

NOTICE OF FUNDING AVAILABILITY FOR NON-PROFIT AGENCIES/ORGANIZATIONS

\$104,000 in Grants Available for Environmental Projects

Applications for funding through the Stanislaus County Environmental Trust Fund sponsored by the County of Stanislaus will be available on **August 11, 2006**. Please notify the Stanislaus County Department of Environmental Resources (DER), located at 3800 Cornucopia Way, Suite C, Modesto, CA 95358 for an application. [Applications are also available on the Stanislaus County Internet websites.](#)

Applications are due back no later than 5:00 p.m. on **October 4, 2006**.

A workshop will be held on **August 29, 2006**.

Time: **10:00 a.m. – 11:30 a.m.**
Address: 3800 Cornucopia Way, Modesto
Location: **Second floor conference room in the Stanislaus Building at the County Ag Center**

Eligible activities that will be considered for funding are those that relate to the enhancement of the natural environment and or benefit environmental law enforcement within Stanislaus County.

For additional information, please call DER at (209) 525-6700, FAX (209) 525-6773 or please visit www.co.stanislaus.ca.us; www.stanislaus-da.org; www.co.stanislaus.ca.us/er

SCETF Grant Application Process

Announcement of Availability of Funds For the Grants (Prepared & Implemented by DER)

1. Public Notices

A. Modesto Bee: Submit once. (Refer Readers to Websites and DER office.)
If funds are still available after process, prepare another public notice.

B. Websites: County, DER

C. Set Pre-Application meeting date

1. Applications will be obtained from DER and from the websites. The application package will include a copy of the Trust Agreement. Applications are due back to the Department of Environmental Resources no later than 5:00 p.m. on October 4, 2006.

2. Two original Applications are to be submitted to DER for review, assuring they meet the minimum criteria set by the Trust. If approved, the applicant and the Trust will each have an original copy of the agreement.

3. Criteria:

A. Projects are for the benefit of Stanislaus County.

B. Projects are for Environmental Enhancement or Environmental Law Enforcement only.

C. Projects grants will not subsidize or supplant existing program budgets.

D. The project is in compliance with all applicable laws and regulations.

E. The project term shall be for one year or less unless amended by the Trust. At the completion of the project, a report by the applicant will be required to be sent to DER pointing out if all goals have been accomplished and if any money or equipment will need to be returned to the Trust.

F. Project requests by Environmental Law Enforcement are limited to regulatory agencies only. Funds are available to improve agency's environmental investigative efforts.

G. Project request for Environmental Enhancement funds are available to all applicants.

- H. Proposals from non-profit organizations, which improve and or beautify the environment of Stanislaus County, are eligible.
5. Liability indemnity language will be included on the Terms and Conditions attachments for all Agreements.
 6. Ownership of equipment purchased through Trust funds will be determined on a case-by-case by the Trust and incorporated into the Terms and Conditions of the Agreement. Example: If equipment purchase only was the project, then the project will be completed after the purchase of the equipment and money has been spent. The equipment will stay with the applicant until no longer needed or otherwise established in the agreement.
 7. After DER reviews and accepts the applications, they will be referred to the Trust for approval and execution. Applications not accepted by DER will be kept on file. The Applicants will be notified of non-acceptance with the reasons why.
 8. Trust chair authorizes the County Auditor-Controller, in writing, (Expenditure Voucher) to spend the approved funds.



APPLICATION FORM
Stanislaus County Environmental Trust Fund
Project Proposal (two original applications required)

Applications need to be received by the Department of Environmental Resources no later than 5:00 p.m. on October 4, 2006. The purpose of this grant program is to benefit local environmental law enforcement activities and or support efforts that will enhance the natural environment and resources in Stanislaus County. All applications are coordinated through the Stanislaus County Environmental Trust Fund (Trust) and the Department of Environmental Resources (DER) staff support. Further information maybe obtained by calling (209) 525-6700, or Fax (209) 525-6773.

Applicants Name:	Date:
Project Title:	
Project Category: <input type="checkbox"/> Enhancement <input type="checkbox"/> Law Enforcement	
Mailing Address:	Project Start Date:
	Project End Date:
Project Manager: (Name, Title and Phone Number)	
Describe the responsibilities of your agency or organization to maintaining or improving the natural resources of Stanislaus County:	Official Use Only
	Project# _____ County FY _____
Grant Amount Requested:	
Is this project subject to the California Environmental Quality Act (CEQA) ?	Yes _____ No _____

Please complete the attached Project Narrative & Budget Sheet which are part of this application for grant funds. Describe how equipment/activities will be used to benefit the environmental law enforcement or enhance the environmental natural resource efforts in Stanislaus County:

Note: For the implementation of projects and actions, the grant applicant shall comply with all applicable laws and regulations, including prevailing wage statutes.

EXHIBIT "A"

CONDITIONS:

The applicant shall comply and agree with the following conditions:

1. The Trust shall not be liable for injuries or damages to persons or property resulting from acts or omissions by the Applicant or related parties in carrying out activities pursuant to this Agreement, nor shall the Trust be held as a party to any activities pursuant to the Agreement. The Applicant shall defend, indemnify and hold harmless the Trust, its officers, directors, employees, and agents from and against any and all threatened or actual actions, claims, damages, disputes, costs and/or liabilities (including reasonable attorneys fees) arising from or related to acts or omissions of Trust, its officers, employees, agents, or subcontractors arising from and related to acts or omissions of Trust, its officers, employees, agents, or subcontractors in connection with this Agreement.
2. Projects shall primarily be for the benefit of Stanislaus County and its citizenry.
3. Projects are for Environmental Enhancement or Environmental Law Enforcement purposes only. Grant fund amounts are approved for only the limited particular purpose for which they are granted.
4. Project grants will not subsidize or supplant existing program budgets.
5. Projects will be in compliance with all applicable laws and regulations.
6. Unused grant funds shall be returned to the Trust within 60 days after the end of the Grant Agreement.
7. Title to equipment provided by the Trust to the Applicant shall be held in the Applicant's name during the Grant term. The Applicant shall maintain such equipment in good working order, at the Applicant's sole costs and expense, at all times during the Grant term. Within 60 days after the end of the Grant term, title to all equipment provided by the Trust to the Applicant shall be transferred to the Trust, unless otherwise specifically agreed to in writing.
8. Within 60 days after the end of Grant Agreement, a report by the applicant will be sent to DER addressing the accomplishments of the proposal.
9. The Trust may disperse grant funds in parts and may require the applicant to document project progress prior to dispersal of further grant funds.

Terms: The term of this Agreement shall be for one year starting with the executed date on the Budget Sheet of the Application packet, unless extended by approval of the Trust.

**AMENDED AND RESTATED AGREEMENT ESTABLISHING
THE STANISLAUS COUNTY ENVIRONMENTAL TRUST FUND**



WHEREAS, pursuant to the Permanent Injunction and Final Judgment entered December 30, 1999, in The People and the State of California v. The Tartaric Manufacturing Corporation; et al., Stanislaus County Superior Court Case No. 251146 (the "Tartaric Settlement"), an initial contribution of \$125,000 was made to the Stanislaus County Environmental Trust Fund (the "Trust") to fund environmental enforcement by the Stanislaus County Environmental Taskforce; and

WHEREAS, by resolution adopted January 30, 2001, the Stanislaus County Board of Supervisors approved an agreement establishing the Trust; and

WHEREAS, the trust is managed by five Trustees, and the Trustees desire to clarify that Trust funds may be used for any purpose determined by the Trustees so long as the purpose is consistent with the any limitations placed on the use of the funds; and

WHEREAS, the Trustees desire to clarify that the Trust may receive funds from any source including, but not limited to, the Tartaric settlement;

NOW, THEREFORE, the Trustees hereby modify the Agreement as set forth herein.

1. Scope and Purpose of Trust

1.1 The Stanislaus County Environmental Trust Fund is hereby created and shall be administered to receive, manage and disburse funds for projects, activities, and equipment or supplies that benefit the natural environment and resources in Stanislaus County. Trust funds may come from any source or donor, and may be used for any purpose determined by the Trustees so long as the purpose is consistent with any limitations placed on the use of the funds in this Agreement or by the donor.

2. Trustees

2.1 The Trust shall be managed by five trustees described as follows:

- (a) The District Attorney of the County of Stanislaus, or designee;
- (b) The Director of the Stanislaus County Department of Environmental Resources, or designee;
- (c) The California Department of Fish and Game Lieutenant Warden for Stanislaus County, or designee;

applying agency shall be the lead agency for purposes of compliance with CEQA, and the County shall be a responsible agency.

3.5 The Auditor-Controller shall submit to the Trustees an annual report, in a simple spreadsheet format, after the closing of the fiscal year, which itemizes all funds maintained, deposited, accrued and disbursed from the segregated fund.

4. No Action Against Trustees

4.1 Nothing in this Trust shall create any right or benefit, substantive or procedural, enforceable by a party against the Trustees, their officers, employees, or agents, or any other person.

5. Administration

5.1 Each Trustee shall have one vote.

5.2 The expenditure of funds pursuant to this Trust may be made at the initiation of the Trustees.

5.3 The Trustees may place reasonable terms and conditions on any grant including but not limited to, reimbursement to the Trust.

5.4 The Trustees shall not approve any request for funds unless the applicant represents in writing that the budget for the agency represented by the applicant will not be reduced because of the approval of the request and that the agency is authorized to accept such funds. It is the purpose of this Trust to enhance and augment current environmental enforcement. It is not the purpose of this Trust to subsidize or supplant funds of governmental agencies and enable the budgets for such agencies to be decreased in the area of environmental law enforcement actions.

6. Amendments

6.1 This Trust may be amended only by written agreement of the Trustees.

7. Effective Date and Termination

7.1 The SCETF shall become effective upon the date of its acceptance by the Stanislaus County Board of Supervisors.

7.2 The SCETF shall terminate when all funds subject to the Trust, including principal, interest and earnings, have been disbursed and the Trustees agree in writing to the termination.

- (d) The County Fire Warden/Assistant Director of the Stanislaus County Office of Emergency Services, or designee;
- (e) A fifth public member, or in his or her absence an alternate, both of which shall be appointed by the above-named Trustees, or an alternate public member .

2.2 The Trustees shall have the power to appoint a replacement (in accordance with Section 2.1) if the office of any of the five named Trustees becomes vacant.

2.3 The Trustees shall have the power to remove one or more Trustees if at any time it determines that the Trustees are not performing their duties in a manner consistent with the purposes of the SCETF.

2.4 The Trustees shall approve expenditure of funds from the SCETF consistent with the scope of the SCETF requirements set forth in Paragraph 1 above. All grants require approval by a majority of the Trustees.

2.5 The initial meeting of the first four designated Trustees described in Paragraph 2 shall take place within 60 days of the implementation of the Trust. At that meeting, the four Trustees shall determine the process for selecting the fifth Trustee. The fifth Trustee shall be selected within 60 days of the initial meeting. The Trustees then shall determine the timing of future meetings and the procedures to be followed.

3. Duties of the County

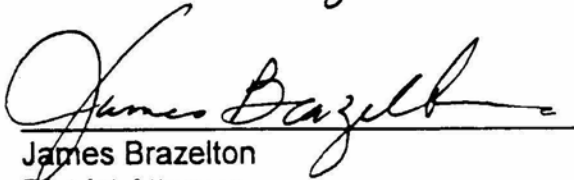
3.1 The County shall maintain SCETF funds in a fund separate from all other accounts maintained by the County.

3.2 All funds held in the separate fund shall be invested by the Stanislaus County Treasurer Tax Collector unless otherwise specified and directed by the Trustees. Principal, as well as interest and earnings accruing to the separate fund shall be reinvested and used to carry out the purpose of the Trust.

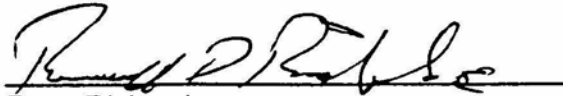
3.3 The County is authorized and obligated to make disbursements of the funds from the segregated fund as directed in writing by the Trustees.

3.4 The Trustees shall comply with the provisions of the California Environmental Quality Act (Pub. Res. Code, § 21000 et seq.; hereafter "CEQA"). The Stanislaus County Board of Supervisors shall be the decision making body responsible for making final determinations and findings under CEQA. The Department of Environmental Resources shall ensure that environmental review of each project funded by the trust is completed in accordance with the Stanislaus County CEQA Guidelines and Procedures. If a public agency applies for a grant of trust funds, the

IN WITNESS WHEREOF, the Trustees have executed this amended and restated Agreement on August 29, 2001.



James Brazelton
District Attorney



Russ Richards
County Fire Warden



Kevin Williams, Director
Department of Environmental Resources



Dorothy Schmidt
Public Member



Phil McKay, Lieutenant Warden
California Department of Fish and Game