



Reuben Teran <rteran@azwater.gov>

Re: Arizona Water Protection Fund Grant Application Guidelines Request For Comments

1 message

Pam Muse <pmuse@azland.gov>
To: Reuben Teran <rteran@azwater.gov>

Fri, Jan 24, 2020 at 1:38 PM

Hi Ruben,

ASLD would like to submit the following comment on the Arizona Water Protection Fund Grant Application Guidelines Request For Comments:

ASLD recommends a provision be added to the application requirements indicating that no application will be considered without support/approval from the landowner or management agency (e.g. from ASLD if the proposed project is on State Trust land).

Thank you,

Pam Muse

Manager, Water Rights Section

Arizona State Land Department

1616 West Adams Street

Phoenix, AZ 85007

602-542-2524 Office

Personal Identifying Information
[REDACTED]

<https://land.az.gov>



On Wed, Jan 8, 2020 at 8:00 AM Reuben Teran <rteran@azwater.gov> wrote:

Interested Party:

Please see the attached public notice for the Arizona Water Protection Fund Grant Application Guidelines Request For Comments.

Thank you.

Reuben Teran | Executive Director

Arizona Water Protection Fund

Arizona Department of Water Resources

1110 W. Washington Street, Suite #310 | Phoenix, AZ 85007

602-771-8525 | rteran@azwater.gov | www.azwpf.gov

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36933 W Klondyke Road

Willcox, Arizona 85643

AravaipaWatershed.org



ARAVAIPA WATERSHED CONSERVATION ALLIANCE

February 3, 2020

Arizona Water Protection Fund
Arizona Department of Water Resources
Attn: Reuben Teran
P.O. Box 36020
Phoenix, Arizona 85067

Re: Comments on Grant Application Process

Dear Mr. Teran,

Thank you for the opportunity to provide comments for your grant process. Our comments relate specifically to the prioritization of geographic areas.

The mission of the Aravaipa Watershed Conservation Alliance (AWCA), is to preserve and sustain the Aravaipa Valley's natural landscapes by means of watershed and rangeland restoration. We feel that our goals align closely with those of the Water Protection Fund and hope to work with the commission on several projects in the future.

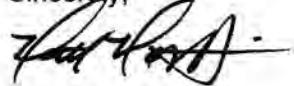
The Aravaipa watershed is roughly 400,000 acres, and while relatively few people reside within the watershed boundaries, its' biological diversity has become renowned worldwide. Aravaipa Canyon supports a functional riparian community still dominated by native species, and Aravaipa Creek contains Arizona's best native fishery, including two species, spike dace and loach minnow that have been listed by the USFWS as endangered. Natural flows in Aravaipa Creek remain healthy due to the intact nature of the watershed, and the AWCA strives to maintain open landscapes that support both ranching and wildlife.

Healthy soils support healthy grasslands, which are vital to the economic viability of ranching. By designing projects that reduce erosion in the Aravaipa Valley, ranches can

protect their interests in the uplands while reducing sediment downstream that can impact native fish. Another goal of the AWCA is to minimize the fragmentation of ranches. This maintains our rural culture, while providing the open space needed for movement of large mammals in the Aravaipa Valley such as mule deer, antelope, and bighorn sheep.

As the commission thinks about new grant criteria, we hope you will give appropriate consideration to rural communities such the Aravaipa Valley, that support high biodiversity, functional landscapes and healthy watersheds.

Sincerely,



Matt Magoffin

President, AWCA



Reuben Teran <rteran@azwater.gov>

AWPF Grant Application Guidelines Request for Comments

1 message

Sara Wagner [Personal Identifying Information]>
To: Reuben Teran <rteran@azwater.gov>

Fri, Feb 21, 2020 at 1:23 PM

Hi Reuben, here are my written comments (organized per the feedback request). These are from the perspective of being a credentialed grant professional, having attended all of last year's presentations, and going through the application process the past two years:

Grant application structure:

- Add a scoring matrix, so applicants know how each section is weighted

Grant application processes:

- Guidance materials should clearly specify ALL criteria that is important to the AWPF Commission (last cycle, aspects like being highly visible and cost/acre were not formally articulated yet appeared to be important during the selection process)
- Score applications based upon specified criteria (this seems appropriate for allocation of state funds), and base funding decisions upon these scores (perhaps with an overall category, wherein each Commissioner adds his/her scores, in a way that is clearly explained to applicants in the grant application manual)
- Clarify whether awards are determined based upon technical merit, alignment with specified state priorities, Commissioner preferences, and so on
- Clarify expectations for presentations (last cycle at least one presenter focused her entire presentations on addressing deficits in the staff review and was fully funded, whereas others shared much more detailed project plans and photos and had no adverse findings in the staff review but were *not* funded—it seems basic guidelines, ensuring consistency, would be helpful, to give everyone a fair shot at being funded)
- Consider partial funding (enabling the funds to go further)
- Consider the number of times applicants apply (perhaps favoring "new" entities, over previous awardees; one applicant from the southern part of the state was trying for the *fifth* time, during the last cycle. alternatively, if the Commission favors funding proven entities, it would be prudent to explain to applicants, in the grant application manual, that priority is given to those who have successfully competed projects in the past)

Suggestions on streamlining and/or simplifying the grant application:

- Electronic submission, via a standardized portal, would be great
- Clearly explain to applicants how the staff review factors into the Commissioner selection phase

Thank you very much for this opportunity to comment,

Sara



Sara Wagner, MPH, GPC, LCC

Grant Professional Certified via the Grant Professionals Certification Institute (accredited by the National Commission for Certifying Agencies)

Member

Grants that Go the Distance LLC

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This e-mail may contain **confidential** or **privileged** information. Please notify me immediately if you receive it in error, and please delete without copying or disclosing.

Arizona Water Protection Fund Commission Grant Application Manual



Fiscal Year 2020 Funding Cycle

ARIZONA WATER PROTECTION FUND
Grant Application Manual
FY 2020 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, shelter, relief and travel corridors.
- Help stabilize water temperatures for aquatic species.
- Provide economic benefits by increasing property values, 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.azwpf.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 2020 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 as applied for 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 2020 funding cycle.
- Water conservation projects/program applications within one of the five AMA's.

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 2020 Grant Cycle Schedule

The Commission and staff will implement the FY 2020 grant cycle based on the schedule in Table 1*.

Table 1. FY 2020 Grant Application Process Schedule

FY2020 Grant Application Process Schedule*	Timeline
Applications available	July 8, 2019 (on-going)
Application workshop	July 24, 2019
Pre-application consultations (depending on staff availability)	July - August 2019
Final date and time to submit applications	September 6, 2019 at 3:00 PM
Public comment period for applications	September 18 – November 1, 2019
Staff review comments to applicants / Commission	No later than November 15, 2019
Applicant presentations / Commission grant selections	November 19 – 20, 2019
Applicants notified of funding status	December 2019
Staff begins writing grant contracts	December 2019 / January 2020

*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 at the AWPF office in Phoenix or offered via teleconference.

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 should help you develop a better application.

Table 2. FY 2020 Grant Application Workshop

Location	Date	Time	Address
Phoenix, AZ*	July 24, 2019	1:30 p.m. – 2:30 p.m.	Arizona Dept. of Water Resources 1110 West Washington St. Suite 310 Phoenix, AZ 85007 Middle Verde Conference Rm. 4 th Floor

*Staff will be hosting an online webinar of the grant application workshop for those not able to attend in person. Please contact the Arizona Water Protection Fund (602-771-8528) or rteran@azwater.gov for more information prior to July 24, 2018.

Application Due Date

Applications must be submitted no later than the date and time 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 19.)

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 19.)

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. AWPF 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 AWPF 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. 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. Please note that you **cannot be reimbursed** for any project expenditure activities **conducted prior to executing a contract**.

Grant 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.

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 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 applicable – 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

Applications must include all the information identified in the Application Content Requirements Overview (page 12). Specific content requirements instructions are provided below. Electronic forms are provided in Microsoft Word format for the Application Cover Page, Watershed Map, Project Location and Environmental Contaminants Information, and State Historic Preservation Office requirements only. If you do not have access to Microsoft Word, you may recreate the electronic forms using any word processing software. The electronic forms are available in hard copy, or on the AWPF web site at: www.azwpf.gov. No electronic forms are provided for the remaining required information. **AWPF prefers that all applications are developed in Microsoft Word and Excel format to provide ease with contract development should your application be approved for funding.**

Applications must be submitted on 8.5" x 11" pages with a font size no smaller than 11 point. Maps may be printed on larger than 8.5" x 11" pages. Please submit all information in the sequence presented in the Application Content Requirements Overview (reference page 12) with page numbers and tabbed dividers separating application content sections.

Applications must be signed by a person who is legally authorized to enter into an agreement on behalf of the applicant.

One electronic copy & one signed copy of the complete application must be submitted to:

**Arizona Water Protection Fund Commission
1110 West Washington Street, Suite 310
Phoenix, AZ 85007**

Applications must be received at the Arizona Water Protection Fund office listed above no later than **3:00 p.m. on September 6, 2018**. 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 page 22). The project title should be short, yet descriptive of the proposal. Have the application cover page signed by an authorized person.

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 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). Identify only matching funds on this form. 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

Table 3. Ecosystem Services and Functions*

Ecosystem Service	Ecosystem Function(s)	Examples
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 ₂ /O ₂ balance, O ₃ for UVB protection, and SO ₄ 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., Naeem, 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)

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.

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.

ARIZONA WATER PROTECTION FUND GRANT APPLICATION

Electronic Forms

The following pages include examples of electronic forms currently available:

- Application Cover Page
- Arizona Watershed Map
- Project Location and Environmental Contaminant Information
- State Historic Preservation Office Review Form

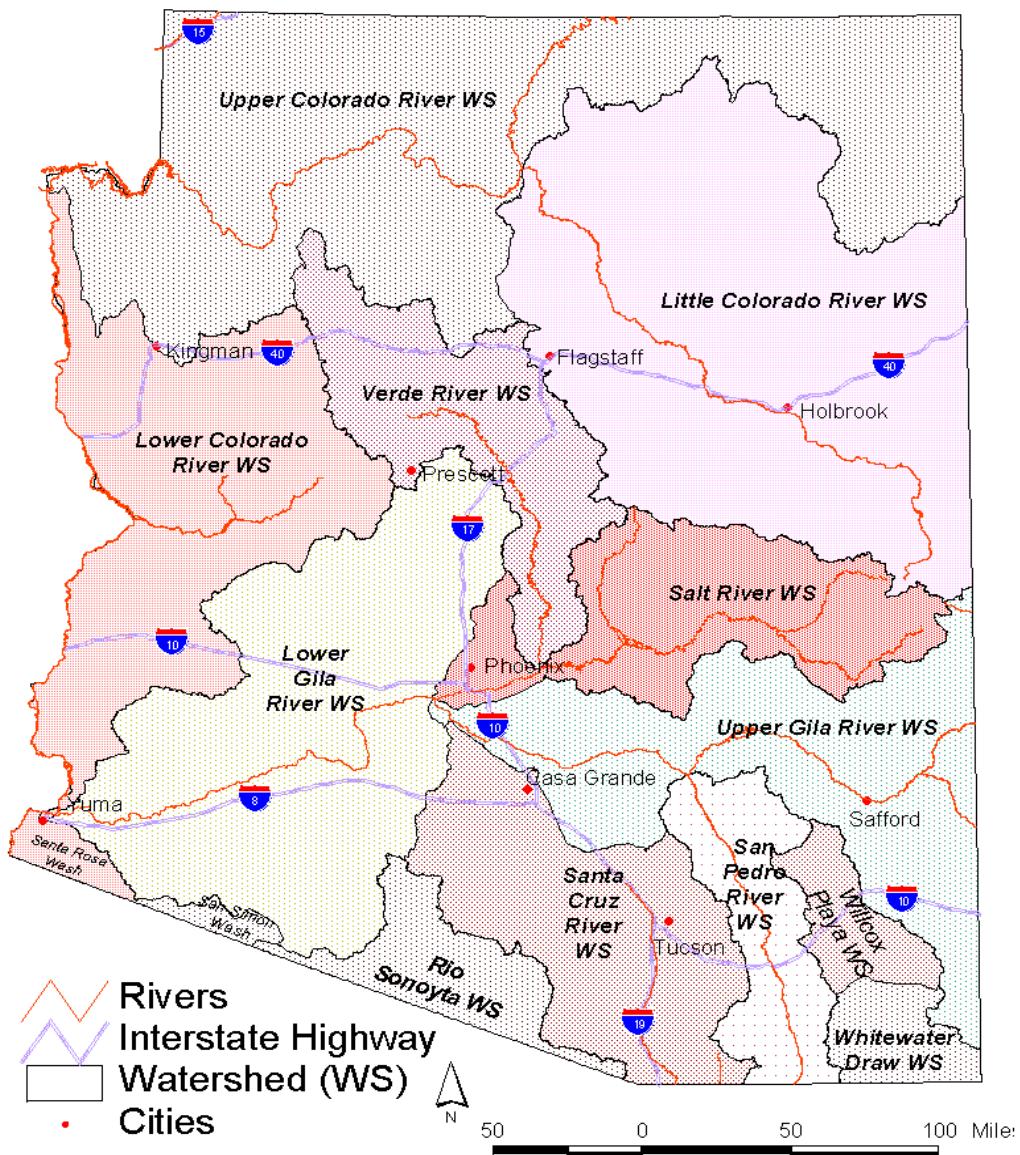
Electronic forms can be accessed on the AWPF website at www.azwpf.gov. If you are unable to complete these forms electronically, you may print them and hand-write the requested information.

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

Arizona Water Protection Fund
Application Cover Page
FY 2020

Title of Project:										
Type of Project: <input type="checkbox"/> Capital or Other <input type="checkbox"/> Water Conservation <input type="checkbox"/> Research	Stream Type: <input type="checkbox"/> Perennial <input type="checkbox"/> Intermittent <input type="checkbox"/> Ephemeral	Your level of commitment to maintenance of project benefits and capital improvements: <input type="checkbox"/> < 5 years <input type="checkbox"/> 5-10 years <input type="checkbox"/> 11-15 years <input type="checkbox"/> 16-20 years								
Applicant Information: Name/Organization: Address 1: Address 2: City: State: ZIP Code: Phone: Fax: Tax ID No.:		Inside an AMA: Yes <input type="checkbox"/> No <input type="checkbox"/> If yes, which AMA: <input type="checkbox"/> Phoenix <input type="checkbox"/> Tucson <input type="checkbox"/> Prescott <input type="checkbox"/> Pinal <input type="checkbox"/> Santa Cruz								
		Type of Application: <input type="checkbox"/> New <input type="checkbox"/> Continuation								
Contact Person: Name: Title: Phone: Fax: e-mail:		Any Previous AWPF Grants: <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, please provide Grant #(s):								
Arizona Water Protection Fund Grant Amount Requested: \$ If the application is funded, will the Grantee intend to request an advance: <input type="checkbox"/> Yes <input type="checkbox"/> No		Matching Funds Obtained and Secured: <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 style="text-align: right;"> </td> </tr> <tr> <td>2.</td> <td style="text-align: right;"> </td> </tr> <tr> <td>3.</td> <td style="text-align: right;"> </td> </tr> </tbody> </table> Total:	<u>Applicant/Agency/Organization:</u>	<u>Amount (\$):</u>	1. Applicant		2.		3.	
<u>Applicant/Agency/Organization:</u>	<u>Amount (\$):</u>									
1. Applicant										
2.										
3.										
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										
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.										
Typed Name of Applicant or Applicant's Authorized Representative		Title and Telephone Number								
Signature		Date Signed								

Arizona Watershed Map FY 2020



Title of Project: _____

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

(Must include at least one Section delineation for large scale projects)

Project Location & Environmental Contaminant Information FY 2020

Project Location Information			
1. County: _____	2. Section(s): _____	3. Township: _____	4. Range: _____
5. Watershed: _____			
6. 8 or 10 Digit Hydrologic Unit Code (HUC): _____			
7. Name of USGS Topographic Map where project area is located: _____			
8. State Legislative District: _____ (Information available at: https://azredistricting.org/Maps/Final-Maps/default.asp)			
9. Land ownership of project area: _____			
10. Current land use of project area: _____			
11. Size of project area (in acres): _____ DIRECT			
12. Stream Name: _____			
13. Length of stream through project area: _____			
14. Miles of stream benefited: _____ miles			
15. Acres of riparian habitat: _____ acres will be:			
<input type="checkbox"/> Enhanced <input type="checkbox"/> Maintained <input type="checkbox"/> Restored <input type="checkbox"/> Created			
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:			
Environmental Contaminant Location Information			
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: 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: 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			

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): _____
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: _____

9. Describe the condition of the current ground surface within the entire project boundary area (for example, is the ground in a natural undisturbed condition, or has it been bladed, paved, graded, etc.). Estimate horizontal and vertical extent of existing disturbance. Also, attach photographs of project area to document condition: _____
10. Are there any known prehistoric and/or historic archaeological sites in or near the project area? YES NO
11. Has the project area been previously surveyed for cultural resources by a qualified archaeologist? YES NO UNKNOWN
- If YES, submit a copy of the survey report. Please attach any comments on the survey report made by the managing agency and/or SHPO**
12. Are there any buildings or structures (including mines, bridges, dams, canals, etc.), which are 50-years or older in or adjacent to the project area? YES NO
- If YES, complete an Arizona Historic Property Inventory Form for each building or structure, attach it to this form and submit it with your application.**
13. Is your project area within or near a historic district? YES NO

If YES, name of the district:

Please sign on the line below certifying all information provided for this application is accurate to the best of your knowledge.

<hr/> Applicant Signature	/	<hr/> Applicant Printed Name
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FOR SHPO USE ONLY	
SHPO Finding: <input type="checkbox"/> Funding this project will not affect historic properties. <input type="checkbox"/> Survey necessary – further GRANTS/SHPO consultation required (<i>grant funds will not be released until consultation has been completed</i>) <input type="checkbox"/> Cultural resources present – further GRANTS/SHPO consultation required (<i>grant funds will not be released until consultation has been completed</i>)	
SHPO Comments: 	
For State Historic Preservation Office:	Date:

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: _____

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

PHOTO INFORMATION

Date of photo: _____

View Direction (looking towards): _____

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: _____

ARIZONA WATER PROTECTION FUND
Full Grant Application Check List

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

*Indicates electronic form available

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 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 either 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 Numbers 03-22 and 99-4 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 reimbursement 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 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. Equipment may be used only for the purposes of this Contract.
- d. If Equipment purchased pursuant to this Contract or a prior Contract between the Commission and the Grantee has a remaining useful life after termination of this Contract, the Grantee must continue to use the Equipment for work in any subsequent Arizona Water Protection Fund Contracts as appropriate.
- e. The Grantee may not execute a lease of Equipment without 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.

Arizona Water Protection Fund Commission

Fiscal Year 2021 PROPOSED Grant Application Process Schedule

FY2021 Proposed Grant Application Process Schedule*	Timeline
Applications / Online Submission Portal available	July 2020 (on-going)
Application workshop	July 2020
Pre-application consultations (depending on staff availability)	July - August 2020
Final date and time to submit applications	September 2020 at 5:00 PM
Public comment period for applications	45-Days
Staff review comments to applicants / Commission	No later than November 2020
Applicant presentations / Commission grant selections	November 2020
Applicants notified of funding status	December 2020
Staff begins writing grant contracts	December 2020 / January 2021

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



CUSTOMERS SECTORS

Maximize Grant Resources. Improve Fiscal Health.

Fund Maximization for State, Local and Tribal Governments.

- *eCivis* is a Grants Management and Cost Allocation Software the helps state, local and tribal government agencies maximize their grant revenues, track financial and program performance, prepare cost allocation plans and budgets.
- *eCivis* streamlines the application process, grantee documentation, communication, reimbursement requests, and report management.
- *eCivis* also delivers transparency of all grantee activities as required by statute.
- The State of Arizona advocates using *eCivis* for all grant activity.