

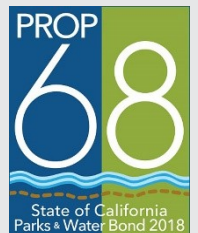


California Department of Fish and Wildlife

# PROPOSITION 68 SOLICITATION AND EVALUATION GUIDELINES



Revised April 2023



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## Acronyms and Abbreviations

CDFW	California Department of Fish and Wildlife
CEQA	California Environmental Quality Act
CGC	California Government Code
CLC	California Labor Code
CNRA	California Natural Resources Agency
CWAP	California Water Action Plan
CWC	California Water Code
FGC	Fish and Game Code
HRTW	Human Right to Water
NEPA	National Environmental Policy Act
PRC	Public Resources Code
SWRCB	State Water Resources Control Board
WRGB	Watershed Restoration Grants Branch

# 1 INTRODUCTION

## 1.1 Purpose

These guidelines establish the process, procedures, and criteria through which the California Department of Fish and Wildlife (CDFW) will award and administer competitive grants with funds made available by Public Resources Code section 80132, subdivisions (d), (e)(2), and (g), for projects that improve a community's ability to adapt to the unavoidable impacts of climate change; improve and protect coastal and rural economies, agricultural viability, wildlife connectivity, or habitat; develop future recreational opportunities; or enhance drought tolerance, landscape resilience, and water retention in accordance with statewide priorities (PRC §80130).

CDFW has developed three focused grant opportunities to achieve these goals:

- **Rivers and Streams Grants:** restoration of rivers and streams for fisheries and wildlife, including dedicated funding for the Klamath-Trinity Watershed.
- **Southern Steelhead Grants:** restoration of Southern California Steelhead habitat.
- **Fish and Wildlife Improvement Grants:** improvement of conditions for fish and wildlife in streams, rivers, wildlife refuges, wetland habitat areas, and estuaries.

These guidelines include information regarding eligibility criteria, general program requirements, solicitation notices, submittal and evaluation of grant applications, and grant awards. Separate solicitations will provide detailed information regarding how to apply, program priorities, and evaluation criteria specific to each solicitation.

## 1.2 Background

The mission of 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. CDFW awards grants on a competitive basis using the proposal selection process described in Section 4. These guidelines are based on the following legislation:

1. Public Resources Code (PRC) section 80000 et seq. – California Drought, Water, Parks, Climate, Coastal Protection, and Outdoor Access For All Act of 2018 (Proposition 68); and
2. Fish and Game Code (FGC) section 1501.5(b) – CDFW may grant funds for fish and wildlife habitat preservation, restoration, and enhancement to public agencies, Indian tribes, and nonprofit entities whenever CDFW finds that the grants will assist it in meeting its duty to preserve, protect, and restore fish and wildlife.

As per PRC section 80010[b], these guidelines were finalized in October of 2018 following a 30-day public comment period on the draft guidelines. The California Natural Resources Agency (CNRA) posted the final guidelines on the bond accountability [website](#) along with a verification that the guidelines are consistent with applicable statutes (PRC §80010[c]).

### **1.3 Funding**

Funding for competitive grants will be contingent upon fund availability. Proposition 68, passed by California voters in June 2018, amended the PRC to add, among other articles, section 80132, subdivisions (d), (e)(2), and (g), authorizing the Legislature to appropriate up to \$25,000,000 to CDFW to restore and protect rivers and streams in support of fisheries and wildlife, including \$5,000,000 in the Klamath-Trinity watersheds; up to \$30,000,000 to CDFW to restore Southern California Steelhead habitat; and up to \$30,000,000 to CDFW to improve conditions for fish and wildlife in streams, rivers, wildlife refuges, wetland habitat areas, and estuaries; respectively.

### **1.4 Program Purposes**

Proposition 68 provides funding to CDFW to award grants to projects that improve a community's ability to adapt to the unavoidable impacts of climate change; improve and protect coastal and rural economies, agricultural viability, wildlife corridors, or habitat; develop future recreational opportunities; or enhance drought tolerance, landscape resilience, and water retention (PRC §80130). It is the intent of the people of California that these funds will be invested in projects that:

1. Advance the purposes articulated in PRC section 80132;
2. Provide public benefits that address the most critical statewide needs and priorities (PRC §80001[b][1]);
3. Leverage private, federal, or local funding or produce the greatest public

- benefit (PRC §80001 [b][2]);
4. To the extent practicable, provide workforce training, contractor, and job opportunities for disadvantaged communities (PRC §80001 [b][5]);
  5. To the extent practicable, measure greenhouse gas emissions reductions and carbon sequestrations associated with projects (PRC §80001 [b][7]); and
  6. To the extent permissible under State General Obligation Bond Law and with the concurrence of the Director of Finance, up to five percent of funds available through Proposition 68 will be available for community access projects. (PRC §80008[c]). Community access can be included as part of a project but will not be considered as a standalone project.

## 2 ELIGIBILITY REQUIREMENTS

### 2.1 Eligible Entities

Eligible entities are limited to public agencies, 501 (c) (3) nonprofit organizations, public utilities, federally recognized Indian tribes, state Indian tribes listed on the Native American Heritage Commission's California Tribal Consultation List (FGC 1501.5(b), and mutual water companies (CWC §79712[a]). A public agency is defined as a federal or state agency or department, special district, joint powers authority, city, county, city and county, or other political subdivision of the state (CWC §79702[s]). Additionally, to be eligible for funding:

1. 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]);
2. 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]);
3. 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
4. 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]).

Proposals from private individuals, for-profit enterprises (except those that are eligible for Proposition 68 funding as a public utility), or out-of-state public entities (except those that are federal agencies or nonprofit organizations registered with the California Secretary of State) are ineligible for funding; however, these entities can work as subcontractors for an eligible applicant.

## **2.2 Project Categories**

CDFW will award grants on a competitive basis in different project categories that include for planning, implementation, and acquisition projects. CDFW may also award Contingency Funding to previously awarded projects, through a separate process, to support unanticipated costs and adaptive approaches.

### **2.2.1 Planning**

Planning grants provide funding for activities that lead to specific on-the-ground implementation projects. Eligible activities for planning projects include, but are not limited to:

1. Preparing plans or supplementing existing plans (e.g., watershed and habitat assessments) that will result in a specific project or set of projects;
2. Developing monitoring, adaptive management, climate change adaptation, and long-term management plans for a specific project;
3. Coordination with partners to develop large-scale restoration or enhancement projects;
4. Coordination with partners to develop standardized monitoring procedures;
5. Performing necessary studies and assessments, collecting baseline data, and developing project designs related to a specific site or physical project;
6. Obtaining the services of licensed professional (refer to Section 3.4 for guidance on when licensed professionals are required);
7. Acquiring permits;
8. Preparing California Environmental Quality Act (CEQA) and National Environmental Protection Act (NEPA) documents; and
9. Conducting stakeholder and public meetings.

## 2.2.2 Implementation

Implementation 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 or nearly completed. Applicants must demonstrate land tenure, CEQA compliance, and submit 65% or higher design plans, a Basis of Design Report, and technical studies.

Eligible activities for implementation projects include, but are not limited to:

1. Preparation of bid packages and subcontractor documents;
2. Development of final engineering design;
3. Finalizing permits;
4. Construction;
5. Habitat restoration and enhancement;
6. Pre- and post-project monitoring and adaptive management;
7. Finalization and initial execution of a long-term management plan; and
8. Communicating project results to stakeholders and the public.

## 2.2.3 Acquisition

Acquisition grants fund purchases of real property interests (fee title or conservation easements) or water rights. Acquisitions must be from willing sellers and at fair market value, as confirmed by an appraisal approved by the Department of General Services (DGS) Real Property Services Section. A completed appraisal, approved by DGS, is not required at the time of proposal submission; however, if awarded, the appraisal must be submitted and approved by DGS prior to the request for distribution of acquisition funds. Costs associated with preparation of the appraisal are ineligible for reimbursement through an awarded grant. Appraisal review by DGS can take up to 4-8 weeks and can cost up to \$10,000; applicants should consider including this cost as a line item within their proposed budgets.

If a signed purchase option agreement is unavailable to be submitted with the application, a Willing Seller Letter is required from each landowner (see Section 3.6). Once funds are awarded and an agreement is signed with CDFW, another property cannot be substituted for the property specified in the application. Therefore, it is imperative the applicant demonstrate the seller is negotiating in good faith, and that discussions have proceeded to a point of confidence.

Properties acquired can be transferred to a federal, state, local, or nonprofit entity to ultimately own, manage, and steward consistent with the purpose of the grant. CDFW will not hold title to interests in land or water, nor will CDFW enter into forbearance agreements with applicants or other entities. A separate entity must be identified at the time of proposal submission.

CDFW is interested in funding acquisitions that protect fish and wildlife habitat as a primary objective. Applicants should describe the species and habitats that would benefit from the acquisition. Applicants should also describe performance measures, management strategies, and proposed conservation easement terms (if relevant) that demonstrate a clear nexus to the needs of target species. In particular, the proposal should demonstrate how the acquisition will protect fish and wildlife habitat beyond merely restricting the fee owner's right to subdivide parcels that make up the property. For example, a proposal to acquire and manage a forested property should describe how the proposed conservation easement terms will provide greater fish and wildlife habitat protection than the minimum standards of the California Forest Practices Rules.

For each proposed acquisition property, applicants should include information on existing land uses and development and land uses and development that would be allowed onsite, including the location and a general description of such land uses and development. CDFW may rescind an award if the acquisition will not protect fish and wildlife habitat at a level consistent with what the applicant represented in its proposal.

Eligible activities and expenses for acquisition projects include, but are not limited to:

1. Acquisition of fee title or perpetual conservation easements;
2. Water acquisitions that include permanent, long-term, or short-term water transfers, leases, or dedications; and
3. Project-related administrative costs, including DGS appraisal review, monitoring plan and/or long-term management plan.

Ineligible costs include:

1. Appraisal preparation;
2. Environmental Site Assessment;
3. Mineral Rights Assessment;
4. Other fees and costs to accomplish the transaction and the conveyance and acquisition of the property; and

## 5. Title escrow and closing costs.

Applicants must disclose any known or suspected hazardous material release, threatened release or other environmental condition associated with the property. Prior to execution of a grant agreement for acquisition of an interest in real property, CDFW will assess the risk posed to the intended conservation purposes by the environmental conditions of the property, including any recognized environmental conditions that could occur on the property. As part of that risk assessment, CDFW may require the surface estate landowner or project proponent to provide CDFW and any third parties with a Phase 1 Environmental Site Assessment. Costs associated with preparation of the Environmental Site Assessment and related activities are not eligible for reimbursement. Successful applicants should consult with CDFW for specific requirements prior to initiating work on an Environmental Site Assessment. If CDFW determines that the risk is not acceptable, and the risk cannot be reduced to an acceptable level within a reasonable amount of time, then CDFW will rescind the grant award.

All grant awards for acquisition of an interest in real property are contingent on a CDFW determination that the risk posed to the conservation values of that property by mineral exploration, development, and related consequences is acceptable. Prior to execution of a grant agreement, CDFW will assess the risk that future mining activities could occur on the property. As part of the risk assessment, CDFW may require the surface estate landowner or project proponent to provide CDFW and any third parties with an interest in the minerals with a mineral assessment report. Costs associated with preparation of the mineral assessment report and related activities are not eligible for reimbursement.

Successful applicants should consult with CDFW for specific requirements prior to initiating work on a mineral assessment report. Based on its risk assessment, CDFW will determine whether the risk of mining and the related consequences for intended conservation purposes is acceptable. If CDFW determines that the risk is not acceptable, and the grantee cannot reduce the risk to an acceptable level within a reasonable amount of time, then CDFW will rescind the grant award.

CDFW may restrict grantees' authority to conduct or allow commercial activity on real property purchased in fee simple through these grant programs. CDFW may require that the grantee only use income generated from the property (Project Income) to offset the costs of owning, managing, or restoring the real property purchased with CDFW grant funds. CDFW may also require that so long as the grantee is receiving Project Income or Project Income remains unspent, the

grantee must provide CDFW with a basic annual accounting of Project Income. Finally, CDFW may impose restrictions on the use of water rights associated with fee simple property interests acquired with CDFW grant funds.

As per Public Resources Code 4751, for any conservation easement purchased with state funds on or after January 1, 2023, wherein land subject to the easement includes some forest lands, or consists completely of forest lands, to the extent not in conflict with federal law, the terms of any applicable bond, or the requirements of any other funding source, the landowner shall agree, as part of the easement management plan, to maintain and improve forest health through promotion of a more natural tree density, species composition, structure, and habitat function, to make improvements that increase the land's ability to provide resilient, long-term carbon sequestration and net carbon stores as well as watershed functions, to provide for the retention of larger trees and a natural range of age classes, and to ensure the growth and retention of these larger trees over time. In addition to satisfying the requirements of Public Resources Code 4751, proposals submitted to CDFW for improvement of forest health should include detailed management objectives for special-status fish, plants and wildlife species that may be present on the property.

Funds expended for the acquisition of a permanent dedication of water shall be in accordance with section 1707 of the California Water Code (CWC), 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 CWC sections 1735, 1736 and 1737 (CWC §79709[b]).

#### **2.2.4 Contingency Funding (Previous CDFW Awards Only)**

CDFW may solicit applications to previously awarded CDFW Proposition 68 projects for contingency funding to support unanticipated costs. Applicants interested in Proposition 68 Contingency Funding grants may apply through a separate solicitation process, on an ongoing basis, pending availability of contingency funds and the nature of the funding request. Contingency Funding requests must fit within the parameters of the current CDFW funded project and must be submitted with at least 6 months left in the current agreement term.

## 2.3 Eligible Project Types

Examples of project types that may be eligible for funding are identified below for each of the grant opportunities. These are not exhaustive lists of eligible project types. Specifics concerning eligible project types may vary in each solicitation.

### 2.3.1 Rivers and Streams Grant Opportunities (Including Klamath-Trinity Opportunities)

Funding is available in PRC section 80132(d) to restore and protect rivers and streams in support of fisheries and wildlife, including, but not limited to, reconnection of rivers with their floodplains, riparian and side-channel habitat restoration, and restoration and protection of upper watershed forests and meadow systems that are important for fish and wildlife resources. Of the funds made available by PRC section 80132(d), at least \$5,000,000 will be available for restoration projects in the Klamath-Trinity watershed for the benefit of salmon and steelhead.

1. Restoring, protecting or enhancing riparian, and aquatic, habitat;
2. Reconnecting historical flood plains;
3. Installing or improving fish screens;
4. Modernizing stream crossings, culverts, and bridges;
5. Providing fish passage;
6. Restoring river channels;
7. Improving ecological functions;
8. Improving local watershed management;
9. Restoration and protection of upper watershed forests and meadow systems; and
10. Removing sediment or trash.

### 2.3.2 Southern Steelhead Grant Opportunities

Funding is available for PRC section 80132(e)(2) for restoration of Southern California Steelhead habitat consistent with the Department of Fish and Wildlife's Steelhead Restoration and Management Plan and the National Marine Fisheries Service's Southern California Steelhead Recovery Plan.

1. Providing fish passage;
2. Modernizing stream crossings, culverts, and bridges; and
3. Restoring or enhancing habitat.

Projects that remove significant barriers to steelhead migration and include other habitat restoration and associated infrastructure improvements will be the highest priority (PRC §80132[e][2]).

### **2.3.3 Fish and Wildlife Improvement Grant Opportunities**

Funding is available for PRC section 80132(g) for to improve conditions for fish and wildlife in streams, rivers, wildlife refuges, wetland habitat areas, and estuaries.

Eligible projects include acquisition of water from willing sellers, acquisition of land that includes water rights or contractual rights to water, short- or long-term water transfers or leases, provision of water for fish and wildlife, or improvement of aquatic or riparian habitat conditions.

1. Improve conditions for fish and wildlife in streams, rivers, wildlife refuges, wetland habitat areas and estuaries;
2. Acquisition of water from willing sellers;
3. Acquisition of land that includes water rights of contractual rights to water;
4. Short- or long-term water transfers or leases;
5. Provision of water for fish and wildlife; and
6. Improvement of aquatic or riparian habitat conditions.

## 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 CDFW's Restoration Grant Programs [website](#).

### 3.1 Budget

Applicants should budget for all costs associated with project delivery, for example: presentations to CDFW including travel, long term management plan development, monitoring plan development (if not included in proposal), project signage, publication fees, permit fees, subcontractor costs etc. Applicants must demonstrate reasonableness of costs under the circumstances of the proposal, including subcontractor costs, materials, and equipment.

#### 3.1.1 Cost Share

Cost share is the portion of the project cost not funded by the awarding agency (CDFW) and is provided by the applicant and/or other sources (e.g., private companies, nonprofit organizations, public agencies, and/or other entities). Cost share must support the proposed project and grantee must spend its cost share during the term of the awarded grant. Cost share is not required; however, secured cost share is viewed as an indication of partnership and community support during the evaluation process and may increase the likelihood of funding.

Applicants must indicate if any cost share is being used as match for other grants or entities and whether they intend to leverage CDFW Proposition 68 funds as match, if awarded. Where applicable, cost share agreements or funding assurances must be submitted prior to grant execution.

#### 3.1.2 Indirect Costs

The applicant's indirect cost (administrative overhead) calculations are limited to actual costs and cannot exceed 20 percent of the direct costs. Direct costs may include up to \$25,000 of each subcontract, but shall not include equipment costs as defined in [CDFW General Grant Provisions](#). CDFW will not fund any amount over 20 percent.

Indirect costs include, but are not limited to, utilities, office space rental, phone, use of computers and office equipment, postage, and copying directly related to completion of the proposed project. Applicant must itemize indirect costs and may not roll up the indirect costs into direct costs.



### 3.1.3 Ineligible Costs

Following are ineligible costs for reimbursement:

1. Costs incurred outside of the grant agreement term;
2. Costs related to the preparation of the grant proposal;
3. Indirect costs greater than 20% of the direct costs, or indirect costs calculated using more than the first \$25,000 of each subcontractor, or any equipment costs;
4. Student tuition and fees;
5. Intern stipends (an hourly wage billed for project activities is acceptable);
6. Travel, equipment, and other property costs not specifically identified in the grant budget;
7. Out of state travel without prior written authorization from CDFW;
8. Appraisal, title, or escrow costs;
9. Costs for CEQA or NEPA completion on implementation projects; and
10. Insurance, including liability insurance.

## 3.2 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.

### **3.3 Confidentiality**

Once the proposal has been submitted to 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 Public Records Act (CGC section 6250 *et. seq.*).

### **3.4 California Conservation Corps and Certified Community Conservation Corps Consultation**

All applicants for implementation projects and for projects that include field work shall consult with the California Conservation Corps (CCC) or 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). If Corps services are available, applicants must identify the appropriate Corps and the components of the project where work will be completed in the Project Narrative and include estimated costs in the Budget. Applicants awarded funding must thereafter work with either the CCC or California Association of Local Conservation Corps (CALCC) to develop a statement of work and enter into a contract with the appropriate Corps. Applicants that fail to engage in consultation with the CCC or a certified local conservation corps will not be eligible to receive CDFW Proposition 68 funding.

### **3.5 Disadvantaged Communities**

Proposition 68 requires that at least 15 percent of the funds available pursuant Chapter 10 shall be allocated for projects serving severely disadvantaged communities. A severely disadvantaged community is defined as a community with a median household income less than 60 percent of the statewide average (PRC § 80002[n]).

Applicants will be required to evaluate whether their proposed project will benefit one or more disadvantaged communities. A tool to determine if a project falls within a disadvantaged community is [Community FactFinder](#). The Department of Water Resources also created a tool for Proposition 84 and Proposition 1. It can be found at: <https://gis.water.ca.gov/app/dacs/>.

### **3.6 Land Tenure/Site Control**

Applicants for projects that involve access to private property must demonstrate landowner permission to access the site for the term of the agreement.

### *Implementation Projects*

Implementation 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 at least 25 years or a term negotiated with CDFW and the Grantee.

### *Acquisition Projects*

Acquisition proposals must include a signed purchase option agreement, or willing seller letter(s) from each landowner indicating that they are a willing participant in the proposed real estate transaction. The letter should clearly identify the parcels to be purchased and state that, "if grant funds are awarded, the seller is willing to enter into negotiations for sale of the property at a purchase price not to exceed fair market value."

### *Implementation and Acquisition Projects*

When an applicant does not have tenure at the time of proposal submission, the applicant must submit a proposed agreement template, memorandum of understanding, or landowner permission form with the proposal submission. If awarded, an executed site access agreement is required prior to execution of the grant agreement.

Land tenure agreements must provide CDFW access to the project site at least once every 12 months for 25 years or a term negotiated with CDFW and the Grantee. Proof of adequate land tenure includes:

1. Fee title ownership;
2. An easement or license agreement;
3. 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; and
4. For projects involving multiple landowners, all landowners or an appointed designee must provide written permission to complete the project.

## **3.7 Design Plans/Engineering**

For projects that involve design phases, a Basis of Design Report and supporting technical studies must accompany all design plans. The Basis of Design report should include sufficient detail to understand the site-specific conditions, technical

adequacy of the proposed design, relevant assessments (completed or proposed), data gaps, and how the proposed design will deliver the benefits claimed.

Components of the accompanying design plans are as follows:

1. Conceptual Plans must include:
  - a) A detailed general location and site map indicating the general location of proposed activities and project elements on a single figure;
  - b) The layout of the project with all constraints identified;
  - c) A demonstration that the project is feasible and is a preferred alternative; and
  - d) An alternatives analysis that compares several conceptual level plans.
2. Intermediate Plans (65% plans) must include:
  - a) Detailed plan views and profiles of any improvements and standard details;
  - b) Detailed location and site maps indicating exactly where the project will be built and where project impacts will occur; and
  - c) Where relevant: Cross-sections, longitudinal profiles, model results, diagrams of best management practices, velocity maps, water depths, etc.
3. Draft Plans (90% plans) must include:
  - a) Revisions incorporated to Intermediate Plans and details for construction, instructions for erosion and sediment control, staging areas, access, etc.
4. Final Plans (100% plans) must include:
  - a) These plans incorporate any revisions to Draft Plans and represent the final set of design documents. These are the plans used for construction bids.

Where relevant, the applicant should submit signed stamped plans and basis of design reports with the proposal. Where appropriate, CDFW Engineering staff will review design/plans. Review of engineering design plans by CDFW engineering staff does not imply CDFW responsibility or liability for the performance of this aspect or any other aspect of the project. Such liabilities and assurances of performance are the responsibility of the applicant and/or their engineering contractor.

### 3.8 Licensed Professionals

Some projects require a California licensed professional engineer or California licensed professional geologist to comply with applicable requirements of the Business and Professions Code including but not limited to [Section 6700 et seq. \(Professional Engineers Act\)](#) and/or [Section 7800 et seq. \(Geologists and Geophysicists Act\)](#). A registered professional shall be required to design/plan the following project types:

1. Stream Crossings for fish passage, bridges, bottomless culverts, etc.;
2. Fish Screening;
3. Instream Bank Stabilization, slope stabilization, or grading;
4. Upslope – roads remediation or decommission;
5. Groundwater Infiltration, storage, or surface/groundwater interaction;
6. Monitoring Well Installation (if samples logged);
7. Tide gates;
8. Levee breaches;
9. Geophysical, Geotechnical, or Structural Analysis;
10. Land surveying; and
11. Grade Control Structures.

Registered professionals may be required to design/plan the project activities below. Applications for these project types that do not include a licensed professional in the project team must provide justification for why the services of such a licensed professional are not necessary:

1. Sediment Basins;
2. Instream Barrier Modifications;
3. Instream or Riparian Habitat Restoration (non-fixed structures);
4. Watershed Evaluation, Assessment, and Planning;
5. Water Conservation Techniques; and
6. Water Measuring Devices.

### 3.9 Labor Code Requirements: Prevailing Wage

The grant terms and conditions for projects that are selected for funding will require that grantees comply with the California Labor Code for their projects. Projects funded in whole or in part with CDFW grant funds may be public works projects under the Labor Code (see section 1720 et seq.). Fish and Game Code section 1501.5 excludes some CDFW-funded projects from being public works projects

under the Labor Code. Labor Code compliance may require the payment of prevailing wage. Grantees are responsible for Labor Code compliance, and CDFW cannot provide advice about Labor Code compliance. Before submitting applications, applicants should seek legal counsel regarding Labor Code compliance for their projects and budget accordingly. More information is available at the Department of Industrial Relations' website: <https://www.dir.ca.gov/>.

### 3.10 Long-term Management and Maintenance

Implementation and Acquisition projects shall summarize long-term management and maintenance planning for the life of the project (25-year minimum). If a detailed Long-Term Management Plan has not been prepared, one must be included as a deliverable. Proposed restoration in the Delta or Suisun Marsh must ensure consistency with Delta Plan [Adaptive Management Requirements](#).

### 3.11 Environmental Compliance and Permitting

Projects must comply with all applicable state, tribal, and federal environmental laws, and regulations, including the Delta Reform Act. Applicants are responsible for obtaining all permits necessary to complete project work. Projects that involve the collection of fish, wildlife, or endangered or rare plants must have a valid collection permit. Applicants awarded grants for projects that are covered actions under the Delta Plan (see CWC section 85057.5) will be required to ensure that an adequate written [certification of consistency](#) with the Delta Plan is prepared as part the pre-implementation project permitting requirements, including an adequate [adaptive management plan](#).

For grant proposals that include an action that is likely to be deemed a covered action pursuant to CWC § 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.

#### *Cutting Green Tape Tools*

Projects may be eligible for [Cutting Green Tape](#) environmental review and permitting tools including the [Statutory Exemption for Restoration Projects \(SERP\)](#), [Restoration Management Permits \(RMP\)](#), and [Restoration Consistency Determinations \(CD\)](#). Please contact CDFW staff regarding eligibility for projects.

## *Planning*

Planning projects that include preparation of CEQA and NEPA must identify the anticipated state and federal lead agencies and document whether those agencies have accepted the role.

## *Implementation and Acquisition*

Proposals should demonstrate that CEQA will be complete prior to the final funding approval. CDFW will consider CEQA complete when the lead agency has filed a Notice of Determination with the Office of Planning and Research for that lead agency's approval of the project, or upon adequate documentation that the project qualifies for an exemption. CDFW will exercise its independent judgment about whether a project qualifies for a statutory or categorical CEQA exemption. Implementation project proposals should include documentation of compliance with these requirements to the extent it is available at the time the proposal is submitted.

### **3.12 Water Law**

Funded projects 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. 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 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. Applicants must provide any operational conditions, agreements or court orders associated with the right, as well as any SWRCB orders affecting the water right.

### 3.13 Recognition of Funding Source

The grantee must include signage, to the extent practicable, informing the public that the project received funds through CDFW from the California Drought, Water, Parks, Climate, Coastal Protection, and Outdoor Access for All Act of 2018 (PRC §80001 [b][3]). Recognition of funding under this program extends to publications, websites, and other media-related and public-outreach products.

### 3.14 Project Monitoring and Reporting

Applications for all projects should describe any proposed baseline monitoring, including performance measures. Project-specific performance measures should include a clear nexus to project objectives and, to the extent feasible, quantitative targets. Performance measure categories include:

1. Output performance measures: tracking the on-the-ground activities associated with the project (e.g., acres of habitat restored or preserved, number of trees planted, and number of barriers to fish migration removed); and
2. Ecological outcome performance measures: evaluating ecosystem responses to on-the-ground activities (e.g., responses by target wildlife populations and responses in ecosystem function).

In addition, Implementation and Acquisition projects should include a summary of monitoring metrics to evaluate the project. Monitoring metrics should include:

1. A description of how the project will document project effectiveness/ performance, consistent with project performance measures, including baseline monitoring.
2. Standardized approaches and coordination with existing monitoring efforts wherever possible.
3. Identification of opportunities to extend the monitoring activities (e.g., by using standardized monitoring methods; leveraging on-going monitoring programs; and building partnerships capable of attracting funding).
4. Wetland and riparian projects should be consistent with the [Wetland and Riparian Area Monitoring Plan \(WRAMP\)](#) framework.



The project scope should include preparation of a final Monitoring and Long-term Management Plan. The grantee should submit this plan for CDFW review prior to commencement of restoration activities. The applicant may, but is not required to, include a draft Monitoring and Long-term Management Plan in the Application. A template for this plan is available on [CDFW's website](#).

### 3.15 Data Management

Data management should be complementary to the Open and Transparent Water Data Act ([AB1755](#)) and CDFW's [Minimum Data Standards](#), and should comply with the following principles:

1. Data shall be made accessible, discoverable, and usable by the public within a reasonable time;
2. Standard data formats, with transparent metadata, shall be used across similar data types;
3. Data shall be collected using peer-approved methods;
4. Quality assurance and quality control procedures shall be documented and followed; and
5. Data shall be properly stored and protected until the project has been completed and data have been delivered.

Except where limited by law, regulation, and policy or security requirements, data are required deliverables and will be a condition of final payment.

Data delivery can include uploading data to relevant open data portals:

1. Surface water data reported to California Environmental Data Exchange Network ([CEDEN](#));
2. Groundwater data reported to [GeoTracker GAMA \(Groundwater Ambient Monitoring and Assessment Program\)](#);
3. Species observation data of [tracked species](#) reported to the [California Natural Diversity Database](#) using the online field [survey form](#) or other digital method; and
4. Fish passage assessment data reported to the [California Fish Passage Assessment Database](#).

Projects that include data collection should prepare a Data Management Plan (DMP). DMPs are short (2-3 page) documents that capture essential information

from researchers about their datasets. A template for this plan is available on [CDFW's website](#).

### 3.16 Mitigation Requirements

Projects that would be used to fulfill mitigation requirements imposed by law are not eligible for funding (PRC §80020).

### 3.17 Community Engagement, Capacity Building, and Equity

As the State of California works towards ensuring equitable outcomes for all Californians, CDFW is seeking projects that promote the following objectives:

1. The project includes meaningful and timely collaboration with communities potentially affected by the project outcomes, especially communities that have been historically underrepresented and/or have a cultural interest in the project site (e.g., tribal ancestral lands).
2. The project would benefit disadvantaged and severely disadvantaged communities (see Section 3.5), and would further environmental justice, particularly for communities that disproportionately experience climate change-related consequences.
3. The project would expand the capacity of the restoration community by building project teams that include individuals and organizations from disadvantaged, under-resourced, and historically underrepresented groups, and/or by providing opportunities for workforce and organizational development.
4. The applicant organization demonstrates an internal commitment to inclusivity and diversity in its hiring, training, and planning practices.

## 4 PROPOSAL SELECTION

### 4.1 Proposal Submittal Process

The application process will be conducted through [CDFW's WebGrants](#) portal. CDFW will provide application forms and instructions on CDFW's [Grants webpage](#). Applicants must provide all information requested in the required formats.

Applicants will first submit a concept proposal. CDFW staff review concept proposals for consistency with CDFW mission, any specific program priorities, and the strength of the proposed project. In addition, CDFW staff will look at all concept

proposals for geographic location, regional need, project type, readiness, threats, cost, and cost share. CDFW staff will offer applicants feedback regarding alignment with priorities, overall merit, and any ineligible costs.

CDFW will invite selected applicants to submit a supplemental application for further consideration for Proposition 68 Grant Funds. CDFW will provide access to the supplemental application by email invitation.

## 4.2 Proposal Review and Selection Process

CDFW will evaluate submitted proposals using a multi-step process, as described below.

### 4.2.1 Administrative Review

Each proposal will receive an administrative review, which will evaluate the eligibility and completeness of the application. First, CDFW evaluates each application for compliance with the eligibility criteria in Sections 2.1 to 2.5. Applications deemed eligible will then be evaluated for completeness. All information requested must be provided and in the required formats. Applications that are determined to be ineligible will not be considered for funding. Incomplete applications may be returned to the applicant for correction.

**Table 1: Overview of Administrative Review Criteria**

Criteria	Determination
Applicant is an Eligible Entity (Section 2.1)	Yes/No
Project fits the Funding Priorities (Section 2.2)	Yes/No
Project fits the Project Categories (Section 2.3)	Yes/No
Project fits the Eligible Project Types (Section 2.4)	Yes/No
Project fits the Specific Funding Requirements (Section 2.5)	Yes/No
Application is complete	Yes/No

### 4.2.2 Technical Review

CDFW technical reviewers will evaluate all eligible and complete proposals. Technical reviewers will consider criteria including overall approach and expected outcomes, readiness (including schedule and environmental

compliance/permitting), budget, and contribution to/consistency with regional and statewide environmental and equity goals.

**Table 2. Overview of Technical Review Criteria**

<p><b>1. Project Approach and Outcomes</b></p> <p>Extent to which the proposal provides sufficient analysis and documentation to demonstrate the significance of the expected project outcomes. Extent to which those outcomes will be sustainable over the long-term.</p>
<p><b>2. Schedule and Deliverables</b></p> <p>Extent to which the schedule demonstrates reasonable sequence and timing of project tasks, milestones, and deliverables. Anticipated duration of the project and alignment with the funding term.</p>
<p><b>3. Budget</b></p> <p>Extent to which the proposed budget is appropriate for the work proposed and sufficiently detailed to describe project costs.</p>
<p><b>4. Environmental Compliance</b></p> <p>Whether all applicable environmental review and permitting requirements have been appropriately identified and accounted for in the budget and project schedule, allowing adequate funding and time to complete the project tasks.</p>
<p><b>5. Community Engagement, Capacity Building, and Equity</b></p> <p>Extent to which the proposed project incorporates meaningful and timely engagement with communities potentially affected by the project outcomes. Extent to which the project helps to build the capacity of the restoration community through inclusion of disadvantaged, under-resourced, and historically underrepresented groups, and/or new organizations in the project team. Extent to which grant funds would benefit disadvantaged and severely disadvantaged communities and further environmental justice.</p>
<p><b>6. Consistency with California Water Action Plan and Other Plans</b></p> <p>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><b>7. Climate Change Considerations</b></p>

Extent to which climate change considerations were considered in the proposal (i.e., applicant has considered how future climate conditions might affect the project's long-term impacts or benefits).

### **8. Monitoring and Assessment**

Extent to which the proposal demonstrates a clear and reasonable approach for monitoring, assessing, and reporting the effectiveness of the project.

### **9. Scientific Merit (Scientific Studies)**

Extent to which the scientific basis of the proposed project is clearly described and based on best available science<sup>1</sup>. Extent to which the proposed project will address key scientific uncertainties and fill important information gaps.

## **4.2.3 Engineering-Geological Review**

CDFW engineering staff will conduct Engineering-Geological review of planning and implementation projects as appropriate. CDFW engineering staff will review Conceptual to 30% Design Plans, Intermediate (65%) Design Plans, and/or Final (90%) Design Plans, as well as the Basis of Design Report. Engineering staff may evaluate project feasibility, budget, schedule, and overall project implementation strategies.

## **4.2.4 Independent Scientific Review**

CDFW may expand the review process to encompass independent scientific review. CDFW will select independent scientific experts to review proposals based on expertise in the subject areas of the proposal, consistent with CWC section 79707(f). CDFW will document the approach and criteria upon which the independent scientific reviewers will evaluate the proposals in the solicitation. CDFW may establish subcommittees, organized around funding priorities, to provide input for Selection Panel deliberations (see below). Representatives from other agencies and organizations may be invited to participate on these subcommittees.

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<sup>1</sup> 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 <https://deltacouncil.ca.gov/delta-plan/>

### 4.2.5 Selection Panel

CDFW may convene a Selection Panel to review the evaluations from the Engineering-Geological Review, Technical Review and Independent Scientific Review processes. The Selection Panel may review and finalize the funding recommendations for CDFW Director approval. When developing the funding recommendation, the Selection Panel may consider criteria such as:

1. Technical Review evaluations;
2. Engineering-Geological Review, as applicable;
3. Regional priority input from CDFW Regions;
4. Balance/distribution of funds: a) by and within priorities, b) by project types, c) by geographic area,
5. Program purposes (refer to Section 1.4);
6. Results of coordination with partner agencies implementing other relevant granting programs; and
7. 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 to project proposals, including reducing requested grant amounts to meet current and any potential future program priorities, funding targets and available funding limitations.

### 4.2.6 Director Review and Action

The Selection Panel's final recommendations will be presented to the Director of 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.

## 4.3 Contingency Funding Review Process

CDFW will evaluate contingency funding proposals according to the criteria outlined in Table 3.

**Table 3: Contingency Funding Review Criteria**

#### 1. Administrative Review

- Is the project a currently CDFW Proposition 1 funded project?

<ul style="list-style-type: none"> <li>• Are there at least six months left in the grant term?</li> </ul>
<p><b>2. Consistency with Existing Project</b></p> <p>Extent to which the proposal demonstrates the additional funding request fits within the intent and scope of the existing project as originally awarded.</p>
<p><b>3. Justification</b></p> <p>Extent to which the proposal adequately describes and provides sufficient rationale to justify the need for additional funds.</p>

CDFW may recommend modifications, including reducing requested grant amounts to meet current and any potential future program priorities, funding targets and available funding limitations.

CDFW will review and finalize contingency funding recommendations for CDFW Director approval. Following approval by the Director, the selected grant recipients will receive a commitment letter officially notifying them of their award and grant amount, followed by development of grant amendments.

## 5 GRANT ADMINISTRATION

### 5.1 Grant Agreements

Development of grant agreements will begin following announcement of awards. 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. Awarded applicants must complete, sign, and return these additional forms:

1. Payee Data Record form (STD. 204);
2. Federal Taxpayer ID Number (for non-profit organizations);
3. Drug-Free Workplace Certification (STD. 21); and
4. Authorizing Resolution (if applicable).

For a grant to be executed it must be signed by an authorized representative of the grant recipient and CDFW. Work performed prior to an executed agreement will not be reimbursed.

## *Responsibility of the Grantee*

The grantee must be responsive during grant agreement development and 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. Grantee must support all eligible costs with appropriate documentation. See Appendix C for additional state auditing requirements (refer to CWC §79708[b-c]).

Grantees shall comply with all applicable federal, state, and local laws, rules, regulations, and/or ordinances. As may be necessary, the grantee shall be responsible for obtaining the services of appropriately licensed professionals to complete project design plans (See Section 3.8).

## **5.2 Invoicing and Payments**

CDFW will structure all grant agreements, except for acquisition grants, to provide for payment in arrears of work being performed. CDFW will not disburse funds until there is an executed grant agreement between CDFW and the grantee. 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 CDFW). Funds for construction will not be disbursed until all the required environmental compliance, permitting, and design documents have been received and accepted by CDFW. Grantee must support all expense claims for reimbursement with appropriate documentation including indirect costs. State auditing requirements are described in Appendix C.

For grants awarded for projects that serve a disadvantaged community, incremental advance payments of up to 25 percent of the grant award may be available upon compelling need for certain costs necessary to initiate the project in a timely manner. No advances will be made for the grantee's in-house labor costs.

## **5.3 Reporting**

Grantees shall submit quarterly progress reports to the CDFW grant manager for the duration of the grant. Annual reports and task-specific reports may also be included as project deliverables.



## 5.4 Performance Retention and Payments

CDFW may retain from the grantee's reimbursements for each period for which payment is made, an amount equal to 10 percent of the invoiced amount, pending satisfactory completion of the task or grant. Retention withholding will be modified in the following circumstances:

When the grantee or subcontractor is a public entity contracting for construction of any public work of improvement, CDFW may retain from the grantee's earnings, for each period for which payment is made, an amount equal to five percent of such earnings, pending satisfactory completion of the task or grant (Public Contract Code §7201[b][1]).

## 5.5 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, 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, 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. CDFW shall have no liability for payment for work undertaken after such date. In the event of a suspension of work, CDFW may remove the suspension of work through written notice to the grantee. 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 CDFW be liable to the grantee for any costs or damages associated with any period of suspension invoked pursuant to this provision, nor shall 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:

1. Lack of appropriated funds;
2. Executive order directing suspension or cancellation of grant agreements;  
or
3. 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:

1. Failing to execute an agreement with CDFW within six months of receiving an official funding notification;
2. Withdrawing from the grant program;
3. Failing to acquire land at an approved fair market value;
4. Losing willing seller(s);
5. Failing to submit required documentation within the time periods specified in the grant agreement;
6. Failing to submit evidence of environmental or permit compliance as specified by the grant agreement;
7. Changing project scope without prior approval from CDFW;
8. Failing to complete the project;
9. Failing to demonstrate sufficient progress; or
10. Failing to comply with applicable laws.

## 5.6 Standard Conditions

Successful applicants must agree to the appropriate terms and conditions for their entity type. General Grant Provisions include information regarding audits, amendments, liability insurance, and rights in data. All awarded entities must agree to the CDFW [General Grant Provisions](#) for Public or Non-public entities. Awarded applicants from the University of California and California State University must agree to [University Terms & Conditions - Exhibit "C" for University of California and California State University Agreements \(UTC-220 Exhibit C\)](#).

## APPENDIX A – USEFUL WEB LINKS

### State Departments and Programs:

#### [California Department of Fish and Wildlife](#)

[Grant Opportunities](#)

[State Wildlife Action Plan](#)

#### [California Natural Resources Agency](#)

[30 X 30 Plan](#)

[Bond Accountability](#)

#### [Delta Stewardship Council / Delta Science Program](#)

[Delta Plan](#)

[Delta Plan Covered Actions](#)

#### [California Department of Conservation](#)

[Watershed Program](#)

#### [California Department of Industrial Relations](#)

#### [California Department of Water Resources](#)

[Integrated Regional Water Management](#)

#### [State Water Resources Control Board](#)

[California Environmental Data Exchange Center](#)

[Surface Water Ambient Monitoring Program](#)

### Other Relevant Resources:

#### Enabling Legislation

[California Drought, Water, Parks, Climate, Coastal Protection, and Outdoor Access For All Act of 2018 \(Proposition 68\)](#)

#### [CEQA Information](#)

[California State Clearinghouse Handbook](#)

[Environmental Information](#)

#### Climate Change Information

[Prop 1 Climate Adaptation Guidance](#)

[CDFW's Climate Science Program](#)

[Safeguarding California: Reducing Climate Risk  
National Fish, Wildlife, and Plants Climate Adaptation Strategy](#)

[National Oceanic Atmospheric Administration](#)

[NEPA Information](#)

[State Water Resources Control Board](#)

[United States Fish and Wildlife Service](#)

[United States Forest Service](#)

## 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.

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.

Community Access – engagement programs, technical assistance, or facilities that maximize safe and equitable physical admittance, especially for low-income communities, to natural or cultural resources, community education, or recreational amenities (PRC § 80002[b]).

Disadvantaged Community – a community with a median household income less than 80 percent of the statewide average (PRC § 80002[e]).

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

Eligible entity – public agencies, nonprofit organizations, federally recognized Indian tribes, and state Indian tribes listed on the Native American Heritage Commission's California Tribal Consultation List, (FGC 1501.5(b)).

Grant agreement – an agreement between CDFW and the grantee specifying the payment of funds by 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 (PRC § 80002[j]).

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 68 – “California Drought, Water, Parks, Climate, Coastal Protection, and Outdoor Access For All Act of 2018” passed by California voters in June 2018, and as set forth in Division 45 of the Public Resources Code.

Public Agency - A political subdivision of the United States or a political subdivision of a United States state, including a federal agency, state agency, special district, joint powers authority, city, county, or public university.

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

Selection Panel – representatives from 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.

Severely Disadvantaged Community - a community with a median household income less than 60 percent of the statewide average (PRC § 80002[n]).

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

## 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 ([http://www.dof.ca.gov/Programs/OSAE/Audit\\_Memos/](http://www.dof.ca.gov/Programs/OSAE/Audit_Memos/)).

### 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
4. statements within the last two years.
5. 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 staff.

**Project Files:**

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