

Wildlife Conservation Board Monarch Butterfly and Pollinator Rescue Program Guidelines

DRAFT Guidelines



Top Photo: WCB Staff. Monarch Butterfly (*Danaus plexippus*)

Bottom Left Photo: Xerces Society/Cameron Newell. Narrow-leaved milkweed (*Asclepias fascicularis*) within a pollinator hedgerow adjacent to a Bee Better Certified almond ranch near Chowchilla, CA.

Bottom Right Photo: Xerces Society/Cameron Newell. Showy milkweed (*Asclepias speciosa*) within a pollinator hedgerow adjacent to a Bee Better Certified almond ranch near Chowchilla, CA.

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1. Introduction

1.1 Purpose of Guidelines

The purpose of these guidelines is to establish the process, procedures, and general requirements through which the Wildlife Conservation Board (WCB) will administer the Monarch Butterfly and Pollinator Rescue Program (Program).

1.2 Background

The Monarch Butterfly and Pollinator Rescue Program was created by Assembly Bill 2421, and signed into law in 2018 becoming effective immediately (Fish and Game Code, §1374 et seq.). The Program was created for the purpose of recovering and sustaining populations of monarch butterflies and other pollinators.

Monarch butterflies face a variety of threats, including loss of breeding and overwintering habitat, effects of climate change, pesticides, parasites, predation, and disease. The consensus of most scientists is that efforts to protect and restore breeding and overwintering habitat are the best strategies to employ to recover the monarch butterfly population. Since more than one-third of the most promising California winter habitat for monarch butterflies is on privately owned land, collaboration with landowners is critical. Many landowners are some of the strongest advocates for protecting and restoring overwintering and breeding habitat for the monarch butterfly.

Concentrated action to restore migratory and breeding habitat throughout the monarch butterfly's spring and summer range can help rebuild populations relatively quickly. The monarch butterfly's migratory and breeding habitat includes California prairie, a blend of grasses, native wildflowers, and milkweed that, as documented by John Muir in the 1870s, once carpeted the Central Valley. Milkweed is the critical component. Monarch butterflies exclusively lay eggs on several species of native milkweed and they only feed on milkweed during the caterpillar stage. This same habitat, California prairie, provides food and shelter to a wide variety of pollinators, including native bees and bumblebees, and dozens of bird and mammal species.

2. Funding

2.1 Program Funding

WCB funds can be directed towards projects that recover and sustain populations of monarch butterflies and other pollinators. The WCB administers the Monarch Butterfly and Pollinator Rescue Fund Account (Fish and Game Code, §1374.1 et seq.) as established by the Monarch Butterfly and Pollinator Rescue Program. Moneys may be deposited into the account from gifts, donations, funds appropriated by the Legislature for the purposes of this Program, or from federal grants or other sources, and shall be used for the purpose of implementing this Program, including administrative costs.

2.2 Project Funding Requirements

All grantees shall be required to enter into a grant agreement with the WCB, which imposes certain conditions on the grantee and/or the landowner relative to project delivery, maintenance, monitoring, and long-term stewardship of the project.

3. Application Process

3.1 Solicitation Notice

WCB will solicit grant proposals with the release of a Public Solicitation Notice made available on the WCB website (www.wcb.ca.gov), which will provide application scoring criteria. The solicitation will provide information regarding the following: how to apply, program priorities, evaluation criteria, reporting and monitoring, and may also include minimum or maximum limitations on the dollar amount of grants to be awarded.

3.2 Application Timeline

Applications will be accepted on a year-round basis. The WCB meets four times each year, normally in February, May, August and November to consider approval of funding for projects.

3.3 Eligible Grant Applicants

Under the Program, eligible recipients may include private landowners, nonprofit organizations, resource conservation districts, or public agencies. WCB may provide technical assistance to grant recipients, including farmers and ranchers, regarding restoration and enhancement of breeding, overwintering, and other appropriate monarch butterfly habitat. Block grants may be provided to grant recipients in which suballocations are made by the grant recipient, with the approval of WCB.

3.4 Eligible Project Types

All projects must be durable and include a management plan and agreement that ensures that habitat features will remain on the landscape for a time period commensurate with wildlife population needs. Examples of project types that may be eligible are identified below.

- Restoration or enhancement of California prairie and other appropriate breeding habitat for monarch butterflies and pollinators on private and public lands.
- Restoration or enhancement of overwintering monarch butterfly habitat on private and public lands.
- Projects may be for seasonal or temporary habitat improvements.

3.5 Project Review and Selection Process

All eligible and complete applications will be evaluated and scored by technical reviewers. Technical reviewers will independently score proposals in accordance with the evaluation criteria documented in the solicitation. Applicants will be notified if/when the project will be considered by the Board.

4. Project Approval and Implementation

4.1 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 contractors, subcontractors and suppliers, accounting and financial auditing, and other project management duties including monitoring and reporting requirements.

4.2 Awards

The final funding decisions will be made by the Wildlife Conservation Board. Successful applicants will work with an assigned WCB grant manager to finalize the grant agreement.

4.3 Grant Agreement

Grant agreements are not executed or final until authorized by WCB's voting members and fully signed by the grant recipient and WCB's Executive Director. No work is authorized under the grant until the grantee has received written notice to proceed from WCB. Work performed prior to a fully executed grant agreement and notice to proceed is done at the risk and expense of the applicant and cannot be reimbursed.

If someone other than the applicant owns all or any part of the project site, the applicant will be required to secure a written agreement with the landowner(s) acknowledging and consenting to the proposed project on the landowner's land and allowing the applicant to access, implement, and when applicable, operate, monitor, and maintain the project.

4.4 Invoicing and Payments

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

4.5 Reporting and Monitoring

Proposals shall describe plans for how project implementation will be monitored. The scope of the monitoring plan will vary depending on the nature of the project. All successful grantees will be required to provide a final report. Additional specifications concerning performance measures, monitoring requirements, data management, quality assurance/quality control, and reporting desired by WCB or required by law will be provided in each grant agreement.

4.6 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 by 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
- California Department of Fish and Wildlife 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;
- Failing to submit required documentation within the time periods specified in the grant agreement;
- Changing project scope, schedule, or budget without prior approval from WCB;
- Failing to complete the project;
- Failing to demonstrate sufficient progress; or
- Failing to comply with applicable laws or grant requirements.

4.7 State Audits

Grantees of the State of California are subject to audit by the Department of Finance. It is the responsibility of the grantee to be sure that the project budget as well as all subsequent billings are justified and documented appropriately. As part of the grant process all grantees may be asked to demonstrate their ability to withstand an audit.

5. General Program Requirements

Each application submitted to the WCB must be in full compliance with all stated requirements of the Program to which it relates. Any changes to the proposal

submission process will be posted in a timely manner on the WCB's Program website.

5.1 Confidentiality

Once the application 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. All applications, communications, or other documentation received by WCB is subject to the Public Records Act (Gov. Code section 6250, et seq.).

5.2 Compliance with Laws

Activities funded under the Program must be in compliance with applicable State and federal laws and regulations and applications 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.

5.3 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.

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.

5.4 Environmental Compliance

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

Applications 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.