Proposition 1

California Stream Flow Enhancement Program

Proposal Solicitation Notice FY 2015-2016

Wildlife Conservation Board

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CONTENTS

1.0 Introduction 3
1.1 Purpose 3
1.2 Focus 443
2.0 Eligibility Requirements 4
2.1 Eligible Grant Applicants 4
2.2 Proposal Categories 5
2.3 Eligible Project Types 6
2.3.1 Partnership Projects 7
2.4 Specific Funding Requirements 7
3.0 Submission Procedures 8
4.0 Proposal Review Procedures 9
4.1 Administrative Review 9
4.2 Technical and Scientific Review 9
4.3 Selection Panel 10
4.4 Executive Director Review and Board Action 10
4.4.1 Monitoring and Assessment 18
5.0 General Program Requirements 19
5.1 Conflict Of Interest 202019
5.2 Confidentiality 202019
5.3 California Conservation Corps 202019
5.4 Land Tenure and Site Control 202019
5.5 Compliance with Laws 212120
5.6 Water Law 212120
5.7 Labor Code Compliance 222221
5.8 Environmental Compliance 222221
5.9 Signage 222221
6.0 Additional Information if Funded 232322
6.1 Responsibility of the Grantee 232322

DRAFT

6.2 Invoicing and Payments 232322
6.3 Incidental Project Costs 232322
6.4 Loss of Funding 232322
Appendix A - Acronyms and Abbreviations 252524
Appendix B – Useful Web Links 262625
Appendix C – Glossary of Terms 282827
Appendix D – California Conservation Corps and Certified Community Conservation Corps 313130
Consultation Guidance 313130
Corps Consultation Review Document 333332
Appendix E – Proposal Application Form and Instructions 353534

DRAFT

1.0 INTRODUCTION

1.1 Purpose

The purpose of this project solicitation notice (solicitation) is to solicit proposals to the Wildlife Conservation Board (WCB) for the California Stream Flow Enhancement Program (Program), a competitive grant program.

This Program was developed pursuant to the Water Quality, Supply, and Infrastructure Improvement Act of 2014 (Proposition 1), which was approved by California voters in November 2014. It amended the California Water Code (CWC) to add among other articles, section 79733, authorizing the Legislature to appropriate up to $200,000,000 to WCB, for projects that result in enhanced stream flows. WCB's Guidelines for the Program were finalized in June 2015.

~~In Fiscal Year 2015/2016 (FY 15/16), up to $38,400,000 of Proposition 1 funding is available for award through this solicitation. Funds granted by WCB under the Program will be focused on addressing the objective of providing and protecting enhanced stream flow, especially in those streams that support anadromous fish; special status, threatened, endangered or at risk species; provide wildlife corridors; or provide resilience to climate change. In addition, co-benefits of such actions may contribute toward attaining other California Water Action Plan objectives.~~ Enhanced stream flow is defined as a change in the amount, timing or quality of the water flowing down a stream, or a portion of a stream, to benefit fish and wildlife. It is the intent of WCB that these funds will be invested in projects that, among other things, accomplish the following:

- 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));
- Use best available science 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));
- Promote State planning priorities consistent with section 65041.1 of the Government Code and sustainable communities strategies consistent with the provisions of Government Code section 65080(b)(2)(B), to the extent feasible (CWC §79707(i)); and
- Achieve working agricultural and forested landscape preservation wherever possible through voluntary landowner participation (CWC §79707(j)).

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1.2 Focus

In Fiscal Year 2015/2016 (FY 15/16), up to $38,400,000 of Proposition 1 funding is available for award through this solicitation. Funds granted by WCB under the Program will be focused on addressing the objective of providing and protecting enhanced stream flow~~, especially~~ in those streams that provide the following:

- support for anadromous fish;
- support for special status, threatened, endangered or at risk species;
- provide wildlife corridors; ~~or~~
- provide resilience to climate change.

In addition, co-benefits of such actions may contribute toward attaining other California Water Action Plan objectives.

The goals of the program are threefold:

- Support projects that lead to meaningful increases in the availability and quality of water in streams, particularly by protecting and restoring functional ecological flows for streams and wetlands identified as priority for fish and wildlife.
- Support those projects by working to remove key barriers to securing enhanced flows for nature (e.g., by making it easier to change the timing of flows as needed, crafting long-term programs that allow for short-term leases/transfers for nature, or streamlining processes for long-term transfers of water for stream flow).
- Support projects that allocate resources for infrastructure (e.g., gauges) for evaluating streamflow conditions in California's streams that help us better understand how streamflow conditions respond to efforts to improve flows.

2.0 ELIGIBILITY REQUIREMENTS

~~This solicitation~~The following section describes the eligibility requirements of grant applicants, nature and scope of projects eligible for funding, eligibility criteria, and any requirements for the use of funds.

2.1 Eligible Grant Applicants

Eligible grantees are limited to public agencies[1], 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

[1] "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)).

(CWC §79712(a)). Additionally, in order to be eligible for funding, all the following criteria apply:

- 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, as defined in CWC section 10617, 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) (CWC §79712(b)(2));
- An agricultural water supplier, as defined in CWC section 10608.12(a), 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) (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 CWC section 10608) of Division 6. (CWC §79712(b)(4)).

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

2.2 Proposal Categories

Eligible proposals for this solicitation may achieve one or more of the following grant program purposes: (1) implementation, (2) acquisition, and (3) planning, scientific studies, monitoring, and assessments. Each of these grant categories is summarized briefly below.

Implementation

Implementation grants shall fund final design and construction of restoration and enhancement projects and new or enhanced facilities that will provide ~~as its primary purpose the~~a direct and measurable enhancement of stream flow. They are intended to support high priority "shovel ready" projects that have advanced to the stage where planning, land tenure, and engineering are largely completed.

Acquisition

Acquisition grants shall fund purchases of land, water rights, or interests in land or water that provide ~~as its primary purpose~~ a direct and measurable enhancement of stream flow to support the goals of the Program and the California Water Action Plan (CWAP).

Acquisitions must be from willing sellers and at a price that does not exceed fair market value, as set forth in an appraisal approved by the Department of General Services.

Planning, Scientific Studies, Monitoring, and Assessment

Planning, scientific studies, monitoring and assessment grants shall fund specific activities necessary for the successful design, selection and implementation of projects, such as preliminary design and environmental review; implementation strategies to develop future projects; ~~assistance with the development of policy to guide decisions regarding future stream flow enhancement projects;~~ and for the collection of baseline data to support effectiveness monitoring, all with a goal of developing plans or processes for the future implementation of stream flow enhancement project(s). Not more than $5,000,000 will be made available in fiscal year 2015/2016.

2.3 Eligible Project Types

WCB will allocate Program funds to projects that enhance stream flows and are consistent with objectives and actions outlined in the CWAP, with ~~an emphasis on~~a focus on providing and protecting enhanced stream flow~~, especially~~ in those streams that support anadromous fish, special status, threatened, endangered or at risk species; provide wildlife corridors; or provide resilience to climate change. Proposed projects must measurably enhance stream flows at a time and location necessary to provide fisheries or ecosystem benefits or improvements that improve upon existing flow conditions and are greater than required by applicable environmental mitigation measures or compliance obligations. Proposals must identify the stream(s), reaches of those stream(s), and watershed(s) in which they are found.

Examples of project types that may be eligible in this solicitation are identified below. These examples should not be viewed as exhaustive lists of eligible project types.

- Water Transactions (e.g., changes to a stream's hydrograph through lease, transfer, or seasonal exchange of water)
    - Change of use petitions to benefit fish and wildlife
    - Surface storage to be used to enhance stream flow
    - Forbearance of water right
    - Changes in water management
    - Groundwater storage and conjunctive use
- Acquisition of water from willing sellers – permanent and long-term (not less than 20 years) dedications for the purpose of instream flow
- Acquisition of land or interests in land that provide direct and measurable enhancement of stream flow

- Habitat restoration projects (e.g., weed eradication, wet meadow restoration, restoration of entrenched streams, upper watershed restoration or forest thinning) that reshape stream hydrograph
- Fans for frost protection that, through forbearance or other agreements, result in a change in a stream's hydrograph
- Studies to evaluate instream flow needs, identify priority streams and watersheds, or evaluate habitat suitability and temperature needs
- Streamflow gauging
- Water efficiency generally – Irrigation efficiency and water infrastructure improvements (e.g., diversion, conveyance, and on-farm projects) that save water and enable reshaping of the stream hydrograph
- Reconnecting flood flows with restored flood plains
- Reservoir operations both at existing and new storage sites

Projects that will result in a change in a stream's hydrograph must demonstrate how the changes will be protected for the entire reach of stream within the project limits.

2.3.1 Partnership Projects

In watersheds with multiple projects, partners and landowners, applicants may work together and submit a single application for a combined grant to provide greater ecosystem benefits. The combined grant 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 any individual component(s). For environmental purposes, a single application consisting of several actions will be considered to be one project under the California Environmental Quality Act (CEQA), and would need to be evaluated as one project to address potential cumulative effects.

2.4 Specific Funding Requirements

Projects must meet all of the following relevant eligibility criteria in order to be considered for funding:

- 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 (CWC §79732(b)).
- Funds shall not be expended to pay the costs of the design, construction, operation, mitigation, or maintenance of Delta conveyance facilities (CWC §§79710(a), 79737(e) and 79738(f)).
- Funds expended for the acquisition of a permanent dedication of water shall be in accordance with CWC section 1707, 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 section 1707(c) (CWC §79709(a)). The acquisition of long-term transfers of water shall be completed in accordance with CWC sections 1735, 1736 and 1737 (CWC §79709(b)).

- Any acquisition of water 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 in effect at the time the funds are made available (CWC §79709(c)). Funds shall not be credited to any measures or obligations, except for any water transfers for the benefit of section 3406(d) of the Central Valley Project Improvement Act (Title 34 of Public Law 102-575) (CWC §79709(c)).
- Funds shall not be used to acquire land by eminent domain (CWC §79711(g)).

3.0 SUBMISSION PROCEDURES

In order to be considered for FY 2015/2016 funding, all proposals must be submitted using the provided application form in Appendix E. Completed proposals may be submitted electronically by e-mail, or hardcopy.

Electronic submittals of proposals as an attachment to an e-mail shall have a subject line of "Proposition 1 California Stream Flow Enhancement Program" and be sent to wcbstreamflow@wildlife.ca.gov. Proposals submitted by e-mail must be in Word, RTF, or PDF format, with attachments less than 20 megabytes (MB). If attachments are larger than 20 MB, submit a copy by mail. Mailed proposals, which must include an electronic copy on storage media (flash drive, cd, etc.), shall be addressed to:

Wildlife Conservation Board
ATTN: Proposition 1 California Stream Flow Enhancement Program Proposal
1416 9th Street, Suite 1266
Sacramento, CA 95814

Incomplete proposals or applications that have not used the application form provided in Appendix E, or proposals received after the identified deadline will not be reviewed or considered for funding.

If there are any questions regarding the Solicitation or proposal application process, please email wcbstreamflow@wildlife.ca.gov.

All information requested in this solicitation is mandatory unless otherwise indicated. An applicant's name and address may be provided to the public, if requested. Other

personal information submitted in this proposal may be released to governmental entities involved with the funding of the project, to law enforcement agencies pursuant to a court order, or for official natural resources management purposes. Proposals are subject to Public Records Act requests.

Proposals must be received no later than 11:59 p.m. PST on DATE.

4.0 PROPOSAL REVIEW PROCEDURES

4.1 Administrative Review

An administrative review will determine if the proposal is complete and meets all the requirements for technical review. This review will use a "Pass/Fail" scoring method, based on the criteria presented in Table 1 (Page XX). Those proposals which receive a "Fail" for one or more of the identified criteria will be considered incomplete and will not be considered for funding in this cycle.

4.2 Technical and Scientific Review

Table 2 (Page XX) provides an overview of the technical review criteria, as well as the weighting factors, maximum criterion scores, and percent of total maximum score. All complete and eligible proposals will be evaluated and scored by technical reviewers in accordance with the scoring criteria documented in Table 3 (Page XX). The technical reviewers assigned to each proposal will include representatives from WCB as well as individuals from California Department of Fish and Wildlife (CDFW) and the ~~State Water Resources Control Board~~SWRCB as appropriate. WCB may request reviewers from other agencies or other outside experts to participate in the review. Individuals selected to serve as technical reviewers will be professionals in fields relevant to the proposed project (CWC §79707(f)).

The technical reviewers will assign each criterion a point value between zero and three. Each criterion's point value will then be multiplied by the applicable weighting factor to calculate the criterion score. A total score for the proposal will be generated by summing the criterion scores. An application must achieve ~~an average~~a score of ~~80~~ 85 points or better to qualify for a grant. Where standard scoring criteria are applied, points will be assigned as follows:

Standard Scoring Criteria

- A score of 3 points will be awarded where the criterion is fully addressed and supported by thorough and well-presented documentation and logical rationale.
- A score of 2 points will be awarded where the criterion is less than fully addressed and is supported by less thorough documentation or less sufficient

rationale.

- A score of 1 point will be awarded where the criterion is marginally addressed.
- A score of 0 points will be awarded where the criterion is not addressed.

4.3 Selection Panel

Following completion of the technical review, WCB will convene a Selection Panel, to review the scores and comments of all eligible and complete proposals. WCB may also invite representatives from other agencies and organizations to participate on the Selection Panel. The Selection Panel will prepare a preliminary ranking list of the proposals and make the initial funding recommendations. When developing the ranking list, the Selection Panel may consider the following items:

- Proposal review scores and comments
- Amount of funds available
- Program purposes
- CEQA compliance

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

4.4 Executive Director Review and Board Action

The Selection Panel's final recommendation will be presented to the Executive Director of WCB. The Executive Director will consider the comments and recommendations from all levels of the review process and ~~make the final determination on the list of projects to be presented~~ will present all proposals to the voting members of the Wildlife Conservation Board (Board) (Fish and Game Code §1320) along with a recommendation on which projects are proposed for approval and funding. Following approval by the Board, selected grant recipients will receive a letter officially notifying them of their selection and grant amount.

Table 1: Administrative Review Evaluation Criteria

Criteria	Score
All proposal components have been completed in the required formats, including all proposal forms and associated documents.	Pass/Fail
Applicant contact information, including person authorized to sign grant agreement, is included.	Pass/Fail
Applicant is an eligible entity.	Pass/Fail

Criteria	Score
Proposal received by deadline.	Pass/Fail
Budget included.	Pass/Fail
~~Proposal has as its **primary purpose**~~The purpose of the proposal is the enhancement of stream flows to benefit native species.	Pass/Fail
Proposal achieves an action within the California Water Action Plan.	Pass/Fail
Proposed project is not required mitigation or to be used for mitigation under CEQA, NEPA, CESA, ESA, CWA, Porter-Cologne, other pertinent laws and regulations, or a permit issued by any local, state, or federal agency.	Pass/Fail
For implementation proposals, the applicant has included a consultation form from the California Conservation Corps and California Association of Local Conservation Corps (collectively, "the Corps") to determine the feasibility of the Corps' participation, consistent with the guidance stipulated in Appendix D herein.	Pass/Fail

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Table 2: Overview of Technical Review Criteria

Scoring Criteria	Weighting Factor	Maximum Score	Percent of Total Maximum Score
Organizational Capacity			
Applicant Qualifications/Ability to Accomplish Project	3	9	**8%**
Project Benefits / State Priorities			
Project Description – Purpose and Need	~~2~~3	~~6~~9	
Project Outcomes~~ – Diversity and Significance of the Benefits~~	3	9	
Project's ~~Outcomes – Analysis~~Diversity and Significance of Benefits	3	9	
Climate Change Considerations	2	6	**~~47~~49%**
~~Compatibility with~~Advances Statewide and Regional Plans	2	6	
Co-Benefits – Description	3	9	
Project's ~~Outcomes –~~ Durability of Investment	2	6	

Readiness / Feasibility			
Project Description - Implementation	~~2~~3	~~6~~9	**~~17~~19%**
Schedule and Deliverables	1	3	
Project Readiness and Budget	3	9	
Other Funding			
Leverages Funds	1	3	**8%**
Non-State Cost Share Funds	2	6	
Community / Stakeholder Support			
Community Support and Collaboration	1	3	**~~6~~5%**
Disadvantaged Communities	1	3	
~~Innovation~~ Monitoring and Scien~~ce~~tific Merit			
Monitoring and Assessment	3	9	**~~14~~11%**
~~New or innovative Technology or Practices~~	~~1~~	~~3~~	
Scientific Merit – Scientific Basis	1	3	
Total		**~~108~~111**	**100%**

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Table 3: Technical Review Evaluation Criteria and Scoring Standards

Scoring Criteria	Maximum Possible Points	Scoring Standards
Organizational Capacity		
Applicant Qualifications/Ability to Accomplish Project The extent to which the proposal clearly demonstrates that the applicant and their project team has the qualifications, experience, and capacity to perform the proposed tasks.	9	Proposals that demonstrate an appropriate level of expertise and, where applicable, successful completion of previously funded grants will receive ~~3~~ 9 points
		Proposals in which the applicant or project team lacks some expertise, has had some problems with successful completion of previously funded grants, or named subcontractors are not appropriate for work will receive ~~2~~ 6 points
		Proposals in which the applicant or project team lacks expertise and/or has had many problems with successful completion of previously funded projects will receive ~~1~~ 3 point
		Proposals in which the applicant or project team is unqualified, and have had persistent problems with completing previously funded grants will receive a score of zero
Project Benefits / State Priorities		
Project Description – Purpose and Need The extent to which the proposal includes a detailed project description, with clear delineation of project location and boundaries, and a clear description of the problem(s) and its significance.~~, and a specific description of how the proposal will address the identified problem(s).~~	9	See Standard Scoring Criteria (See Page 9)
Project Outcomes The extent to which the proposal includes a specific description of how the proposal will enhance the quantity, timing or quality of water in the stream to address the identified problem(s).	9	See Standard Scoring Criteria (See Page 9)
Project's ~~Outcomes –~~ Diversity and Significance of ~~the~~ Benefits	9	Proposals that are likely to provide a suite of ecological benefits and the finding is supported by thorough and well-presented documentation will receive ~~3~~ 9 points

DRAFT

Extent to which the proposal documents the significance of the expected outcomes (e.g., magnitude, diversity) of the proposed objectives of the project. For example, is the project likely to support listed or declining species or anadromous fish, what is the significance of the project site within the context of conserved lands in the region, what is the significance of the conservation benefits from a climate change adaptation perspective?		Proposals that are likely to provide multiple moderate to significant ecological benefits but the quality of the supporting documentation is incomplete will receive ~~2~~ 6 points Proposals that are likely to provide multiple moderate ecological benefits but the quality of the supporting documentation is lacking will receive ~~1~~ 3 points Proposals that do not provide multiple benefits will receive a score of zero
~~**Project Outcomes – Analysis**~~ ~~The extent to which the project proponent analyzes and documents existing conditions, the anticipated enhanced stream flow conditions resulting from project implementation, and how well the information will determine the extent to which enhanced flow conditions will achieve the primary objective of providing and protecting enhanced stream flow to benefit native fish and wildlife.~~	~~9~~	~~See Standard Scoring Criteria (See Page 9)~~
Climate Change Considerations The extent to which climate change considerations are adequately taken into account in the proposal (applicant has considered how future climate conditions might affect the project's long-term benefits, and how the project could provide resilience to climate change).	6	See Standard Scoring Criteria (See Page 9)
~~**Compatibility with**~~**Advances Statewide and Regional Plans** The extent to which the proposed project ~~is compatible with~~advances existing conservation, restoration, recovery plans, or other relevant State, federal or regional plans or policies.	6	See Standard Scoring Criteria (See Page 9)
Co-Benefits – Description	9	See Standard Scoring Criteria (See Page 9)

DRAFT

The extent to which the proposed project provides multiple ecosystem benefits beyond stream flow enhancement; the objectives related to those co-benefits are clearly stated; are measurable and quantifiable; and there is a high likelihood that these co-benefits will be realized.		
Project's Outcomes – Durability of Investment The extent to which the proposed project will deliver sustainable outcomes in the long-term for the entire stream reach(s). How well does the applicant explain plans for long-term management and sustainability beyond the term of the grant agreement?	6	Proposals that provide a well-defined long-term management and maintenance plan for a minimum of 20 yearsin perpetuity will receive 3 6 points
		Proposals that provide an adequate well defined long-term management and maintenance plan for a minimum of 20 years will receive 2 3 points
		Proposals that provide an adequate long-term management and maintenance plan for less than 20 years will receive 1 points
		Proposals that provide an inadequate long-term management and maintenance planof less than 20 years will receive a score of zero
Readiness / Feasibility		
Project Description - Implementation The 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. The means by which each element of the project will be implemented (e.g., methods/ techniques used, materials and equipment used) were adequately described. Does the project apply methods and technologies that are understood and well proven, or alternatively, does the proposal provide an adequate basis for proposed innovative methods and technologies?	69	See Standard Scoring Criteria (See Page 9)
Schedule and Deliverables The extent to which the proposed schedule demonstrates the sequence and timing of project tasks, milestones, and deliverables and is sufficiently detailed and reasonable.	3	See Standard Scoring Criteria (See Page 9)
Project Readiness and Budget Extent to which the project applicant has	9	Proposals that demonstrate a readiness to initiate project implementation no later than nine months after the projected date of an executed agreement will receive 3 9

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included a detailed and accurate budget and has demonstrated that environmental compliance, permitting, planning, engineering design or other necessary preparations for the project as a whole are sufficient for prompt project implementation. WCB will not award funding for project implementation until any required environmental review pursuant to CEQA and/or NEPA has been completed and all required permits have been obtained.		points
		Proposals that demonstrate a readiness to initiate project implementation no later than 12 months after the projected date of an executed agreement will receive ~~2~~ 6 points
		Proposals that demonstrate a readiness to initiate project implementation 12 months to 18 months after the projected date of an executed agreement will receive ~~1~~ 3 point
		Proposals that demonstrate a readiness to initiate project implementation more than 18 months after the projected date of an executed agreement will receive a score of zero
Other Funding		
Leverages Funds The extent to which the proposal leverages other State funds to provide ecosystem and other benefits beyond stream flow enhancement.	3	Proposals in which ≥~~>~~30% of the budget is funded by leveraging other State funds will receive 3 points
		Proposals in which 15-29% of the budget is funded by leveraging other State funds will receive 2 points
		Proposals in which 1-14% of the budget is funded by leveraging other State funds will receive 1 point
		Proposals that do not leverage other State funds (0%) will receive a score of zero
Non-State Cost Share Funds The extent to which the proposal provides federal, local, or private cost share, which can include both cash and in-kind services.	6	Non-State cost share of ≥~~>~~30% will receive ~~3~~ 6 points
		Non-State cost share of 15-29% will receive ~~2~~ 4 points
		Non-State cost share of 1-14% will receive ~~1~~ 2 points
		Non-State cost share of 0% will receive a score of zero
Community / Stakeholder Support		
Community Support and Collaboration The extent to which the project has broad-based public and institutional support, at the local, regional, or larger scale. Did the applicant demonstrate that the community is engaged in the project by providing funds, in-kind contributions (e.g., administrative/technical services, labor, materials, or equipment), partnerships, or other evidence of support? Has the applicant described efforts to include stakeholders in project planning, design, outreach/education,	3	See Standard Scoring Criteria (See Page 9)

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implementation, monitoring, maintenance, etc.?		
Disadvantaged Communities The extent to which the proposed project provides benefits to one or more disadvantaged communities, as described in CWC section 79705.5.	3	Proposed projects that are located within and provide benefits to one or more disadvantaged communities will receive 3 points Proposed projects that are not located within a disadvantaged community but provide benefits to one or more disadvantaged communities will receive 1-2 points Proposed projects that are not located within a disadvantaged community and do not provide benefits to a disadvantaged community will receive a score of zero
~~Innovation~~ Monitoring and Scientific Merit~~ce~~		
Monitoring and Assessment The extent to which the project proposal demonstrates that the benefits will be maintained for the life of the project through a clear and reasonable approach for monitoring, maintaining, assessing, and reporting the effectiveness of the project. (see Section 4.4.1 below for additional direction.)	9	See Standard Scoring Criteria (See Page 9)
~~New or Innovative Technology or Practices~~ ~~The extent to which the proposed project, where appropriate, employs new or innovative technology or practices.~~	~~3~~	~~See Standard Scoring Criteria (See Page 9)~~
Scientific Merit – Scientific Basis The extent to which the scientific basis of the proposed project is clearly described and based on the best available science, the proposal employs new or innovative technology or practices, ~~and~~ how the project will address key scientific uncertainties and fill important information gaps, and how data collected will be managed and made publicly available.	3	See Standard Scoring Criteria (See Page 9)

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4.4.1 Monitoring and Assessment

Each implementation and acquisition proposal must include a monitoring and reporting plan 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 must 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, and stakeholders~~, and WCB~~. Project-specific performance measures must be included in the monitoring plan and be sufficiently detailed to allow technical reviewers to assess the project's ability to achieve and maintain the project's stated objectives.

At a minimum, the monitoring and reporting plan for all projects that change the hydrograph of a stream must include a compliance component ~~which~~ that details the proposed hydrologic monitoring to be performed to account for all "wet water" enhanced instream from a project or transaction. Additional flow-related metrics may include such measures as quantification of general aquatic habitat improvement, enhancement of habitat for a specific life history-stage of any targeted species, change in fish passage/migratory conditions, or water quality response (e.g., dissolved oxygen or temperature).

The monitoring plan shall include the following elements:

- What will be monitored
- Monitoring objectives (why the monitoring is needed [e.g., comply with terms of grant, assess progress toward an objective])
- Clearly stated assessment questions
- The specific metrics that will be measured and the methods / protocol(s) that will be used
- Linkages to relevant conceptual model(s)
- The timeframe and frequency of monitoring, including pre- and post-project monitoring
- The spatial scope of the monitoring effort
- Quality assurance/quality control procedures
- Compliance with all permit requirements for monitoring activities (Scientific Collecting Permits)
- Description of relationships to existing monitoring efforts

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- How the resulting data will be analyzed, interpreted, and reported

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).

Specific terms and conditions may vary consistent with the scope of a specific project and will be included within a grant's management plan. WCB shall have access to the project site at least once every twelve months from the start date of the grant for 20 years, or an appropriate term negotiated prior to grant execution.

Land a~~A~~cquisition projects will require a baseline report of existing conditions, and an outline of a long-term management and maintenance plan as part of the grant proposal. Periodic reports will be submitted pursuant to the grant agreement to assure the long-term maintenance, management and viability of the project.

Reporting All Grantees will be required to provide periodic progress reports during implementation of the project and a final report upon project completion. Among other requirements, all such reports will include an evaluation of project performance that corresponds directly to the project's performance measures. The final report will include, among other things, a discussion of findings, conclusions, or recommendations for follow-up, ongoing, or future activities. Specific reporting requirements will be included in the grant agreement.

Final reporting for Scientific Studies, Monitoring and Assessment projects will include a synthesis of all findings and provide conclusions on hypotheses tested, as well as recommendations for resource management and further investigations related to the research subject area. The deliverables will include a draft manuscript in a format suitable for publication in a scientific peer-reviewed journal.

5.0 General Program Requirements

Each proposal submitted to the WCB must be in full compliance with all stated requirements of this solicitation.

5.1 Conflict Of Interest

All applicants and individuals who participate in the review of submitted proposals are subject to California 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 is ineligible to receive funds or personally benefit from funds awarded through this solicitation. Applicants should also be aware that certain State agencies may submit proposals that will compete for funding.

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.

5.2 Confidentiality

Once the proposal has been submitted to the WCB, 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 California Government Code sections 6250-6276.48.

5.3 California Conservation Corps

For construction 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). Appendix D provides guidance on the steps necessary to ensure compliance with this provision. Projects where applicants fail to engage in consultation with the CCC and a certified local conservation corps will not be eligible to receive WCB Proposition 1 funding.

5.4 Land Tenure and Site Control

Applicants for projects conducting on-the-ground work must submit documentation showing that they have adequate tenure to, and site control of, the properties to be improved or restored for the life of the project (typically, a minimum of 20 years). Proof of adequate land tenure includes, but is not necessarily limited to:

- Fee title ownership
- An easement
- Other agreement between the applicant and the fee title owner, or the owner of an easement in the property, sufficient to give the applicant adequate site control

for the purposes of the project and long-term management

- For projects involving multiple landowners, all landowners or an appointed designee must provide written permission to complete the project

When an applicant does not have tenure at the time of proposal submission, but intends to establish tenure via an agreement that will be signed upon grant authorization, the applicant must submit a template copy of the proposed agreement or permission form at the time of proposal submission. Once a project has been awarded, the applicant must submit documentation of land tenure before a complete grant agreement can be executed.

5.5 Compliance with Laws

Activities funded under the Program must be in compliance with applicable State and federal laws and regulations and proposals may include in their budgets the funding necessary for compliance-related tasks. As part of the application, applicants must identify expected required permits, state whether they have received the required permits or describe the process through which the permits will be obtained, and indicate which permits could significantly delay project implementation.

5.6 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. Refer to Section 2.4 (Specific Funding Requirements) of this document for specific requirements stipulated in Proposition 1 (CWC §79709). 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 relevant 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.

All applicants that propose to divert water must demonstrate to the WCB 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.

5.7 Labor Code Compliance

Grants awarded through the Program 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.

Successful grantees 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 state department having jurisdiction in these matters. For more details, please refer to the DIR website (http://www.dir.ca.gov/).

5.8 Environmental Compliance

Activities funded under this grant program must be in compliance with applicable State and federal laws and regulations, including CEQA, the National Environmental Policy Act (NEPA), and any other environmental permitting requirements. The applicant is responsible for project compliance and proposals and may include in their budgets the funding necessary for compliance-related tasks.

Proposals for activities that are subject to CEQA and/or NEPA must identify the state and/or federal lead agency or agencies and provide documentation evidencing that the agency or agencies have accepted the lead agency role. The WCB will not award funding for project implementation until any required environmental review pursuant to CEQA and/or NEPA has been completed and all required permits have been obtained.

5.9 Signage

All successful grantees will include signage, to the extent practicable, informing the public that the project received funds through the WCB from the Water Quality, Supply, and Infrastructure Improvement Act of 2014 (CWC §79707(g)). Any sign installed on the Property referencing the Project shall be subject to the mutual agreement of WCB, Grantee and Landowner regarding text, design and location and shall display the WCB and Proposition 1 logos.

6.0 ADDITIONAL INFORMATION IF FUNDED

Successful applicants will work with an assigned WCB Project Manager to identify and provide information required to develop the grant agreement. Grant agreements are not executed or final until authorized by the Board and fully signed by the grant recipient and WCB. No work is authorized under the grant until the grantee has received a written notice to proceed from the WCB. Work performed prior to a fully executed agreement and notice to proceed is done at the risk and expense of the applicant and cannot be reimbursed. Implementation grants typically are for four years or less.~~,~~ Monitoring and maintenance requirements will continue for the life of the project as defined in the grant agreement.

6.1 Responsibility of the Grantee

The grantee will be responsible for carrying out the project and for managing finances, including but not limited to, invoicing, payments to landowners, contractors, subcontractors and suppliers, accounting and financial auditing, and other project management duties including monitoring and reporting requirements.

6.2 Invoicing and Payments

Grant agreements, with the exception of acquisition grants, will be structured to provide for payment in arrears of work being performed (i.e., Grantee submits an invoice for completed work, which must be approved by the WCB grant manager, and is then reimbursed by WCB). All eligible costs for which Grantee seeks ~~reimbursement~~ payment under the grant must be supported by appropriate documentation. WCB may withhold ten percent (10%) of the total approved amount from each disbursement until WCB staff has approved the completion of the Project.

6.3 Incidental Project Costs

Allowable incidental costs include, but are not limited, to workers compensation insurance, utilities, office space rental, phone, and copying, but are limited to only those costs that are directly related to completion of the proposed project. The applicant will explain the methodology used to determine how those costs are calculated and provide details to support that request. WCB will allow the use of ~~the~~ a federally recognized overhead rate not to exceed 10% of the project cost. Forgone incidental costs may be used as cost share.

6.4 Loss of Funding

Work performed under the grant agreement is subject to availability of funds through the State's budget process. If funding for the grant agreement is reduced, eliminated, or delayed by the Budget Act or through other budget control actions, WCB shall have the option to cancel the grant agreement, offer to the Grantee a grant agreement

amendment reflecting the reduced amount, or suspend work. In the event of cancellation of the grant agreement or suspension of work, WCB shall provide written notice to the grantee and be liable only for payment for any work completed pursuant to the grant agreement up to the date of the written notice. WCB shall have no liability for payment for work carried out or undertaken after the date of written notice of cancellation or suspension. In the event of a suspension of work, WCB may remove the suspension of work through written notice to the Grantee. WCB shall be liable for payment for work completed from the date of written notice of the removal of the suspension of work, consistent with other terms of the grant agreement. In no event shall WCB be liable to the grantee for any costs or damages associated with any period of suspension, nor shall WCB 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 actions.

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
- WCB or California Natural Resources Agency 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:

- Withdrawing from the grant program;
- Water or other property cannot be acquired at approved fair market value;
- Losing willing seller(s);
- Failing to submit required documentation within the time periods specified in the grant agreement;
- Changing project scope without prior approval from WCB;
- Failing to complete the project;
- Failing to demonstrate sufficient progress; or
- Failing to comply with applicable laws.

APPENDIX A - ACRONYMS AND ABBREVIATIONS

CCC	California Conservation Corps
CDFW	California Department of Fish and Wildlife
CEDEN	California Environmental Data Exchange Network
CEQA	California Environmental Quality Act
CESA	California Endangered Species Act
CLC	California Labor Code
CWA	Clean Water Act (federal)
CWC	California Water Code
CWAP	California Water Action Plan
ESA	Endangered Species Act (federal)
NEPA	National Environmental Policy Act
MOU	Memorandum of Understanding
Solicitation	Proposal Solicitation Notice
SWRCB	State Water Resources Control Board
WCB	Wildlife Conservation Board – the organization as a whole
WCB Board (Board)	Three voting member Board, made up of the Directors of the CDFW and the Department of Finance, and the President of the Fish and Game Commission, and six legislative advisory members, three from the Senate and three from the Assembly

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APPENDIX B – USEFUL WEB LINKS

Wildlife Conservation Board

Homepage: https://www.wcb.ca.gov/
WCB Strategic Plan: https://nrm.dfg.ca.gov/documents/ContextDocs.aspx?cat=WCB
WCB Guidelines:
file:///C:/Users/PPerrine/Downloads/WCB%20Prop1Guidelines%20Final%20(1).pdf

California Department of Fish and Wildlife

Homepage: https://www.wildlife.ca.gov/
Grant Opportunities: https://www.wildlife.ca.gov/Explore/Grant-Opportunities
ERP Conservation Strategy (2014): http://www.dfg.ca.gov/erp/reports_docs.asp
State Wildlife Action Plan: http://www.dfg.ca.gov/swap/

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)
http://www.leginfo.ca.gov/pub/13-14/bill/asm/ab_1451-1500/ab_1471_bill_20140813_chaptered.pdf

California Conservation Corps

Proposition 1**:** http://www.ccc.ca.gov/work/programs/prop1/Pages/default.aspx

California Natural Resources Agency

Bond Accountability: http://bondaccountability.resources.ca.gov/
Proposition One Guidelines:
http://bondaccountability.resources.ca.gov/Guidelines.aspx?PropositionPK=48

State Water Resources Control Board

Homepage: http://www.swrcb.ca.gov/
California Environmental Data Exchange Center: http://ceden.org/
Instream Flow Dedication (CWC Section 1707):
http://www.waterboards.ca.gov/waterrights/water_issues/programs/applications/instream_flow_dedication/
Instream Flows Policy:
http://www.waterboards.ca.gov/waterrights/water_issues/programs/instream_flows/
Surface Water Ambient Monitoring Program:
http://www.swrcb.ca.gov/water_issues/programs/swamp/

California Department of Water Resources

Homepage: http://www.water.ca.gov

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Integrated Regional Water Management: http://water.ca.gov/irwm/grants/

Department of Conservation

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

Department of Industrial Relations

Homepage: http://www.dir.ca.gov/

CEQA Information

Summary: https://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

NEPA Information

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

Climate Change Information

CDFW's Climate Science Program:
http://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
Environmental Goals and Policy Report: http://www.opr.ca.gov/s_egpr.php
Adaptation Planning Guide:
http://resources.ca.gov/climate/safeguarding/adaptation_policy_guide/
Indicators of Climate Change:
http://oehha.ca.gov/multimedia/epic/2013EnvIndicatorReport.html
National Fish, Wildlife, and Plants Climate Adaptation Strategy:
http://www.wildlifeadaptationstrategy.gov/pdf/NFWPCAS-Final.pdf
Enhancing the Climate Resilience of America's Natural Resources:
https://www.whitehouse.gov/sites/default/files/docs/enhancing_climate_resilience_of_americas_natural_resources.pdf

Water Conservation and Efficiency Plans

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

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APPENDIX C – 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 WCB 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.

Conjunctive Use – the practice of storing surface water in a groundwater basin in wet years to be available for withdrawal in dry years.

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).

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

Eligible entity – means 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)).

Enhanced stream flow – a change in the amount, timing or quality of the water flowing down a stream, or a portion of a stream, to benefit fish and wildlife.

Federally recognized Indian tribe - those Indian tribes that are recognized by the United States Department of the Interior, Bureau of Indian Affairs and listed annually in the Federal Register.

Forbearance – refraining from doing something that one has a legal right to do; in this case, refraining from using a legal water right.

Grant agreement – an agreement between WCB and the grantee specifying the payment of funds by WCB 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).

Hydrograph - the rate of flow (discharge) versus time past a specific point in a river, or other channel or conduit carrying flow. The rate of flow is typically expressed in cubic meters or cubic feet per second (cms or cfs).

Instream Flows – a specific streamflow, measured in cubic feet per second, at a particular location for a defined time, and typically following seasonal variations (CWC §79702(m)).

Mutual Water Companies - any private corporation or association organized for the purposes of delivering water to its stockholders and members at cost, including use of works for conserving, treating and reclaiming water. Mutual water companies are organized under California Corporations Code Section 14300. To be eligible for funding, proposals must have a clear and definite public purpose and benefit the customers of the water system and not the investors.

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)).

"Paper" water – refers to water rights that may not be available in an over-allocated waterway.

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 of 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 – 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)).

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

Selection Panel – a group of WCB representatives at the supervisory, management or program level assembled to review and consider the evaluations of all complete and eligible proposals and to make initial funding recommendations.

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Representatives at the supervisory or management level from other agencies 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. Reviewers may include representatives from WCB, 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)).

Water Right – a legal entitlement authorizing water to be diverted from a specified source and put to a beneficial, non-wasteful use (CWC §79702(ab)).

"Wet" Water – the water appropriated within a water right that can be delivered even in an over-allocated waterway.

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APPENDIX D – CALIFORNIA CONSERVATION CORPS AND CERTIFIED COMMUNITY CONSERVATION CORPS

Consultation Guidance

April 22, 2015

This language corresponds with CWC §79734 pertaining to the involvement of the CCC and the certified community conservation corps (as represented by the California Association of Local Conservation Corps-CALCC).

Division 26.7 of the Water Code, Chapter 6, §79734 requires that: "For restoration and ecosystem protection projects funded pursuant to this chapter, the services of the California Conservation Corps or a local conservation corps certified by the California Conservation Corps shall be used whenever feasible."

Because of the mandatory nature of the foregoing provision, applicants for funds to complete restoration and ecosystem protection projects shall consult with representatives of the CCC and CALCC (the entity representing the certified community conservation corps) (collectively, "the Corps") to determine the feasibility of the Corps participation. Unless otherwise exempted, applicants that fail to engage in such consultation should not be eligible to receive Chapter 6 funds. Therefore, to ensure that entities allocating Prop 1 funds do so in compliance with Chapter 6's Corps participation language, the CCC and CALCC have developed the following consultation process for inclusion in Prop 1 – Chapter 6 project and/or grant program guidelines:

Step 1: Prior to submittal of an application or project plan to the Funder, Applicant prepares the following information for submission to both the CCC and CALCC:

- Project Title
- Project Description (identifying key project activities and deliverables)
- Project Map (showing project location)
- Project Implementation estimated start and end dates

Step 2: Applicant submits the forgoing information via email concurrently to the CCC and CALCC representatives:

California Conservation Corps representative:
Name: CCC Prop 1 Coordinator
Email: Prop1@ccc.ca.gov
Phone: (916) 341-3100

California Association of Local Conservation Corps representative:
Name: Crystal Muhlenkamp
Email: inquiry@prop1communitycorps.org

Phone: 916-426-9170 ext. 0

Step 3: Within five (5) business days of receiving the project information, the CCC and CALCC representatives will review the submitted information, contact the applicant if necessary, and respond to the applicant with a Corps Consultation Review Document (template attached) informing them:

(1) It is NOT feasible for CCC and/or certified community conservation corps services to be used on the project; or

(2) It is feasible for the CCC and/or certified community conservation corps services to be used on the project and identifying the aspects of the project that can be accomplished with Corps services.

Note: While the Corps will take up to 5 days to review projects, applicants are encouraged to contact the CCC/CALCC representatives to discuss feasibility early in the project development process.

The Corps cannot guarantee a compliant review process for applicants who submit project information fewer than 5 business days before a deadline.

Step 4: Applicant submits application to Funder that includes Corps Consultation Review Document.

Step 5: Funder reviews applications. Applications that do not include documentation demonstrating that the Corps have been consulted will be deemed “noncompliant” and will not be considered for funding.

NOTES:

1. The Corps already have determined that it is not feasible to use their services on restoration and ecosystem protection projects that solely involve either planning or acquisition. Therefore, applicants seeking funds for such projects are exempt from the consultation requirement and should check the appropriate box on the Consultation Review Document.

2. An applicant that has been awarded funds to undertake a project where it has been determined that Corps services can be used must thereafter work with either the CCC or CALCC to develop a scope of work and enter into a contract with the appropriate corps. Unless otherwise excused, failure to utilize a corps on such a project will result in Funding Entities assessing a scoring penalty on the applicant’s future applications for Chapter 6 Funds.

Corps Consultation Review Document

April 22, 2015

Unless an exempted project, this Corps Consultation Review Document must be completed by California Conservation Corps and Community Conservation Corps staff and accompany applications for projects or grants seeking funds through Proposition 1, Chapter 6, Protecting Rivers, Lakes, Streams, Coastal Waters and Watersheds. Non-exempt applications that do not include this document demonstrating that the Corps have been consulted will be deemed incomplete and will not be considered for funding.

1. *Name of Applicant and Project Title:*

   Department/Conservancy to which you are applying for funding:

   To be completed by Applicant:

   Is this application solely for planning or acquisition?

   - ☐ Yes (application is exempt from the requirement to consult with the Corps)
   - ☐ No (proceed to #2)

   To be completed by Corps:

   This Consultation Review Document is being prepared by:

   - ☐ The California Conservation Corps
   - ☐ California Association of Local Conservation Corps

2. *Applicant has submitted the required information by email to the California Conservation Corps and California Association of Local Conservation Corps:*

   - ☐ Yes (applicant has submitted all necessary information to CCC and CALCC)
   - ☐ No (applicant has not submitted all information or did not submit information to both Corps – application is deemed non-compliant)

3. *After consulting with the project applicant, the CCC and CALCC has determined the following:*

DRAFT

- ☐ It is NOT feasible for CCC and/or certified community conservation corps services to be used on the project (deemed compliant)

- ☐ It is feasible for the CCC and/or certified community conservation corps services to be used on the project and the following aspects of the project can be accomplished with Corps services (deemed compliant).

  _____

  _____

CCC AND CALCC REPRESENTATIVES WILL RETURN THIS FORM AS DOCUMENTION OF CONSULTATION BY EMAIL TO APPLICANT WITHIN FIVE (5) BUSINESS OF RECEIPT AS VERIFICATION OF CONSULTATION. APPLICANT WILL INCLUDE COPY OF THIS DOCUMENT AS PART OF THE PROJECT APPLICATION.

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APPENDIX E – PROPOSAL APPLICATION FORM AND INSTRUCTIONS

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GRANT APPLICATION FORM
CALIFORNIA STREAM FLOW ENHANCEMENT PROGRAM

(Click in the shaded text fields to enter text, numbers and dates. The fields will expand to accommodate the data.)

SUMMARY

APPLICANT INFORMATION

Applicant Name (Organization): _____
Address: _____
Project Manager Name: _____
Telephone:_____ Email: _____

Authorized Signatory Representing Applicant Organization:
Name:_____ Title: _____

Federal Tax ID# _____

Organization Type:

- ☐ Public Agency
- ☐ Nonprofit Organization
- ☐ Public Utility*
- ☐ Mutual Water Company*
- ☐ Federally Recognized Indian Tribe
- ☐ State Indian Tribe listed on the Native American Heritage Commission's California Tribal Consultation List

*Public Utilities and Mutual Water Companies must describe a clear and definite public purpose and benefit to the customers of the water system

LANDOWNER(s) INFORMATION

Landowner Name: _____

Private ☐ State ☐ Federal ☐ Local ☐ Other ☐_____

Contact Name: _____

Telephone:_____ Email: _____

Signatory Representing Landowner:

Name:_____ Title: _____

PROJECT INFORMATION

Project Name: _____

Funding Amount Requested From WCB: _____

Total Project Cost: _____

Month And Year WCB Funding Needed: Click here to enter a date.

Proposed Start Date: Click here to enter a date.

Estimated Completion: Click here to enter a date.

Elected Representatives For Project

State Senate District(s): www.senate.ca.gov

District number	Name

Assembly District(s): www.assembly.ca.gov

District number	Name

Project Type

☐ Planning, Scientific Studies, Monitoring, and Assessment
☐ Implementation
☐ Acquisition

Project Eligibility

Projects must measurably enhance stream flows at a time and location necessary to provide fisheries or ecosystem/habitat benefits or improvements that enhance existing flow conditions and are greater than required applicable environmental mitigation measures or compliance obligations. Provide a brief (2 paragraph or less), clear, explanation of how the project will meet the requirements of eligible project type(s):

Mitigation Project

Mitigation cannot be funded under this program. Is any portion of the project a required mitigation or to be used for mitigation under CEQA, NEPA, CESA, ESA, CWA, Porter-Cologne, other pertinent laws and regulations, or a permit issued by any local, State, or federal agency.

☐ Yes ☐ No

If yes, provide explanation.

Coordination with the California Conservation Corps (CCC) and Certified Local Corps:

All applicants are required to consult with the CCC, except for projects that involve only planning or acquisition. Check box if consultation occurred.

☐ Yes ☐ No

If yes, submit consultation form (Appendix A).

CHECKLIST

NOTE: The following information should be attached to the application.

☐ Full project description/work plan

☐ Firm budget cost estimates (Please indicate cost-share matches by other funding partners. Include in-kind contributions.) Provide as electronic spreadsheet.

☐ Management plan

☐ Timeline

☐ Project location map showing project area

☐ Site map or other maps that may more fully describe the project

☐ Detailed project drawing (a sketch showing relevant features of the proposed restoration project)

☐ Photos of proposed project site

☐ CEQA document or notice of exemption for implementation projects

PROJECT DETAILS

PROJECT LOCATION

1. Clearly delineate project location and boundaries:

Project location: Nearest City: County(ies):

Street: Cross streets:

APN's:

In what sub-basin or watershed is the stream(s) located?

What is the name of stream(s) this project will enhance?

To what stream is the project stream a tributary to?

Provide the approximate river mile of the upper and lower ends of the instream reach and the Global Positioning System (GPS) coordinates of the existing point of diversion. If there is more than one point of diversion, use the point of diversion farthest upstream.

PRIMARY REACH:

Total River Miles (distance between upper and lower ends of reach):

Approximate Upper End River Mile Coordinates:

Latitude (e.g. 38.572906): Longitude: (e.g. -121.498440):

Note: Latitude/Longitude can be determined using Google Earth, http://itouchmap.com/latlong.html, and other on-line resources

Approximate Lower End River Mile:

Lower End River Mile GPS Coordinates:

Latitude: Longitude:

SECONDARY REACH:

Total River Miles (distance between upper and lower ends of reach):

Approximate:

Upper End River Mile Coordinates:

Latitude: Longitude:

Approximate Lower End River Mile:

Lower End River Mile GPS Coordinates:

Latitude: Longitude:

ORGANIZATIONAL CAPACITY

2. Describe your organization's qualifications, experience, and capacity to perform the proposed tasks to complete this project as proposed. Provide specific examples of similar projects completed to date.

PROJECT BENEFITS / STATE PRIORITIES

PROJECT DESCRIPTION-PURPOSE AND NEED

3. Describe the existing condition of riparian zone and stream channel habitat(s) within the affected reaches. Describe the problem that this project will remedy.

4. How will the proposed project enhance stream flows?

PROJECT OUTCOMES

5. Describe how the proposal will provide a solution. Describe the project objectives (e.g., enhanced streamflow, habitats or ecosystem function, improved species use, reduced erosion, connectivity to floodplain, scientific question to be answered, etc.) and specific methodology used to meet these objectives.

6. What resident fish/wildlife/plant species are present in the affected reach(es)?
    a. What are the threatened and endangered species within the project area/reach(es)?
    b. What life stage(s) of these species is limited in the affected reach(es)?
    c. Please provide any other relevant information regarding the other species (and life stages) present in the affected reach(es):
    d. What other wildlife species utilize the affected reach(es)?
    e. How do they utilize the stream reach?

7. Are flows identified as a limiting factor for one or more of the species and life stage(s) described above in the affected reach(es)?

    ☐ Yes ☐ No

a. If so, please thoroughly describe what effect enhancing flows in the affected reach will have in addressing flows as a factor limiting one or more of the species and life stage(s) described above in the affected reach(es).

b. What factors contributed to identifying the upper and lower points of the reach(s)?

c. Does the riparian zone and stream channel have potential to provide high quality fish and wildlife habitat?

☐ Yes ☐ No

d. What limiting factors (e.g. passage, stream temperature, lack of cover for fish, etc.), exist in the project reaches? Will this project address those factors? Are other projects planned or underway that will address those factors?

e. Have the stressors (e.g. water diversions, grazing, etc.) been removed? Is there a long-term plan (e.g. fencing, gauging, etc.) to maintain these practices?

f. What are the provisions to maintain the improvements and for what period of time?

g. Are flows a limiting factor to wildlife below the project reach?

8. Is water quality a limiting factor for one or more of the species listed above? Will the project provide benefits, and how? Will your proposal impact water quality (e.g. temperature, dissolved oxygen, sedimentation, pollutants)?

PROJECT'S DIVERSITY AND SIGNIFICANCE OF BENEFITS

9. Describe benefits of meeting project objectives including enhanced knowledge.

10. Describe how those benefits will be effective for 20 years or more.

11. How will ecological benefits of the project be realized?

12. Will the hydrograph of any stream be altered as a result of the proposed project?

CLIMATE CHANGE CONSIDERATIONS

13. Describe the extent to which climate change considerations are adequately taken into account in the proposed project, including how future climate conditions might affect the project's long term benefits. Using the latest regional scenarios, predictions and trends, describe how the project objectives or project may be vulnerable to impacts (fire, drought, species and habitat loss, etc.) from climate

change (sea level rise, flooding). What design, siting, or other measures are you incorporating into the project to reduce these vulnerabilities?

14. Will the project provide resilience to expected climate change conditions? Please describe.

ADVANCES STATEWIDE AND REGIONAL PLANS

15. Describe how the project is supported by, consistent with, or in conflict with any applicable local, regional, or statewide plans, such as the California Water Action Plan, the WCB Strategic Plan, the State Wildlife Action Plan, general plans, county plans, specific area plans, regional conservation plans, climate action plans, watershed management plans, etc. Identify the pertinent plan(s) and the date adopted by the applicable local/regional entity.

CO-BENEFITS- DESCRIPTION

16. Will this project provide additional ecosystem benefits beyond stream flow enhancement? Will this project provide additional benefits pursuant to the California Water Action Plan? If so, describe.

17. Are the ecological benefits anticipated from the completed project part of or tied to other habitat protection or improvement efforts designed to address the other limiting factors in the watershed?

    ☐ Yes ☐ No

    a. If so, briefly list and describe the projects currently implemented or planned that will help to achieve the habitat goals associated with enhancing instream flows. Please describe the relationship between this proposal and the habitat restoration activities addressing other limiting factors.

PROJECT'S OUTCOMES – DURABILITY OF INVESTIMENT

18. How will the completed project deliver sustainable outcomes into the future? Describe the long-term management that will assure the project's sustainability beyond the term of the grant agreement?

READINESS/FEASIBILITY

PROJECT DESCRIPTION – IMPLEMENTATION

19. Describe in detail how the proposed project will be implemented providing sufficient detail to illustrate that the project is technically feasible and provide sufficient detail illustrating how each element of the project will be implemented (e.g. methods/ techniques used, material and equipment necessary to complete each element of the project).

SCHEDULE AND DELIVERABLES

20. Illustrate the schedule demonstrating the sequence and timing of project tasks, milestones, and deliverables.

PROJECT READINESS AND BUDGET

21. Has the applicant completed the environmental documents (including CEQA, which is required prior to WCB approval of funding) and obtained the necessary State, federal and local permits for the projects? If not, give the current status and expected completion date(s).

22. If the proposed project qualifies for a CEQA exemption(s), please specify which exemption and why it qualifies. If the project does not qualify for a CEQA exemption, specify who will be the "lead agency" under CEQA, the status of preparing the environmental review document, and your views as to which type of document would be required for the project. Provide the State Clearinghouse Number if available. For more information on CEQA, visit: https://www.califaep.org/ceqa/ceqa-flowchart.

23. What would happen to the project if no funds were available from the WCB? What project opportunities or benefits could be lost if the project is not implemented in the near future? Explain:

24. Is (are) the landowner(s) willing to allow the construction of the project and agreeable to maintaining the project on a long-term basis (typically, 20 years)?

25. Willing Seller: Projects that involve acquisition of water, water rights and/or property must involve a willing seller. If your project includes acquisition, please describe the status and expected conclusion of landowner negotiations.

26. For water rights instream flow dedications or transfer projects, when was the petition for the transfer of the water right(s) to instream flow submitted to the State Water Resources Control Board (State Water Board) and/or other authorities?

    a) If the petition has not yet been filed, what is the projected petition submission date?

    b) If the petition was previously filed, when is the State Water Board (and other authorities) expected to approve the transfer and finalize the amount of water that will be allocated to instream flow?

27. Provide a complete line item budget for the proposed project (see Sample Budgets, below and typical task descriptions at the end of this application). Include a complete list of all partners contributing toward the project and include: 1) all sources of cash; 2) landowner's contribution; and 3) in-kind services. If in-kind services are to be used as part of the matching requirement, please explain the type of service

that will be provided, the number of hours the service will be provided, and the hourly rate associated with the service. Project proposals with matching funds and/or services will be given priority. Also, be sure to identify any funding that is available for long-term operation and maintenance costs. Submit budget electronically as a spreadsheet, preferably.

SAMPLE PROJECT BUDGET

Task #	Task	Applicant Funds	WCB Funds	Other Funds	Total Cost
					$ 0
					$ 0
					$ 0
					$ 0
					$ 0
					$ 0
					$ 0
TOTAL		$ 0	$ 0	$ 0	$ 0

OTHER FUNDING

LEVERAGES FUNDS

28. Are other state funds being leveraged? Describe below and use table which follows to illustrate?

NON-STATE COST SHARE FUNDS

29. Does this proposal provide federal, local, private cost share (either In-kind or cash)? Use following table which follows to illustrate.

Other Funding Sources (not including in-kind services):

Source of funds	Amount ($)	Estimated commitment date

Total Project Cost: _____

In-kind Services

In-kind services or contributions include volunteer time and materials, bargain sales, and land donations. Please describe and estimate value, and differentiate between expected in-kind contributions and contributions (work or other types of contributions) already obtained/completed.

COMMUNITY / STAKEHOLDER SUPPORT

COMMUNITY SUPPORT AND COLLABORATION

30. Does the project demonstrate broad-based public and institutional support, at the local, regional, or larger scale? Described efforts to include stakeholders in project planning, design, outreach/education, implementation, monitoring, maintenance, etc.

31. What public agencies, non-profit organizations, elected officials, and other entities and individuals support the project and why (attach support letters to application)?

DISADVANTAGED COMMUNITIES

32. Will the project provides benefits to one or more disadvantaged communities, as described in CWC section 79505.5?

INNOVATION AND SCIENCE

MONITORING AND ASSESSMENT

33. For projects involving restoration, construction or land acquisition, describe your management and monitoring plans. Who will be responsible for funding and implementing ongoing management and monitoring?

34. Describe your plans for compiling baseline data.

35. Describe your plans for implementing adaptive management strategies, if necessary.

36. How will the flow enhancements be documented, monitored and enforced?

37. How will benefits to fish and/or wildlife be documented and monitored?

38. How will improvements to water quality be documented and monitored?

39. Describe where the monitoring data and metadata (descriptive information about the origin, context, quality and condition, method used to collect, or characteristics of the data) will be stored, electronically if possible, and decision makers and the public can access the data.

40. How often will reports be issued giving an analysis of the data?

41. Who is responsible for analyzing the data and issuing reports?

42. Provide key contact information if another agency, program, or individual will be collecting, storing, and evaluating the flow, biological and water quality data.

SCIENTIFIC MERIT – SCIENTIFIC BASIS

43. Describe the scientific basis of the proposed project illustrating how the best available science will be utilized and how, if relevant, the project will address key scientific uncertainties and fill information gaps. How will the date collected be managed and made publicly available?

44. Identify any new or innovative technology or practices that will be used, and explain rationales for their use.

WATER RIGHTS/FORBEARANCE (Answer all relevant questions)

45. Water Rights/Forbearance Projects

    a. For water rights instream flow dedications or transfer projects, when was the petition for the transfer of the water right(s) to instream flow submitted to the State Water Resources Control Board (State Water Board) and/or other authorities?

        i. List applicable water rights, and under what water code section(s) or other requirements will the instream flow dedication or transfer be pursued (Water Code Sections 1701, 1706, 1707, 1735, modification of court adjudication, other; or for short term protection during the period required to prepare any environmental documentation and for approval of permanent dedication, Water Code Sections 1435 and 1725)?

        ii. If the petition has not yet been filed, what is the projected petition submission date? Briefly describe the information you have compiled to support your petition, such as if water has been used in compliance with the terms and conditions of the water right; if recent beneficial use has occurred; for pre-14 water right claims, if records were maintained to document continuous use; for irrigation purpose of use, if preliminary calculations have been conducted of the amount of consumptive and non-consumptive use; if you have conducted any proactive outreach to neighbors and other interested parties.

        iii. If the petition was previously filed, when is the State Water Board and/or other authorities expected to approve the transfer and finalize the amount of water that will be allocated to instream flow?

b. For projects that will seek to forebear use of senior rights during times of low flow and replace with a new water right for diversion during periods of high flow, have you submitted an application to appropriate water or registration form to the State Water Board?

   i. If the application/registration has not yet been filed, what is the projected submission date?

   ii. If the application/registration was previously filed, when is the State Water Board expected to approve the new water right?

46. For what term will the forbearance or instream flow dedication petition under Water Code 1707 secure water for instream flow (e.g., two years, twenty years, permanent (any term longer than 99 years is considered permanent))?

47. Forbearance term in calendar year (i.e., 2016 - 2018):

48. What water rights are involved (Statement of Water Diversion and Use or Application number), and what is the maximum authorized diversion rate and annual volume for the existing water right(s) (or portion therein) affected by this forbearance?

    AF:

    CFS:

49. To how many acres of land is the existing water right(s) (or portion therein) that is to be acquired appurtenant?

50. How did the water right holder use the water before the project? Comments:

    a. Is there evidence that water right(s) to be acquired was put to beneficial use during the relevant time period set forth by California statute?

       ☐ Yes ☐ No

    b. Will the land owner retain partial use of the water right(s)?

       ☐ Yes ☐ No

51. What is/are the relative priority date(s) of the water right(s)?

    a. What is the senior most priority date for all water rights on this stream? Where is the diversion point for this water right in relation to the instream reach(es) previously described?

    b. Are there senior water rights in the instream reach(es)? If so, what is the

total combined maximum authorized diversion rate and volume for all senior water rights on this stream?

☐ Yes ☐ No

c. What is the authorized period of use for the existing water right(s)? (If the project has more than one water right with different periods of use, enter the earliest and latest dates of authorized use.)

d. Is the water right(s) typically satisfied to the maximum rate and duty during the entire authorized period or use?

☐ Yes ☐ No

e. If not, what is the typical period of use before the water right(s) is/are restricted, either partially or totally?

HYDROLOCIGAL FACTORS

52. What is the period of use that the enhanced streamflows will be in effect each year under the proposed project (e.g., 04/1-9/30)? _____

a. What is the period of time during which the benefits of the enhanced/forbearance be most ecologically significant (e.g. 8/1 to 9/5) in addressing the key limiting factors identified?

b. Why is the instream use most ecologically significant during this period (i.e., what limiting factor(s) will be addressed during this period)?

53. What is the maximum rate of water (CFS) that will be legally protected instream during the term of the project in the primary reach and secondary reach (if applicable)? (The amount may be different from the maximum annual volume legally available under the water right(s) of record as previously described.)

CFS (Primary Reach) _____
CFS (Secondary Reach) _____

a. Will the maximum annual volume established under the project vary during the instream period of use?

☐ Yes ☐ No

b. If so, describe the amount(s) and timing by which the established maximum annual instream volume will vary in the primary reach and/or secondary reach (if applicable) and the reason for the varied volume.

54. What is the total maximum volume of water (in acre feet) that will be legally protected instream during the entire term of the project life (i.e., maximum annual instream volume in either primary or secondary reach x years of project)?

Acre-feet _____

a. What is the maximum annual volume of water (in acre feet) that will be legally protected instream in the primary reach and secondary reach (if applicable) during each year of the project life? (The amount may be different from the maximum annual volume legally available under the water right(s) of record)
   Acre Feet (Primary Reach) _____
   Acre Feet (Secondary Reach) _____

b. Will the maximum annual volume established under the project vary during the instream period of use?

   ☐ Yes ☐ No

c. If so, describe the amount(s) and timing by which the established maximum annual instream volume will vary in the primary reach and/or secondary reach (if applicable) and the reason for the varied volume.

55. What is the established flow target, if any, for each month during the instream period of use?

a. What percentage of the target will be reached, including previous deals, during the period of use? _____

b. What entity established the flow target for the affected reach(es)? Please provide any available information on the basis of the established flow target (method used, etc.)

56. Is the anticipated streamflow enhancement significant enough to alter the physical shape of stream beds and floodplains?

   ☐ Yes ☐ No

a. If so, have factors such as bank erosion, flooding, and other effects of streamflow change been taken into account for both their positive and negative impacts for fish and wildlife and related water uses?

   ☐ Yes ☐ No