



# Project Solicitation and Evaluation Guidelines (Draft)



Wetlands Restoration for Greenhouse Gas  
Reduction Grant Program

May 2019

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## 1 Introduction

### 1.1 Purpose

The purpose of these guidelines is to establish the process, procedures, and criteria through which the California Department of Fish and Wildlife (CDFW) will administer grants for projects that restore or enhance wetland ecosystems to reduce greenhouse gas (GHG) emissions and provide co-benefits. CDFW created the Wetlands Restoration for Greenhouse Gas Reduction Grant Program (Wetlands Program) to accomplish this.

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

### 1.2 Background

The Wetlands Program responds to Assembly Bill (AB) 32 and AB 398, together the [Global Warming Solutions Act of 2006](#). Pursuant to AB 32 and AB 398, the California Air Resources Board (CARB) manages a market-based [Cap-and-Trade Program](#) as a key element of its greenhouse gas (GHG) reduction strategy.

California's Cap-and-Trade Program includes quarterly auctions for purchasing tradable GHG emission allowances. Proceeds from the sale of State-owned allowances are deposited in the Greenhouse Gas Reduction Fund (GGRF). The GGRF facilitates achievement of GHG emission benefits and furthers the purposes of AB 32. The Governor and Legislature enact GGRF budget appropriations for administering State agencies to implement a variety of programs throughout California, referred to as "[California Climate Investments](#)".

The Wetlands Program administers a portion of GGRF funds for restoration of wetlands in order to reduce GHG emissions and provide co-benefits. Activities funded through this grant program produce GHG emission benefits through increased biomass, increased soil organic carbon, reduced methane and/or nitrous oxide emissions due to increased salinity or changing land use, and/or reduced carbon dioxide emissions due to avoided oxidation of organic soils. Example co-benefits of restoring wetlands include providing essential habitat for species of fish and wildlife, improving water supply, community engagement, soil health and conservation, and climate change adaptation.

### 1.3 Funding

Funding for grants will be contingent upon GGRF fund availability from Cap-and-Trade sales. The Legislature will periodically appropriate funds to CDFW for grant projects that restore or enhance wetlands to reduce GHG emissions and provide co-benefits.

## 1.4 Program Purposes

The Wetlands Program funds projects that contribute to the goals of AB 32, the State's climate adaptation strategy (Safeguarding California Plan), and fulfill CDFW's Mission<sup>1</sup>. In addition, projects must be consistent with other statewide plans and priorities, including the [California Water Action Plan](#) (CWAP) and [State Wildlife Action Plan](#) (SWAP).

## 2 Eligibility Requirements

### 2.1 Eligible Entities

Eligible entities are defined as public agencies, public utilities, federally recognized Indian tribes, State Indian tribes listed on the Native American Heritage Commission's California Tribal Consultation List, and nonprofit organizations qualified to do business in California and qualified under §501(c)(3) of Title 26 of the United States Code. Public agencies are defined as federal agencies; and State agencies or departments, public colleges or universities, special districts, joint powers authorities, cities, counties, , or other political subdivisions of California.

### 2.2 Eligible Activities

The list below describes eligible vs. ineligible activities:

#### Eligible activities

- Implement restoration or enhancement of wetlands (see PSNs for specific project types) that results in quantifiable GHG emission benefits and provides co-benefits.
  - CEQA/NEPA compliance and obtaining required environmental permits
  - Developing and finalizing engineering designs
  - Monitoring and assessment activities to document GHG benefits and co-benefits achieved through project implementation.

#### Ineligible activities

- Projects associated with regulatory compliance obligations
- Conservation easements or equivalent conservation agreements
- Purchase of land or interest in land or water
- The conversion of row crops or other land uses to rice cultivation

### 2.3 Project Types

Projects funded under these grant programs must include restoration or enhancement activities that reduce GHG emissions and provide other co-benefits. Specific project types are listed in the relevant PSN.

<sup>1</sup> 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.

### 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 [Wetlands Program website](#).

#### 3.1 GHG Benefits

##### 3.1.1 Conceptual Model

Proposals must include a conceptual model that shows how the proposed restoration activities result in net GHG benefits. The conceptual model must include a discussion of the period of time, minimum of 50 years, over which the project will yield GHG benefits.

##### 3.1.2 Quantification of GHG Benefits

The Wetlands Program is responsible for reporting GHG benefits and co-benefits resulting from funded projects to the CARB, in accordance with a CARB-approved quantification methodology and [2018 Funding Guidelines](#). All projects are required to show a net GHG benefit and provide multiple other co-benefits.

Proposals must provide an estimate of expected emission and sequestration of carbon and relevant GHGs (carbon dioxide [CO<sub>2</sub>], methane [CH<sub>4</sub>], and nitrous oxide [N<sub>2</sub>O]). Emissions estimates must be in metric tons of CO<sub>2</sub> equivalents (MTCO<sub>2</sub>-e). Applicants must use the Benefits Calculator Tool for the Wetlands Restoration for Greenhouse Gas Reduction Program (Wetlands Benefit Tool) to estimate project GHG benefits. The Wetlands Benefit Tool and its supporting Quantification Methodology can be found at <http://www.arb.ca.gov/cci-resources>.

Proposals must demonstrate that expected GHG benefits exceed what would otherwise occur in the no project (business as usual) scenario and be beyond what is already currently required by law, regulation, or legally binding mandate.

In addition to providing results from the CARB approved quantification methodologies, applicants may provide additional site-specific data and alternative calculation methods to estimate GHG benefits.

#### 3.2 Co-Benefits

Where applicable and to the extent feasible, projects must maximize economic, environmental, and public health co-benefits to the State. Proposals must include expected project co-benefits for Community Engagement, using CARB-approved methods available at [www.arb.ca.gov/cci-cobenefits](http://www.arb.ca.gov/cci-cobenefits). Applicants are to include a description of other expected co-benefits from project implementation and an approach to measure and report those co-benefits. Assessment methodologies may be quantitative or qualitative.

Other co-benefits may include, but are not limited to:

- Habitat or species conservation<sup>2</sup>
- Climate change adaptation
- Soil health and conservation
- Job creation and quality
- Trees planted
- Emission reductions

### 3.3 Priority Populations

California Climate Investments also provides an opportunity to invest in projects that benefit disadvantaged communities, low-income communities, and low-income households (collectively referred to as Priority Populations) and meets other statutory requirements. AB 1550, AB 1532, and SB 535 provide direction on how auction proceeds must be invested in Priority Populations. These investments aim to improve public health, quality of life, and economic opportunity in California's most burdened communities. For additional information and guidance concerning benefits to Priority Populations, refer to the Disadvantaged Communities sections in the Section V; Priority Populations in the [2018 Funding Guidelines](#).

Applicants are required to use a three-step process in the project application to evaluate whether their proposed project will benefit Priority Populations. All projects counting toward the investment minimums must be both located within an identified disadvantaged or low-income community and benefit individuals living within that community, or directly benefit residents of low-income households anywhere in the State. Applicants must provide a clear description of expected benefits, the link between those benefits and the needs of the community or household, and proposed metrics for tracking and reporting the benefits. While benefits to Priority Populations provide a competitive advantage during the review and selection process, it is not required in order to secure a grant award from the Wetlands Program.

### 3.4 Environmental Compliance and Permitting

Projects must comply with all applicable State, tribal, and federal environmental laws and regulations including California Environmental Quality Act (CEQA), National Environmental Policy Act (NEPA), and the Delta Reform Act. Applicants are responsible for obtaining all permits and approvals necessary to carry out the proposed work prior to commencement of project construction. Costs to complete CEQA, NEPA, and project permitting may be eligible for reimbursement through an awarded grant. Projects shall not proceed with implementation (e.g., construction) phases until all necessary environmental compliance and permitting is complete and CDFW has provided notice to proceed.

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<sup>2</sup> Habitat or species conservation may include but not limited to implementation of actions found in State Wildlife Action Plan, California Water Action Plan, state and federal recovery plans, or other relevant conservation plans and programs.



Proposals that include preparation of CEQA and/or NEPA must identify the anticipated State and federal lead agencies and document whether those agencies have accepted the role. CDFW will consider CEQA complete when a lead agency has filed a Notice of Determination with the Office of Planning and Research or a Notice of Exemption with the appropriate local county(ies). Project proposals should include documentation of compliance with these requirements to the extent it is available at the time the proposal is submitted.

When applicable, projects must be consistent with the [Delta Plan](#). Applicants for projects that are likely to be considered a covered action(s) pursuant to CWC section 85057.5, shall be responsible for ensuring consistency with Delta Plan policies and timely completion of the certification of consistency process. Implementation of a covered action may not begin until the certification process is completed. Proposals shall include a brief description of the project's consistency with the Delta Plan. If available, proposals should include a consistency determination as a supplementary document in the application.

### 3.5 Qualifications and Licensed Professionals

Many restoration planning efforts require a multidisciplinary team to assess and design projects. Applicants must demonstrate that the project team has the experience, facilities, equipment, and capacity to successfully perform the proposed tasks by describing qualifications of the project team and prior projects completed by the applicant. The project team includes all applicant's staff and subcontractors that will be performing the work described in the proposal.

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:

- Stream Crossings for fish passage, bridges, bottomless culverts, etc.;
- Fish Screens;
- Instream grading, bank stabilization, or slope stabilization;
- Upslope – roads remediation or decommission;
- Groundwater Infiltration, storage, or surface/groundwater interaction;
- Monitoring Well Installation (if samples logged);
- Tide gates;
- Levee breaches;
- Geophysical, Geotechnical, or Structural Analysis;
- Land surveying; and
- 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:

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

### 3.6 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. The accompanying design plans are discussed below.

- 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, signed stamped plans and basis of design reports should be submitted with the proposal. Where appropriate, designs will be reviewed by CDFW Engineering staff. 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.

### 3.7 Land Tenure/Site Control

Statutory requirements appropriating money to the Wetlands Program may vary by fiscal year. The current authorizing legislations (such as AB 109 and SB 856) appropriating funding to CDFW for the Wetlands Program, included the following language regarding land tenure: funding “shall be used for wetland restoration projects that will be managed to maintain benefits for at least 50 years, underpinned by conservation easements or equivalently enforceable conservation agreements that endure for at least 50 years.” Accordingly, the expected timeframe over which the GHG benefits and co-benefits of a project funded by the Wetlands Program must be at least 50 years (Project Life), and applicants must adequately demonstrate how they will ensure tenure and control of the properties to be restored or enhanced for the Project Life. If CDFW determines that an applicant has not adequately demonstrated how it will ensure tenure and control of the property(ies), that proposal will not be eligible for funding.

The following are approaches that applicants might use to adequately demonstrate how they will ensure tenure and control over the Project Life:

- Fee title ownership
- Agreements between the fee title owner and grantee such as leases, easements, or licenses; for projects involving multiple landowners, each landowner must be a party to the agreement
- For public (State, federally, etc.)-owned lands, an agreement between CDFW and the agency with management authority over the properties to be restored or enhanced

If an applicant’s proposed approach to ensuring tenure and control of the properties to be restored or enhanced over the Project Life involves an agreement that has yet to be executed, the applicant must submit a template copy of the proposed agreement. CDFW will not execute the grant agreement for a project that relies on such a tenure and control agreement until that tenure and control agreement is executed.

The following requirements pertain to awarded projects:

- If grantee is not the fee title owner of the property to be restored or enhanced and the property is not State- or federally-owned, CDFW will require the landowner to sign the following statement in the grant agreement: “By signing below, Landowner approves the Project and authorizes Grantee, its agents, employees, representatives, invitees, contractors, and subcontractors to enter on and use the

Property for all purposes necessary or appropriate to carry out the Project and the obligations of Grantee under this Agreement. Landowner agrees to ensure that any activity on or use of the Property is consistent with Purposes of Grant and the long-term management plan for the Project.”

- CDFW may require the grantee and landowner to accept, sign, and record against the subject property a Notice of Unrecorded Grant Agreement to provide constructive notice of the Grant Agreement and CDFW’s interest in the property as Grantor.
- All grant agreements will include standard language requiring that the grantee shall cause the Landowner to permit CDFW, and its employees, officers, agents, or representatives, to access the project site, as necessary, from the date of Grantor’s Notice to Proceed through the end of the Project Life for purposes of inspections and monitoring to demonstrate that site is being operated, used, and maintained consistent with the Purposes of Grant and that GHG benefits and co-benefits have been achieved. CDFW shall request such access in advance of entering the site.
- The grantee shall not use or allow the use of any portion of the property restored or enhanced with funds provided by CDFW for mitigation (i.e., to compensate for adverse changes to the environment elsewhere) without the written permission of CDFW.
- With the approval of CDFW, the grantee or the grantee’s successor in interest in the property may enter into an agreement with another party to maintain and operate the property in accordance with the Purposes of Grant. At a minimum, the agreement must 1) clearly spell out the roles of each party in detail, 2) be signed by all parties signifying their acceptance, 3) not terminate prior to the length of site control/land tenure required by the Grant Agreement (only agreements that allow early termination for cause or by mutual consent will be acceptable), and 4) include language that in the event of cancellation responsibility for ongoing operations and maintenance would revert to the grantee or the grantee’s successor in interest.
- The grantee may be excused from its obligations for operation and maintenance of the project site only upon the written approval of CDFW for good cause. Good cause includes, but is not limited to, natural disasters that destroy the project improvements and render the Project obsolete or impracticable to rebuild.

### 3.8 Long-Term Management and Maintenance

The grantee shall ensure that the project site is operated, used, and maintained throughout the Project Life, at least 50 years, consistent with the Purposes of the Grant and in accordance with a long-term management plan for the Project that incorporates adaptive management principles. Applications shall include a summary of how the applicant intends to approach long-term management. Proposed restoration or enhancement in the Delta or Suisun Marsh is likely to be deemed a [covered action](#); therefore, applicants for such projects must ensure consistency with Delta Plan adaptive management requirements ([Delta Plan General Policy 1](#)).

### 3.9 Project Outcome Reporting

Project monitoring and reporting is the tracking of measures for operational projects. Project monitoring and reporting supports accountability and transparency in communicating Wetlands Program successes in facilitating the achievement of GHG emissions benefits and maximizing economic, environmental, and public health benefits to the State. Many of the metrics align with key inputs in the quantification methodologies and can substantiate estimated outcomes. Information collected can help inform future design of California Climate Investments programs and guidance.

Project outcome reporting requirements apply to a subset of California Climate Investments and help demonstrate that metrics have been achieved. Project outcome data may be tracked and collected by CDFW, funding recipients, or other entities. CDFW is responsible for compiling, reviewing, and submitting data to CARB.

### 3.10 Data Management

Data collected from awarded projects must be documented and accessible, except where limited by law, regulation, and policy or security requirements (see [the CDFW Scientific Data Governance Policy](#) for more information). Each proposal must include a description of how project data and information will be handled. Data developed with CDFW grant funds are required deliverables. All data deliverables should be budgeted for and included in the project timeline. Geospatial data must be in ESRI-useable format and documented with metadata in accordance with the CDFW Minimum Data Standards. Surface water data shall be reported to CEDEN. Groundwater data shall be reported to GeoTracker GAMA. Wetland and riparian restoration project data (e.g., project name, proponent, location, habitat types, activity types, funding) shall be uploaded to EcoAtlas Project Tracker. Species observation data of any tracked species shall be reported to the California Natural Diversity Database (CNDDDB) using the online field survey form or other digital method.

### 3.11 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. Subcontractor costs must be reasonable under the circumstances of the proposal.

#### 3.11.1 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 be spent during the term of the awarded grant. Cost share must be:

- Used to support the proposed project
- Spent between grant award and end of the proposed CDFW funded project term
- Secured at time of application submission

Cost share is not required; however, proposals with higher proportions of secured cost share will receive higher scores during the evaluation process.

### 3.11.2 Indirect Costs

Indirect cost (administrative overhead) rate calculations are limited to actual costs not to exceed 20 percent of the direct costs, excluding subcontractors and equipment costs in the calculation. Any amount over 20 percent will not be funded but may be used as cost share. 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. Indirect costs must be broken out and may not be rolled up into direct costs.

### 3.11.3 Ineligible Costs

Following are ineligible costs for reimbursement:

- Costs incurred outside of the grant agreement term;
- Costs related to the preparation of the grant proposal;
- Indirect costs greater than 20% of the direct costs, minus subcontractor and equipment costs;
- Student tuition and fees;
- Intern stipends;
- Travel, equipment, and other property costs not specifically identified in the grant budget;
- Out of state travel without prior written authorization from CDFW;
- Appraisal, title, or escrow costs;
- Costs for CEQA or NEPA completion within Implementation projects; and
- Insurance, including liability insurance.

## 3.12 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/>.

### 3.13 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.

### 3.14 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 Government Code sections 6250-6276.48.

## 4 Grant Solicitation Process

This section describes the proposal selection and award process for the Wetlands Program.

### 4.1 Proposal Solicitation Notice

CDFW will solicit grant proposals with the release of a Proposal Solicitation Notice (PSN). The PSN provides detailed instructions on the mechanics of submitting applications and specific information on submittal requirements, such as: how to apply, including if a pre-application is required, the start and end date of the application period; program priorities; evaluation criteria; and may also include minimum or maximum limitations on the dollar amount of grants to be awarded.

Prior to finalizing the solicitation notice, CDFW will make a draft available on its website to solicit public comments that CDFW will consider before posting a final version of a PSN. CDFW will post the final PSN document on its [website](#). To receive email updates on these events participants will need to [subscribe to CDFW Grant News Notifications](#) distribution list.

#### 4.1.1 Informational Workshops

Informational workshops may be conducted to address applicant questions and to provide general guidance to applicants on preparing applications. The dates and locations of the workshops will be provided via the [Wetlands Program website](#), [email distribution list](#), and

news release(s). In addition to these informational workshops, applicants may to contact CDFW with feedback or questions regarding the Wetlands Program.

## 4.2 Application Submittal and Review

The application submittal process will be conducted using the [CDFW WebGrants](#) system.

All materials, including application, attachments, and supporting documentation, must be received by CDFW no later than the deadline stipulated within the solicitation. Each application will be evaluated for completeness and eligibility, in accordance with the PSN. Proposals not containing all required information will not be reviewed or considered for funding. Late submittals will not be accepted.

All complete and eligible proposals will be reviewed and evaluated by CDFW based on the criteria and process described in the PSN. The review criteria and process below describe CDFW's general approach; however, the PSN has specific review information that takes precedent over these Guidelines.

### 4.2.1 Administrative Review

Each proposal will be subjected to an administrative review, which will evaluate the eligibility and completeness of the application. Each application will first be evaluated for compliance with the eligibility criteria stipulated in the solicitation. Applications deemed eligible will then be evaluated in accordance with the solicitation for completeness. All information requested in the solicitation must be provided and in the required formats. This review will use a "Pass/Fail" scoring method. Applications that are determined to be ineligible or incomplete will not be considered for funding. Table 1 presents a suite of review criteria that are meant to be broadly representative of the types of criteria upon which proposals will be evaluated. Additional criteria may be identified in each solicitation.



**Table 1. Administrative Review Evaluation Criteria**

<b>Criteria</b>	<b>Score</b>
All proposal components have been completed in the required formats, including all proposal forms, associated documents, and the applicant's contact information, including person authorized to sign grant agreement.	Yes/No
Applicant is an eligible entity.	Yes/No
Proposal represents an eligible project that restores or enhances coastal tidal wetlands, Sacramento-San Joaquin Delta wetlands, or mountain meadows.	Yes/No
Proposed project is not required mitigation or to be used for mitigation under CEQA, NEPA, California Endangered Species Act, federal Endangered Species Act, Clean Water Act, Porter-Cologne, other pertinent laws and regulations, a permit issued by any local, State, or federal agency, or under an enforcement action by a regulatory agency.	Yes/No
Proposal project includes an estimate of GHG benefits developed through use of CARB approved tools for the Wetlands Program.	Yes/No
Proposal includes documentation addressing legal requirements for land tenure over the Project Life, at least 50 years.	Yes/No

#### 4.2.2 Technical Review

All eligible and complete proposals will be evaluated and scored by technical reviewers. At least three technical reviewers will be assigned to each proposal and will include representatives from CDFW, including individuals from regional offices and headquarters, as appropriate. CDFW may request reviewers from other agencies or other outside experts to participate in the technical review. Individuals selected to serve as technical reviewers will be professionals in fields relevant to the proposed project). Technical reviewers will independently score proposals in accordance with the evaluation criteria documented in the solicitation. Table 2 presents a suite of review criteria that are meant to be broadly representative of the types of criteria upon which proposals will be evaluated. The specific review criteria and associated weighting factors established for each solicitation may vary.

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

<p><b>1. Project Background/Technical Merit</b> Extent to which the scientific basis of the proposed project is clearly described and based on best available science<sup>3</sup>.</p>
<p><b>2. Diversity and Significance of Benefits</b> Extent to which the proposed project provides multiple benefits; the objectives related to those co-benefits are clearly stated, and where feasible, are measurable and quantifiable; and there is a high likelihood that the claimed co-benefits will be realized. Extent to which the proposal provides sufficient analysis and documentation to demonstrate the significance of the expected project outcomes (e.g., magnitude, diversity).</p>
<p><b>3. Project Readiness</b> Anticipated duration between the projected date of an executed agreement and the start of the project implementation/construction.</p>
<p><b>4. Approach, Feasibility, and Scope of Work</b> Extent to which the proposed project is technically feasible, and the project description is sufficiently detailed to serve as a statement of work for a grant agreement.</p>
<p><b>5. Performance Measures and Proposed Monitoring Measures</b> Extent to which the proposal demonstrates a clear and reasonable approach for monitoring, assessing, and reporting the effectiveness of the project.</p>
<p><b>6. Project Team Qualifications</b> Extent to which the proposal demonstrates a clear and reasonable approach for monitoring, assessing, and reporting the effectiveness of the project in regard to proposed co-benefits.</p>
<p><b>7. Responsiveness to Pre-application Comments/Past Grantee Performance</b> Degree to which Applicant incorporates and addresses comments from the Pre-Application Reviewers. If the grantee has previously had grants from CDFW, extent to which the Applicant has successfully accomplished previous projects.</p>
<p><b>8. Applicant Budget</b> Extent to which the proposed budget is accurate, contains all CDFW requested costs, and complies with the allowed indirect charge rate.</p>
<p><b>9. Budget Justification</b> Extent to which the proposed Budget Justification is appropriate to the work proposed, and sufficiently detailed to describe the project costs by task (for both CDFW requested cost and cost share.) The tasks shown in the Budget Justification are consistent with the tasks shown in the Project Narrative and schedule</p>
<p><b>10. Cost Share Funds</b> Extent to which the proposal leverages other state funds or provides private, federal, or local funding match.</p>

<sup>3</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: <http://deltacouncil.ca.gov/delta-plan-0>

**11. Community Support and Collaboration**

Extent to which the proposed project demonstrates stakeholder support for the project (number, diversity of partners).

**12. Priority Populations**

Extent to which the proposed project provides benefits to Priority Populations.

**4.2.3 Engineering-Geological Review**

Engineering-Geological Review will be conducted on projects as appropriate. Engineering-Geological reviewers will independently score proposals in accordance with the evaluation criteria documented in each solicitation.

**4.2.4 Independent Scientific Review**

Depending on the scope and nature of each solicitation, the review process may be expanded to encompass an independent scientific review. In such instances, each eligible and complete proposal will be evaluated by independent scientific reviewers. Independent scientific experts will be selected to review each proposal based on their expertise in the subject areas of the proposal. The approach and criteria upon which the independent scientific reviewers will evaluate the proposals will be documented in the solicitation.

**4.2.5 Selection Panel**

CDFW will convene a Selection Panel to review the scores and comments of all eligible and complete proposals. The Selection Panel may establish subcommittees to provide a preliminary ranking for Selection Panel deliberations. Representatives from other agencies and organizations may be invited to participate on the Selection Panel or its subcommittees. The Selection Panel will prepare a ranking list of the proposals and make funding recommendations. When developing the ranking list, the Selection Panel will consider the following items:

- Technical Review scores and comments
- Engineering-Geological Review, if applicable
- Subcommittee preliminary rankings, if convened
- GHG benefits and co-benefits
- Benefits to Priority Populations
- Program purposes
- Availability of funds

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

**4.2.6 Grant Award**

The Selection Panel's final recommendation 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, grant awards will be published in a press release and the selected grant recipients<sup>4</sup> will receive a commitment letter officially notifying them of their selection and the grant amount they have been awarded.

### 4.3 Grant Agreement

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. Applicants are required to complete, sign, and return these additional forms when projects are approved for funding:

- [Payee Data Record form \(STD. 204\)](#);
- Federal Taxpayer ID Number (for non-profit organizations);
- [Drug-Free Workplace Certification \(STD. 21\)](#); and
- Authorizing Resolution (if applicable).

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

#### 4.3.1 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. All eligible costs must be supported by appropriate documentation.

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 3.6).

#### 4.3.2 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 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.

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<sup>4</sup> Feedback to proposal applicants that were not funded is available upon request.

All expenses claimed for reimbursement, including indirect costs, must be supported by appropriate documentation. State auditing requirements are described in Appendix C of the [CDFW Restoration Grant Guidelines](#).

#### 4.3.3 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.

#### 4.3.4 Performance Retention and Payments

CDFW may retain an amount equal to 10 percent of each 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 an amount no more than five percent of contract amount, pending satisfactory completion of the task or grant (Public Contract Code §7201[b][1]).

#### 4.3.5 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, deleted, or delayed by the Budget Act or through other budget control actions, CDFW shall have the option to: cancel the grant agreement, offer the grantee a grant agreement amendment reflecting the reduced amount, or 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 State budget contingencies.

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

- Lack of appropriated funds;
- Executive order directing suspension or cancellation of grant agreements; or
- CDFW, California Natural Resources Agency, or CARB directive requiring suspension or cancellation of grant agreements.

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

- Failing to execute an agreement with CDFW within six months of the award announcement. In such situations, the applicant may apply to a future solicitation;
- Withdrawing from the grant program;
- Failing to submit required documentation within the time periods specified in the grant agreement;
- Failing to submit evidence of environmental or permit compliance as specified by the grant agreement;
- Changing project scope without prior approval from CDFW;
- Not monitoring and reporting requirements that provide for periodic reporting of project status and outcomes;
- Failing to demonstrate sufficient progress;
- Failing to comply with pertinent laws;
- Failing to adequately address CDFW Engineering – Geological review comments; or
- Failing to complete the project;

#### 4.3.6 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 \(UTC-518 Exhibit C\)](#).

## APPENDIX A. Glossary of Terms

**California Climate Investments (CCI)** – statewide initiative that puts billions of Cap-and-Trade dollars to work reducing greenhouse gas emissions, strengthening the economy, and improving public health and the environment—particularly in disadvantaged communities.

**Coastal Tidal Wetland** – wetlands affected by the cyclic changes in water levels caused by the tidal cycle.

**Eligible Entity** – public agencies, recognized tribes, and nonprofit organizations.

**Enhancement** – modification of an existing wetland to increase function based on management objectives.

**Federally Recognized Tribe** – Indian tribes that are recognized by the United States Department of the Interior, Bureau of Indian Affairs and listed annually in the Federal Register.

**Greenhouse Gas (GHG)** – a gas that absorbs infrared radiation, including but not limited to: carbon dioxide (CO<sub>2</sub>), methane (CH<sub>4</sub>), nitrous oxide (N<sub>2</sub>O), hydrofluorocarbons (HFCs), perfluorocarbons (PFCs), and sulfur hexafluoride (SF<sub>6</sub>).

**Greenhouse Gas Reduction Fund (GGRF)** – the Greenhouse Gas Reduction Fund was established by Senate Bill 1018 to receive the State’s portion of proceeds from the quarterly Cap-and-Trade auctions (Government Code, section 16428.8).

**Mountain Meadows** – mountain meadows include Wet Meadow, Fresh Emergent Wetland, Riverine, Lacustrine, Aspen, and Montane Riparian as described in [California Wildlife Habitat Relationships](#).

**Nonprofit Organization** – an organization qualified to do business in California and qualified under §501(c)(3) of Title 26 of the United States Code.

**Performance Measure** – a quantitative measure used to track progress toward a project objective/desired outcome.

**Priority Populations** – AB 1550 established investment minimums for disadvantaged communities, low-income communities, and low-income households. Under the AB 1550 investment requirements, at least 35 percent of the available monies for California Climate Investments must be allocated to Priority Populations.

**Project Life** – the expected timeframe over which the GHG benefits of a project funded by the Wetlands Restoration for Greenhouse Gas Reduction Program will be achieved and maintained. Project Life must be at least 50 years.

**Public Agency** – a federal agency, state agency or department, county, city, city and county, resource conservation district, district, public authority, municipal

corporation, public college or university, or any other political subdivision or public corporation in the state.

**Required Mitigation** – Restoration or enhancement activities required under CEQA, NEPA, California Endangered Species Act, federal Endangered Species Act, Clean Water Act, Porter-Cologne, other pertinent laws and regulations, a permit issued by any local, State, or federal agency, court order, or under an enforcement action by a regulatory agency.

**Restoration** – ecological restoration is an intentional activity that initiates or accelerates the recovery of an ecosystem with respect to its health, integrity and sustainability

**Sacramento-San Joaquin Delta** – The Sacramento-San Joaquin Delta as defined in CWC §12220 and the Suisun Marsh as defined in Public Resources Code §29101 (CWC §79702[e]).

**Site Control** – applicant owns the project land or has other legal long-term interest with the landowner giving permission to develop the project and provide long-term management and maintenance, as applicable, satisfactory to the State.

**Subcontractor** – An entity other than the project proponent/applicant that performs a portion of the Scope of Work and includes subrecipients, subawardees, independent contractors, and consultants.

**State Wildlife Action Plan (SWAP)** – The [SWAP](#) is the key wildlife conservation planning tool for California. The SWAP takes an ecosystem approach for conserving California's fish and wildlife resources by identifying strategies intended to improve conditions of Species of Greatest Conservation Need and the habitats upon which they depend.

**Wetlands** – lands transitional between terrestrial and aquatic systems where the water table is usually at or near the surface or the land is covered by shallow water.



## APPENDIX B. Web Links

### California Air Resources Board

- [Cap-and-Trade Program](#)
- [2018 Funding Guidelines for Agencies that Administer California Climate Investments](#)
- [Quantification Methodologies](#)
- [Priority Population Investments](#)

### California Department of Fish and Wildlife

- [California Natural Diversity Database \(CNDDDB\)](#)
- [Minimum Data Standards](#)
- [Scientific Data Governance Policy](#)
- [Scientific Integrity Policy](#)
- [State Wildlife Action Plan](#)
- [Wetlands Restoration for GHG Reduction Grant Program](#)

### Delta Stewardship Council / Delta Science Program

- [Delta Plan](#)
- [Delta Plan Covered Actions](#)

### State Water Resources Control Board

- [California Environmental Data Exchange Center](#)
- [Surface Water Ambient Monitoring Program](#)

### Others

- [California EcoRestore](#)
- [California Water Action Plan](#)
- [Safeguarding California: Reducing Climate Risk](#)
- [Wetland and Riparian Area Monitoring Program](#)

## 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](#).

### 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; and
  - e. Guidelines, policies, and procedures on State funded project.
3. Audit reports of the Grant recipient's internal control structure and financial statements within the last two years.
4. Prior audit reports on State funded projects.

#### State Funding

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

#### Agreements

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

#### Invoices

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

#### Cash Documents

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

#### Accounting Records

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

#### Administration Costs

1. Supporting documents showing the calculation of administration costs.

#### Personnel

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

#### Project Files

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