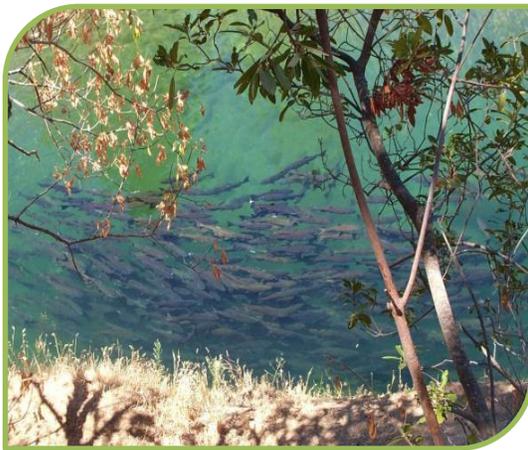
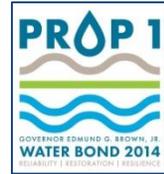




Project Solicitation and Evaluation Guidelines



Watershed Restoration & Delta Water Quality and Ecosystem Restoration Grant Programs

June 2015

This page is intentionally left blank

TABLE OF CONTENTS

1	Introduction	1
1.1	Purpose	1
1.2	Background	1
1.3	Funding	2
1.4	Program Purposes	2
2	Eligibility Requirements	3
2.1	Eligible Grant Applicants	3
2.2	Grant Categories	4
2.3	Eligible Project Types	4
2.3.1	Small-Scale Projects	5
2.4	Specific Funding Requirements	6
3	General Program Requirements	7
3.1	Conflict of Interest	7
3.2	Confidentiality	7
3.3	California Conservation Corps	7
3.4	Labor Code Compliance	7
3.5	Environmental Compliance	8
3.6	Water Law	8
3.7	Signage	9
3.8	Monitoring Requirements	9
4	Proposal Selection	10
4.1	Solicitation Notice	10
4.2	Proposal Submittal Process	10
4.3	Proposal Review and Selection Process	10
4.3.1	Administrative Review	10
4.3.2	Technical Review	10
4.3.3	Independent Scientific Review	12
4.3.4	Selection Panel	13
4.3.5	Director Review and Action	13

4.4	Grant Agreement.....	13
4.4.1	Responsibility of the Grantee.....	14
4.4.2	Invoicing and Payments.....	14
4.4.3	Loss of Funding	14
4.4.4	Standard Conditions	15

Tables

Table 1. Overview of Review Criteria.	11
--	----

Appendices

Appendix A – Useful Web Links	16
Appendix B – Glossary of Terms.....	18
Appendix C – State Auditing Requirements	20

ACRONYMS AND ABBREVIATIONS

CDFW	California Department of Fish and Wildlife
CEDEN	California Environmental Data Exchange Network
CEQA	California Environmental Quality Act
CLC	California Labor Code
CNRA	California Natural Resources Agency
CWAP	California Water Action Plan
CWC	California Water Code
Delta	Sacramento-San Joaquin Delta
Delta Reform Act	Sacramento-San Joaquin Delta Reform Act of 2009
FGC	Fish and Game Code
HRTW	Human Right to Water
NEPA	National Environmental Policy Act
SWRCB	State Water Resources Control Board

1 INTRODUCTION

1.1 Purpose

The purpose of these guidelines is to establish the process, procedures, and criteria through which the California Department of Fish and Wildlife (CDFW) will administer competitive grants for a diverse set of projects that provide multibenefit ecosystem and watershed protection and restoration in accordance with statewide priorities. To accomplish this, two grant programs are being created: the Watershed Restoration Grant Program and the Delta Water Quality and Ecosystem Restoration Grant Program, collectively named Restoration Grant Programs. The Watershed Restoration Grant Program will focus on watershed restoration and protection projects of statewide importance outside of the Sacramento-San Joaquin Delta (Delta) and the Delta Water Quality and Ecosystem Restoration Grant Program will focus on water quality, ecosystem restoration and fish protection facilities that benefit the Delta.

These guidelines include information regarding: eligibility requirements; general program requirements; solicitation notice, submittal, and evaluation of grant applications; and award of grant funding. Separate, but related, solicitations will provide detailed information regarding how to apply, and priorities and evaluation criteria specific to each solicitation. A list of useful web links is provided in Appendix A and a glossary of terms is provided in Appendix B.

1.2 Background

The mission of the CDFW is to manage California's diverse fish, wildlife, and plant resources, and the habitats upon which they depend, for their ecological values and for their use and enjoyment by the public. Grants will be awarded on a competitive basis using the proposal selection process described in Section 4. The following legislation is the basis of the guidelines:

- CWC section 79700 *et seq.* – Water Quality, Supply, and Infrastructure Improvement Act of 2014 (Proposition 1); and
- Fish and Game Code (FGC) section 1501.5(b) – The CDFW may grant funds for fish and wildlife habitat preservation, restoration, and enhancement to public agencies, Indian tribes, and nonprofit entities whenever the CDFW finds that the grants will assist it in meeting its duty to preserve, protect, and restore fish and wildlife.

Prior to finalizing the guidelines, the CDFW posted the draft guidelines on its [website](#) for 30 days and then held three public meetings, as a means to solicit and consider public comments (CWC §79706[b]). The California Natural Resources Agency (CNRA) also posted the draft guidelines on its website and will post the final guidelines on the bond

accountability [website](#) along with a verification that the guidelines are consistent with applicable statutes (CWC § 79708[d]).

The CDFW has considered the Human Right to Water (HRTW) legislation (CWC §106.3), and determined that HRTW does not apply to these funds for competitive grants for multibenefit ecosystem and watershed protection and restoration projects in accordance with statewide priorities.

1.3 Funding

Funding for competitive grants will be contingent upon fund availability. Proposition 1, which was passed by California voters in November 2014, amended the CWC to add among other articles, sections 79737 and 79738, authorizing the Legislature to appropriate up to \$285,000,000 and \$87,500,000 to the CDFW for watershed restoration projects statewide; and water quality, ecosystem restoration, and fish protection facilities that benefit the Delta; respectively.

1.4 Program Purposes

Proposition 1 provides funding to implement the three broad objectives of the California Water Action Plan: more reliable water supplies; the restoration of important species and habitat; and a more resilient, sustainably managed water resources system (water supply, water quality, flood protection, and environment) that can better withstand inevitable and unforeseen pressures in the coming decades. Funds granted by the CDFW will primarily focus on addressing the objective of restoring important species and habitat; however, co-benefits of such actions may contribute towards attaining other California Water Action Plan objectives. It is the intent that these funds will be invested in projects that:

- Provide public benefits, addressing critical statewide needs and priorities (CWC §79707[a]);
- Advance the purposes articulated in CWC section 79732;
- Leverage private, federal, or local funding or produce the greatest public benefit (CWC §79707[b]);
- Promote State planning priorities consistent with section 65041.1 of the Government Code and sustainable communities strategies consistent with the provisions of subparagraph (B) of paragraph (2) of subdivision (b) of section 65080 of the Government Code, to the extent feasible (CWC §79707[i]);
- Use best available science¹ to inform decisions regarding water resources (CWC §79707[d]);
- Employ new or innovative technology or practices including decision support tools that support integrated resource management (CWC §79707[e]); and

¹ Refer to Appendix C of the Delta Plan (Delta Stewardship Council 2013) for guidelines and criteria for defining and assessing best available science.

- Achieve working agricultural and forested landscape preservation wherever possible through use of conservation easements and voluntary landowner participation, including, but not limited to, the use of easements pursuant to Division 10.2 (commencing with section 10200) and Division 10.4 (commencing with section 10330) of the Public Resources Code and voluntary habitat credit exchange mechanisms, to the extent feasible (CWC §79707[j]).

2 ELIGIBILITY REQUIREMENTS

The eligibility of grant applicants, nature and scope of projects eligible for funding, eligibility criteria, and any restrictions on the use of funds will be described in each solicitation. Requirements and limitations imposed in each solicitation may vary according to the specific priorities, focus, and fund source for the solicitation.

2.1 Eligible Grant Applicants

Eligible entities are limited to public agencies², nonprofit organizations, public utilities, federally recognized Indian tribes, State Indian tribes listed on the Native American Heritage Commission's California Tribal Consultation List, and mutual water companies (CWC §79712[a]). Additionally, in order to be eligible for funding:

- A project proposed by a public utility that is regulated by the Public Utilities Commission or a mutual water company shall have a clear and definite public purpose and shall benefit the customers of the water system and not the investors (CWC §79712[b][1]);
- An urban water supplier shall adopt and submit an urban water management plan in accordance with the Urban Water Management Planning Act (Part 2.6 [commencing with section 10610] of Division 6 of the CWC) (CWC §79712[b][2]);
- An agricultural water supplier shall adopt and submit an agricultural water management plan in accordance with the Agricultural Water Management Planning Act (Part 2.8 [commencing with section 10800] of Division 6 of the CWC) (CWC §79712[b][3]); and
- In accordance with CWC section 10608.56, an agricultural water supplier or an urban water supplier is ineligible for funding unless it complies with the requirements of Part 2.55 (commencing with section 10608 of the CWC) of Division 6 of the CWC (CWC §79712[b][4]).

Grant proposals from federal agencies, private individuals or for-profit enterprises will not be accepted.

² "Public agency" means a state agency or department, special district, joint powers authority, city, county, city and county, or other political subdivision of the state (CWC §79702[s]).

2.2 Grant Categories

The CDFW will award a variety of grants which may include planning, acquisition, implementation, and scientific studies, monitoring and assessments to achieve the grant program purposes.

Planning

Planning grants provide funding for planning efforts that will lead to the successful design of implementation grants. These efforts may include program development and guidance, implementation strategy development, collecting baseline data to support effectiveness monitoring, and project-specific activities such as design and environmental review. Planning grants are intended to support the development of projects that are likely to qualify for future implementation funding.

Implementation

Implementation grants are the primary focus of the Proposition 1 Restoration Grant Programs. These grants fund construction of restoration and enhancement projects and new or enhanced facilities. They are intended to support high priority "shovel ready" projects that have advanced to the stage where planning, land tenure, and engineering are completed.

Acquisition

Acquisition grants fund purchases of land and interests in land or water to support the California Water Action Plan and the Delta Plan goals. Acquisitions must be from willing sellers and at fair market value, as confirmed by an appraisal approved by the Department of General Services Real Property Services Section.

Scientific Studies, Monitoring, and Assessment

Scientific Studies, Monitoring, and Assessment grants fund projects to assess the condition of natural resources, inform policy and management decisions, or assess the effectiveness of grant projects and programs.

2.3 Eligible Project Types

Funds will be allocated to projects within the Watershed Restoration Grant Program and Delta Water Quality and Ecosystem Restoration Grant Program. Projects funded under these grant programs must implement objectives outlined in the California Water Action Plan, with emphasis on ecosystem restoration. Examples of project types that may be

eligible in the solicitations are identified below for each of the grant programs. These should not be viewed as exhaustive lists of eligible project types. Specifics concerning eligible project types may vary and will be documented in each solicitation.

Watershed Restoration Grant Program

- Restoring, protecting or enhancing habitat;
- Improving forest health;
- Modernizing stream crossings, culverts, and bridges;
- Reconnecting historical flood plains;
- Installing or improving fish screens;
- Providing fish passage;
- Improving ecological functions;
- Acquisitions³ from willing sellers;
- Improving local watershed management; and
- Removing sediment or trash.

Delta Water Quality and Ecosystem Restoration Grant Program

- Projects to improve water quality or that contribute to the improvement of water quality;
- Habitat restoration, conservation, and enhancement projects to improve condition of special-status, at risk, endangered, or threatened species; and
- Scientific studies and assessments that support the Delta Science Program or projects eligible for funding through this grant program.

2.3.1 Small-Scale Projects

Applicants for funding of small-scale projects may submit proposals individually or work together and submit a single application for a combined project. The proposal must be submitted and managed by a single eligible entity. During the proposal review and selection process, the evaluation will be based on the merit of the entire proposal as a whole versus the merit of an individual component. Specific requirements may be included and vary within each solicitation.

³ “Acquisition” means obtaining a fee interest or any other interest in real property, including easements, leases, water, water rights, or interest in water obtained for the purposes of instream flow and development rights (CWC §79702[a]).

2.4 Specific Funding Requirements

Watershed Restoration Grant Program

- These funds are available for water quality, river, and watershed protection and restoration projects of statewide importance outside of the Delta (CWC §79737[d]);
- Funding shall only be used for projects that will provide fisheries or ecosystem benefits or improvements that are greater than required applicable environmental mitigation measures or compliance obligations, except for any water transfers for the benefit of subsection (d) of section 3406 of the Central Valley Project Improvement Act (Title 34 of Public Law 102-575) (CWC §79737[f]);
- Funds shall not be expended to pay the costs of the design, construction, operation, mitigation, or maintenance of Delta conveyance facilities (CWC §79737[e]);
- Funds expended for the acquisition of a permanent dedication of water shall be in accordance with section 1707 of the Water Code, where the State Water Resources Control Board (SWRCB) specifies that the water is in addition to water that is required for regulatory requirements as provided in subdivision (c) of section 1707 (CWC §79709[a]). The acquisition of long-term transfers of water shall be completed in accordance with Water Code sections 1735, 1736 and 1737 (CWC §79709[b]); and
- Funds shall not be used to acquire land via eminent domain (CWC §79711[g]).

Delta Water Quality and Ecosystem Restoration Grant Program

- Funding will be available for projects that will provide fisheries or ecosystem benefits or improvements that are greater than required applicable environmental mitigation measures or compliance obligations (CWC §79732[b]);
- Funds shall not be used to acquire land via eminent domain (CWC §79738[e]);
- Funds shall not be expended to pay the costs of the design, construction, operation, mitigation, or maintenance of Delta conveyance facilities (CWC §79738[f]); and
- Funds expended for the acquisition of a permanent dedication of water shall be in accordance with section 1707 of the Water Code, where the SWRCB specifies that the water is in addition to water that is required for regulatory requirements as provided in subdivision (c) of section 1707 (CWC §79709[a]). The acquisition of long-term transfers of water shall be completed in accordance with Water Code sections 1735, 1736 and 1737 (CWC §79709[b]).

3 GENERAL PROGRAM REQUIREMENTS

Proposals submitted must be in full compliance with all stated requirements of each solicitation. Any changes to the proposal application submission process will be posted in a timely manner on the CDFW's Restoration Grant Programs [website](#).

3.1 Conflict of Interest

All applicants and individuals who participate in the review of submitted proposals are subject to State and federal conflict of interest laws. Any individual who has participated in planning or setting priorities for a specific solicitation or who will participate in any part of the grant development and negotiation process on behalf of the public is ineligible to receive funds or personally benefit from funds awarded through that solicitation. Applicants should also be aware that certain State agencies may submit proposals that will compete for funding. Employees of State and federal agencies may participate in the review process as scientific and technical reviewers but are subject to the same State and federal conflict of interest laws.

Failure to comply with the conflict of interest laws, including business and financial disclosure provisions, will result in the proposal being rejected and any subsequent grant agreement being declared void. Other legal actions may also be taken. Applicable statutes include, but are not limited to, California Government Code section 1090 and Public Contract Code sections 10365.5, 10410, and 10411.

3.2 Confidentiality

Once the proposal has been submitted to the CDFW, any privacy rights, as well as other confidentiality protections afforded by law with respect to the application package will be waived. Unsealed proposals are public records under the California Government Code sections 6250-6276.48.

3.3 California Conservation Corps

For restoration and ecosystem protection projects, applicants shall consult with the California Conservation Corps (CCC) and a certified local conservation corps as to the feasibility of using their services as defined in section 14507.5 of the Public Resources Code to implement projects (CWC §79734). Each solicitation will include guidance and requirements necessary to ensure compliance with this provision. Applicants that fail to engage in consultation with the CCC and a certified local conservation corps will not be eligible to receive CDFW Proposition 1 funding.

3.4 Labor Code Compliance

Grants awarded through the Restoration Grant Programs may be subject to prevailing wage provisions of Part 7 of Division 2 of the California Labor Code (CLC), commencing with section 1720. Typically, the types of projects that are subject to the prevailing wage

requirements are public works projects. Existing law defines "public works" as, among other things, construction, alteration, demolition, installation, or repair work done under contract and paid for in whole or in part out of public funds. Assembly Bill 2690 (Hancock, Chapter 330, Statutes of 2004) amended CLC section 1720.4 to exclude most work performed by volunteers from the prevailing wage requirements until January 1, 2017.

The grantee shall pay prevailing wage to all persons employed in the performance of any part of the project if required by law to do so. Any questions of interpretation regarding the CLC should be directed to the Director of the Department of Industrial Relations (DIR), the department having jurisdiction in these matters. For more details, please refer to the DIR [website](#).

3.5 Environmental Compliance

Activities funded under this grant program must be in compliance with applicable State and federal laws and regulations, including the California Environmental Quality Act (CEQA), National Environmental Policy Act (NEPA), Delta Plan, and other environmental permitting requirements. The applicant is responsible for project compliance and proposals may include in their budgets the funding necessary for compliance related tasks. The solicitation will provide information on the types of permits that may be required.

For grant proposals that include an action that is likely to be deemed a covered action pursuant to CWC section 85057.5, the applicant is responsible for ensuring consistency with the Delta Plan policies. In such instances, the proposal shall include a description of the approach through which consistency will be achieved and may include in their budgets the funding necessary to complete related tasks.

3.6 Water Law

Funded grants that address stream flows and water use shall comply with the CWC, as well as any applicable State or federal laws or regulations. Any proposal that would require a change to water rights, including, but not limited to, bypass flows, point of diversion, location of use, purpose of use, or off-stream storage shall demonstrate an understanding of the SWRCB processes, timelines, and costs necessary for project approvals by SWRCB and the ability to meet those timelines within the term of a grant. In addition, any proposal that involves modification of water rights for an adjudicated stream shall identify the required legal process for the change as well as associated legal costs. Prior to its completion, any water right acquisition must be supported by a water rights appraisal approved by the Department of General Services Real Property Services Section.

All applicants must demonstrate to the CDFW that they have a legal right to divert water and sufficient documentation regarding actual water availability and use. For post-1914 water rights, the applicant must submit a copy of a water right permit or license on file with

the SWRCB. Applicants who divert water based on a riparian or pre-1914 water right must submit written evidence of the right to divert water and the priority in the watershed of that diversion right with their proposal. All applicants must include past water diversion and use information reported to the SWRCB, required by CWC section 5101. Such reports include Progress Reports of Permittee and Reports of Licensee for post-1914 rights, and Supplemental Statements of Water Diversion and Use for riparian and pre-1914 water rights. All water rights must be accompanied by any operational conditions, agreements or court orders associated with the right, as well as any SWRCB orders affecting the water right.

3.7 Signage

Grantees will include signage, to the extent practicable, informing the public that the project received funds through the CDFW from the Water Quality, Supply, and Infrastructure Improvement Act of 2014 (CWC §79707[g]).

3.8 Monitoring Requirements

All grant proposals must include a monitoring and reporting component that explains how the effectiveness of the project will be measured and reported. The monitoring and reporting component will vary depending on the scope and nature of the project. Each proposal will describe the type of monitoring to be conducted (e.g., compliance and effectiveness monitoring); what will be measured; sampling or survey methods to be used; how the resulting data will be analyzed, interpreted, and reported; and how data will be managed and disseminated to the public, participants, stakeholders, and the State. A key attribute will be the inclusion of project-specific performance measures that will be used to assess progress toward achieving the project's stated objectives.

Where appropriate, projects must include data management activities that support incorporation of project data into statewide data systems. If the project includes water quality monitoring data collection, it shall be collected and reported to the SWRCB in a manner that is compatible and consistent with surface water monitoring or groundwater data systems administered by the SWRCB (e.g., California Environmental Data Exchange Network [CEDEN] for surface water data) (CWC §79704). Any watershed monitoring data shall be collected and reported to the Department of Conservation in a manner that is compatible and consistent with the statewide watershed program administered by the Department of Conservation (CWC §79704).

All grantees will be required to provide periodic progress reports and a final report. Additional specifications concerning performance measures, monitoring requirements, data management, quality assurance/quality control and reporting desired by the CDFW or required by law will be provided in each solicitation or in the grant agreement.

4 PROPOSAL SELECTION

4.1 Solicitation Notice

The CDFW will solicit grant proposals with the release of a solicitation, which will provide detailed instructions on the mechanics of submitting proposals and specific information on submittal requirements. Each solicitation will describe the start and end date to the application process, and may place minimum or maximum limitations on the dollar amount of grants to be awarded.

Prior to finalizing the solicitation notice, a draft will be made available on the CDFW's Restoration Grant Programs website to solicit and consider public comments. The final solicitation will then be posted on the CDFW's Restoration Grant Programs [website](#).

4.2 Proposal Submittal Process

Generally, the application process will be conducted using forms provided through the CDFW's Restoration Grant Programs website. Application forms and instructions will be included in each solicitation. All materials, including application, attachments and supporting documentation, must be received by the CDFW no later than the deadline stipulated within the solicitation. Late submittals will not be accepted.

4.3 Proposal Review and Selection Process

Proposals received by the deadline will be evaluated using the multi-step review process described below. Each solicitation may have variations in the review process and criteria; applicants should review the specific review process and criteria defined in each solicitation.

4.3.1 Administrative Review

Each proposal will be subjected to an administrative review, which will evaluate the eligibility and completeness of the application. Each application will first be evaluated for compliance with the eligibility criteria stipulated in the solicitation. Applications deemed eligible will then be evaluated in accordance with the solicitation for completeness. All information requested in the solicitation must be provided and in the required formats. This review will use a "Pass/Fail" scoring method. Applications that are determined to be ineligible or incomplete will not be considered for funding.

4.3.2 Technical Review

All eligible and complete proposals will be evaluated and scored by technical reviewers. At least two technical reviewers will be assigned to each proposal and will include representatives from the CDFW, including individuals from regional offices and headquarters, as appropriate. The CDFW may request reviewers from other agencies or other outside experts to participate in the technical review. Individuals selected to serve as technical reviewers will be professionals in fields relevant to the proposed project

(CWC §79707[f]). Technical reviewers will independently score proposals in accordance with the evaluation criteria documented in the solicitation. Table 1 presents a suite of review criteria that are meant to be broadly representative of the types of criteria upon which proposals will be evaluated. The specific review criteria and associated weighting factors established for each solicitation may vary.

Table 1. Overview of Review Criteria.

<p>1. Project Team Qualifications/Ability to Accomplish Project Extent to which the proposal demonstrates that the project team has the qualifications, experience, and capacity to perform the proposed tasks.</p>
<p>2. Project Description – Primary Objectives Extent to which the proposal includes a clear description of the project’s primary objectives and sufficient rationale to justify the project need.</p>
<p>3. Project Description – Implementation Extent to which the proposed project is technically feasible and the project description is sufficiently detailed to serve as a statement of work for a grant agreement.</p>
<p>4. Implement Actions of the California Water Action Plan Extent to which the proposed project implements one or more actions within the timeframe described in the California Water Action Plan.</p>
<p>5. Consistency with and Implementation of Other Plans Extent to which the proposed project is consistent with and implements one or more actions within existing conservation, restoration or recovery plans, or other relevant local, State, or federal plans or policies.</p>
<p>6. Community Support and Collaboration Extent to which the proposed project demonstrates stakeholder support for the project (number, diversity of partners).</p>
<p>7. Technology or Practices Extent to which the proposed project employs new, innovative, best available, or sustainable technology or practices.</p>
<p>8. Schedule and Deliverables Extent to which the proposed schedule demonstrates the sequence and timing of project tasks, milestones, and deliverables and is sufficiently detailed and reasonable.</p>
<p>9. Budget Extent to which the proposed budget is appropriate to the work proposed, cost effective, and sufficiently detailed to describe project costs.</p>
<p>10. Cost Share Funds Extent to which the proposal leverages other state funds or provides private, federal, or local funding match.</p>
<p>11. Project Readiness Anticipated duration between the projected date of an executed agreement and the start of the project implementation/construction.</p>

Table 1. Overview of Review Criteria, continued.

<p>12. Environmental Compliance Extent to which the proposed approach to ensure compliance with all applicable environmental review and permitting requirements is adequate, sufficiently detailed, and reasonable/feasible.</p>
<p>13. Co-Benefits – Description Extent to which the proposed project provides multiple benefits; the objectives related to those co-benefits are clearly stated, and where feasible, are measurable and quantifiable; and there is a high likelihood that the claimed co-benefits will be realized.</p>
<p>14. Project Outcomes – Significance of the Benefits Extent to which the proposal provides sufficient analysis and documentation to demonstrate the significance of the expected project outcomes (e.g., magnitude, diversity).</p>
<p>15. Project Outcomes – Durability of Investment Extent to which the proposed project will deliver sustainable outcomes in the long-term.</p>
<p>16. Climate Change Considerations Extent to which climate change considerations were taken into account in the proposal (i.e., applicant has considered how future climate conditions might affect the project's long-term impacts or benefits).</p>
<p>17. Scientific Merit – Scientific Basis Extent to which the scientific basis of the proposed project is clearly described and based on best available science⁴.</p>
<p>18. Scientific Merit – Enhance Scientific Understanding Extent to which the proposed project will address key scientific uncertainties and fill important information gaps.</p>
<p>19. Monitoring and Assessment Extent to which the proposal demonstrates a clear and reasonable approach for monitoring, assessing, and reporting the effectiveness of the project.</p>
<p>20. Data Management and Access Extent to which the proposal demonstrates the means by which data collected by the project will be managed and made publicly available. Refer to Section 3.8 for additional data submission requirements pertinent to water quality and watershed data.</p>

4.3.3 Independent Scientific Review

Depending on the scope and nature of each solicitation, the review process may be expanded to encompass an independent scientific review. In such instances, each eligible and complete proposal will be evaluated by at least two independent scientific reviewers. Independent scientific experts will be selected to review each proposal based on their expertise in the subject areas of the proposal, consistent with CWC section

⁴ Refer to Appendix C of the Delta Plan (Delta Stewardship Council 2013) for guidelines and criteria for defining and assessing best available science. Available at: <http://deltacouncil.ca.gov/delta-plan-0>

79707(f). The approach and criteria upon which the independent scientific reviewers will evaluate the proposals will be documented in the solicitation.

4.3.4 Selection Panel

Following completion of the technical review, and if necessary the independent scientific review, the CDFW will convene a Selection Panel to review the scores and comments of all eligible and complete proposals. Representatives from other agencies and organizations may be invited to participate on the Selection Panel. The Selection Panel will prepare a ranking list of the proposals and make funding recommendations. When developing the ranking list, the Selection Panel will consider the following items:

- Proposal review scores and comments;
- Amount of funds available;
- Program purposes (refer to Section 1.4);
- Distribution of funding among priorities identified in the solicitation; and
- For projects under the Delta Water Quality and Ecosystem Restoration Grant Program, results of coordination and consultation with the Delta city or Delta county in which a grant is proposed to be expended or an interest in real property is proposed to be acquired (CWC §79738[b]).

The Selection Panel may recommend modifications, including reducing grant amounts from that requested, in order to meet current and any potential future program priorities, funding targets and available funding limitations.

4.3.5 Director Review and Action

The Selection Panel's final recommendation will be presented to the Director of the CDFW. The Director will consider the comments and recommendations from all levels of the review process and make the final funding decision. Following approval by the Director, the selected grant recipients will receive a commitment letter officially notifying them of their selection and grant amount.

4.4 Grant Agreement

Development of grant agreements will begin as soon as projects are approved by the Director of the CDFW. Successful applicants will work with an assigned CDFW Grant Manager to develop the grant agreement. The applicant must agree to the *General Grant Provisions* which will be provided at the time of the solicitation. Agreements that are not executed within six months of the award announcement may not be funded. In such situations, the applicant may apply to a future solicitation.

Grant agreements are not executed until signed by both the authorized representative of the grant recipient and the CDFW. Work performed prior to an executed agreement will not be reimbursed.

4.4.1 Responsibility of the Grantee

The grantee will be responsible for carrying out the work agreed to and for managing finances, including but not limited to, invoicing, payments to subcontractors, accounting and financial auditing, and other project management duties including reporting requirements. All eligible costs must be supported by appropriate documentation. The solicitation shall describe the documentation required to support cost claims. See Appendix C for additional state auditing requirements (refer to CWC §79708[b-c]).

4.4.2 Invoicing and Payments

Grant agreements, with the exception of Acquisition grants, will be structured to provide for payment in arrears of work being performed. Funds cannot be disbursed until there is an executed grant agreement between the CDFW and the project applicant. Payments will be made on a reimbursement basis (i.e., the grantee pays for services, products or supplies, submits an invoice that must be approved by the CDFW Grant Manager, and is then reimbursed by the CDFW). Funds for construction will not be disbursed until all of the required environmental compliance is complete.

4.4.3 Loss of Funding

Work performed under the grant agreement is subject to availability of funds through the State's normal budget process. If funding for the grant agreement is reduced, deleted, or delayed by the Budget Act or through other budget control actions, the CDFW shall have the option to either: cancel the grant agreement, offer to the grantee a grant agreement amendment reflecting the reduced amount, or to suspend work. In the event of cancellation or suspension of work, the CDFW shall provide written notice to the grantee and be liable for payment for any work completed pursuant to the agreement up to the date of the written notice. The CDFW shall have no liability for payment for work undertaken after such date. In the event of a suspension of work, the CDFW may remove the suspension of work through written notice to the grantee. The CDFW shall be liable for payment for work completed from the date of written notice of the removal of the suspension of work forward, consistent with other terms of the grant agreement. In no event shall the CDFW be liable to the grantee for any costs or damages associated with any period of suspension invoked pursuant to this provision, nor shall the CDFW be liable for any costs in the event that, after a suspension, no funds are available and the grant agreement is then cancelled based on budget contingencies.

Actions of the State that may lead to suspension or cancellation include, but are not limited to:

- Lack of appropriated funds;
- Executive order directing suspension or cancellation of grant agreements; or
- The CDFW or CNRA directive requiring suspension or cancellation of grant agreements.

Actions of the grantee that may lead to suspension or cancellation of the grant agreement include, but are not limited to:

- Failing to execute an agreement with the CDFW within six months;
- Withdrawing from the grant program;
- Failing to acquire land at an approved fair market value;
- Losing willing seller(s);
- Failing to submit required documentation within the time periods specified in the grant agreement;
- Failing to submit evidence of environmental or permit compliance as specified by the grant agreement;
- Changing project scope without prior approval from the CDFW;
- Failing to complete the project;
- Failing to demonstrate sufficient progress; or
- Failing to comply with pertinent laws.

4.4.4 Standard Conditions

The CDFW will provide the *General Grant Provisions* with each solicitation. The *General Grant Provisions* outline the terms and conditions that must be met by all grantees and may include information regarding audits, amendments, liability insurance and rights in data.

APPENDIX A – USEFUL WEB LINKS

State Departments and Programs:

California Department of Fish and Wildlife

Homepage: www.wildlife.ca.gov/
 Grant Opportunities: www.wildlife.ca.gov/Explore/Grant-Opportunities
 ERP Conservation Strategy: www.dfg.ca.gov/erp/reports_docs.asp
 State Wildlife Action Plan: www.dfg.ca.gov/swap/

California Natural Resources Agency

Homepage: <http://resources.ca.gov/>
 Bond Accountability <http://bondaccountability.resources.ca.gov/p1.aspx>

Delta Stewardship Council / Delta Science Program

Homepage: <http://deltacouncil.ca.gov/>
 Delta Plan: <http://deltacouncil.ca.gov/delta-plan-0>
 Delta Plan Covered Actions: www.deltacouncil.ca.gov/covered-actions

California Department of Conservation

Homepage: www.conservation.ca.gov/Index/Pages/Index.aspx
 Watershed Program: www.conservation.ca.gov/dlrp/wp/Pages/Index.aspx

California Department of Industrial Relations

Homepage: www.dir.ca.gov/

California Department of Water Resources

Homepage: www.water.ca.gov
 Integrated Regional Water Management: <http://water.ca.gov/irwm/grants/>

State Water Resources Control Board

Homepage: www.swrcb.ca.gov/
 California Environmental Data Exchange Center: <http://ceden.org/>
 Surface Water Ambient Monitoring Program:
www.swrcb.ca.gov/water_issues/programs/swamp/

Other Relevant Resources:

California Water Action Plan

Homepage: http://resources.ca.gov/california_water_action_plan/

Enabling Legislation

Water Quality, Supply, and Infrastructure Improvement Act of 2014 (Proposition 1)
[Proposition 1](#)

CEQA Information

Summary: www.wildlife.ca.gov/Conservation/CEQA/Purpose
 California State Clearinghouse Handbook: http://opr.ca.gov/docs/SCH_Handbook_2012.pdf
 Environmental Information: <http://ceres.ca.gov/index.html>

Climate Change Information

CDFW's Climate Science Program:
www.dfg.ca.gov/Climate_and_Energy/Climate_Change/
 Safeguarding California: Reducing Climate Risk:
http://resources.ca.gov/docs/climate/Final_Safeguarding_CA_Plan_July_31_2014.pdf
 National Fish, Wildlife, and Plants Climate Adaptation Strategy:
www.wildlifeadaptationstrategy.gov/pdf/NFWPCAS-Final.pdf

National Oceanic Atmospheric Administration

Homepage: www.noaa.gov/

NEPA Information

U.S. Environmental Protection Agency: www.epa.gov/compliance/basics/nepa.html

Sacramento-San Joaquin Delta

Map of Legal Delta: www.ppic.org/content/pubs/report/R_207JLMap1_1.pdf
 Statutory Definition of Legal Delta (CWC §12220):
http://leginfo.legislature.ca.gov/faces/codes_displayText.xhtml?lawCode=WAT&division=6.&title=&part=4.5.&chapter=2.&article

United States Fish and Wildlife Service

Homepage: www.fws.gov/

United States Forest Service

Homepage: www.fs.fed.us/

Water Conservation and Efficiency Plans

U.S. Environmental Protection Agency: www.epa.gov/WaterSense/pubs/guide.html
 Alliance for Water Efficiency:
www.allianceforwaterefficiency.org/Water_Consevation_Planning_Introduction.aspx

APPENDIX B – GLOSSARY OF TERMS

Acquisition – obtaining a fee interest or any other interest in real property, including, easements, leases, water, water rights, or interest in water obtained for the purposes of instream flows and development rights (CWC §79702[a]).

Applicant – the entity that is formally submitting a grant application. This is the same entity that would enter into an agreement with the State should the grant application be funded. The grant applicant must be an eligible entity.

Application – the individual application form and any required attachments for grants pursuant to this grant program.

Disadvantaged Community – a community with an annual median household income that is less than 80 percent of the statewide annual median household income (CWC §79505.5 [a]).

Eligible costs – expenses incurred by the grantee during the agreement performance period of an approved agreement, which may be reimbursed by the CDFW.

Eligible entity – public agencies, nonprofit organizations, public utilities, federally recognized Indian tribes, state Indian tribes listed on the Native American Heritage Commission's California Tribal Consultation List, and mutual water companies (CWC §79712[a]).

Grant agreement – an agreement between the CDFW and the grantee specifying the payment of funds by the CDFW for the performance of the project scope within the term of the agreement by the grantee.

Grantee – refers to the applicant once a proposal is awarded and a grant agreement is executed (i.e., a grant recipient)

Nonprofit organization – an organization qualified to do business in California and qualified under section 501(c)(3) of Title 26 of the United States Code (CWC §79702[p]).

Performance measure – a quantitative measure used to track progress toward project objectives/desired outcomes.

Project – refers to an effort included in the proposal. It may include construction of physical facilities or implementation of non-structural actions.

Proposal – refers to the application for a project that is proposed for funding.

Proposition 1 – “Water Quality, Supply, and Infrastructure Improvement Act of 2014” passed by California voters on November 4, 2014, and as set forth in Division 26.7 of the California Water Code.

Public agency – a state agency or department, special district, joint powers authority, city, county, city and county, or other political subdivision of the state (CWC §79702[s]).

Review Criteria – set of requirements used to evaluate a proposal for a specific solicitation.

Selection Panel – representatives from the CDFW, at the supervisory or management level, assembled to review and consider the evaluations of all complete and eligible proposals and to make initial funding recommendations. Representatives from other agencies and organizations may also be invited to participate on the Selection Panel.

Technical Reviewers – a group of individuals assembled to evaluate the scientific and technical merit of a proposed project. May include representatives from the CDFW, other agencies, or other outside experts. Individuals selected to serve as technical reviewers will be professionals in fields relevant to the proposed project (CWC §79707[f]).

APPENDIX C – STATE AUDITING REQUIREMENTS

The list below details the documents or records that State Auditors may need to review in the event of a grant agreement being audited. Grant recipients should ensure that such records are maintained for each State funded project. For additional details including specific audit tasks performed during a bond audit, see the California Department of Finance Bond Accountability and Audits Guide and the Bond Audit Bulletins (www.dof.ca.gov/osae/prior_bond_audits/).

State Audit Document Requirements

Internal Controls:

1. Organization chart (e.g. Grant recipient's overall organization chart and organization chart for the State funded project).
2. Written internal procedures and flowcharts for the following:
 - a. Receipts and deposits
 - b. Disbursements
 - c. State reimbursement requests
 - d. State funding expenditure tracking
 - e. Guidelines, policies, and procedures on State funded project
3. Audit reports of the Grant recipient's internal control structure and financial statements within the last two years.
4. Prior audit reports on State funded projects.

State Funding:

1. Original grant agreement, any amendment(s) and budget modification documents.
2. A list of all bond-funded grants, loans or subventions received from the State.
3. A list of all other funding sources for each project.

Agreements:

1. All subcontractor and consultant contracts and related documents, if applicable.
2. Agreements between the grant recipient, member agencies, and project partners as related to the State funded project.

Invoices:

1. Invoices from vendors and subcontractors for expenditures submitted to the State for payments under the grant agreement.
2. Documentation linking subcontractor invoices to State reimbursement requests and related grant agreement budget line items.
3. Reimbursement requests submitted to the State for the grant agreement.

Cash Documents:

1. Receipts (copies of warrants) showing payments received from the State.
2. Deposit slips or bank statements showing deposit of the payments received from the State.
3. Cancelled checks or disbursement documents showing payments made to vendors, subcontractors, consultants, or agents under the grant agreement.

Accounting Records:

1. Ledgers showing receipts and cash disbursement entries for State funding.
2. Ledgers showing receipts and cash disbursement entries of other funding sources.
3. Bridging documents that tie the general ledger to reimbursement requests submitted to the State for the grant agreement

Administration Costs:

1. Supporting documents showing the calculation of administration costs.

Personnel:

1. List of all contractors and grant recipient staff that worked on the State funded project.
2. Payroll records including timesheets for contractor staff and the grant recipient's

Project Files:

1. All supporting documentation maintained in the files.
2. All grant agreement related correspondence.