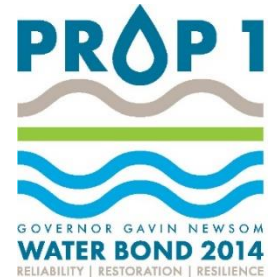


# North Coast Coho Recovery Summer 2021 Solicitation



## Proposal Solicitation Notice

California Department of Fish and Wildlife

Supported by:  
The North Coast Salmon Project/ Cutting the Green Tape Initiative

### Pre-Application

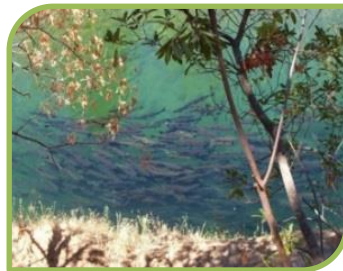
Opens: August 30, 2021, Deadline: September 30, 2021

### Full Application (Anticipated)

**\*\*Dates subject to revision\*\***

Opens: October 15, 2021, Deadline: December 3, 2021

[WatershedGrants@Wildlife.ca.gov](mailto:WatershedGrants@Wildlife.ca.gov)



# California Department of Fish and Wildlife



*The Mission of the Department of Fish and Wildlife 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*

## FOREWORD

The California Department of Fish and Wildlife (CDFW) is pleased to announce funding opportunities for multi-benefit ecosystem restoration and protection projects under Proposition 1 (Water Quality, Supply, and Infrastructure Improvement Act of 2014). This Proposal Solicitation Notice (Solicitation) for Proposition 1 Fiscal Year 2021-2022 focuses on planning, implementation, and acquisition, projects across multiple priorities outlined herein.

This Solicitation is part of CDFW's Cutting the Green Tape Initiative to increase the pace and scale of restoration through permitting and granting efficiencies. With support from CDFW Director Bonham, California Natural Resources Agency Secretary Crowfoot, Governor Newsom, and representatives of the restoration community, CDFW is implementing multiple process improvements to its grant and permitting programs.

CDFW's Watershed Restoration Grants Branch partnered with the North Coast Salmon Project (NCSP) when designing this Solicitation. The NCSP is a CDFW initiative to expedite and enhance efforts to recover endangered Coho Salmon in California: <https://wildlife.ca.gov/Conservation/Fishes/Coho-Salmon/North-Coast-Salmon-Project>. Projects under this Solicitation should address strategies that promote Coho recovery, consistent with objectives and recovery strategies identified by the NCSP, including CDFW's [Recovery Strategy for Coho Salmon](#) (2004), [NOAA Fisheries' Recovery Plan for the Southern Oregon/Northern California Coast Evolutionarily Significant Unit of Coho Salmon](#) (2014), [Priority Action Coho Team Report](#) (2020), and the [South Fork Eel River SHaRP report](#) (2021).

This Solicitation addresses priorities which will contribute to the objectives of Proposition 1. In addition, CDFW is seeking projects that contribute to implementation of [California Water Action Plan](#), [State Wildlife Action Plan](#), [Safeguarding California Plan](#), the [California Biodiversity Initiative](#), and the fulfillment of CDFW's Mission.

All qualified, eligible entities are encouraged to submit grant proposals.

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## Acronyms and Abbreviations

CALCC	California Association of Local Conservation Corps
CalEPA	California Environmental Protection Agency
CCC	California Conservation Corps
CDFW	California Department of Fish and Wildlife
CEQA	California Environmental Quality Act
Corps	CCC and CALCC, collectively
CWC	California Water Code
DGS	Department of General Services
DMP	Data Management Plan
GAMA	Groundwater Ambient Monitoring and Assessment
NEPA	National Environmental Policy Act
NMFS	National Marine Fisheries Service
NOAA	National Oceanic and Atmospheric Administration
PDT	Pacific Daylight Time
PRC	Public Resources Code
Proposition 1	Water Quality, Supply, and Infrastructure Improvement Act of 2014
Solicitation	Proposal Solicitation Notice
USFWS	United States Fish and Wildlife Service
WCB	Wildlife Conservation Board

# 1 BACKGROUND and OVERVIEW

The Water Quality, Supply, and Infrastructure Improvement Act of 2014 ([Proposition 1](#)) provides funding to implement the objectives of the [California Water Action Plan](#) for more reliable water supplies, the restoration of important species and habitat, and a more resilient, sustainably managed water resources system. In addition, CDFW is seeking projects that contribute to implementation of the California Water Action Plan, State Wildlife Action Plan, Safeguarding California Plan, the California Biodiversity Initiative, and the fulfillment of the California Department of Fish and Wildlife's (CDFW's) Mission. This Solicitation emphasizes consistency with actions defined in a publicly available, authoritative Coho Salmon recovery document, including CDFW's [Recovery Strategy for Coho Salmon](#) (2004), [NOAA Fisheries' Recovery Plan for the Southern Oregon/Northern California Coast Evolutionarily Significant Unit of Coho Salmon](#) (2014), [Priority Action Coho Team Report](#) (2020), and the [South Fork Eel River SHaRP report](#) (2021).

Proposition 1 authorized CDFW to award \$285 million in grant funds to multi-benefit ecosystem and watershed protection and restoration projects through the Watershed Restoration Grant Program. Under this Solicitation, approximately \$15 million is anticipated for award for multi-benefit ecosystem restoration and protection projects under the Watershed Restoration Grant Program.

## Grant Program Guidelines

The [Project Solicitation and Evaluation Guidelines for Proposition 1 Grant Programs](#) (Proposition 1 Guidelines) provide the basic requirements for project proposals. The Proposition 1 Guidelines provide detailed information regarding project types, program and funding requirements, budgets, design plans and engineering, qualifications and licensed professionals, labor code requirements, long-term management, environmental compliance and permitting, water law, project monitoring and reporting, data management, the selection process, requirements for awarded grants, invoicing and payments, reporting, standard conditions, and many other general program requirements. This Solicitation provides information specific to this grant cycle in addition to the information described in the Proposition 1 Guideline.

## Award Information

1. Anticipated total available funding: approximately \$15 million in Proposition 1 funds.
2. Grant award notifications anticipated no sooner than Winter 2022.
3. Grant-funded project work must be completed by March 15, 2025 for Proposition 1 funds or January 1, 2025 for University of California or California State University of California agreements.

## Eligibility Information

Eligibility for this Proposition 1 grant is defined by California Water Code Sections §79702[p], §79702[s], and §79712. The following entity types are eligible for funding:

state and local public agencies within California, federally recognized Indian tribes and State Indian tribes listed on the Native American Heritage Commission's California Tribal Consultation List, non-profit organizations, and public utilities and mutual water. See Section 3.1 of this Solicitation for detailed information. Other entities that are not eligible for funding under this Solicitation may work as subcontractors for an eligible applicant.

### **Pre-Application Deadline**

All entities are required to submit a proposal pre-application to be eligible for submittal of a full application (see Section 5.3). The complete proposal pre-application and all supporting documentation must be submitted via the [CDFW WebGrants System](#) by 4:00 PM, Pacific Daylight Time, on September 30, 2021.

### **Full Application Deadline**

The full application will open approximately two weeks after close of the pre-application and will be open for approximately six weeks. Applicants that submitted the required pre-application will be contacted via email. The anticipated deadline to submit a completed full application with all supporting documentation through the [CDFW WebGrants System](#) is 4:00 PM, Pacific Daylight Time, on December 3, 2021.

### **Application Workshop**

CDFW will schedule an online pre-application workshop to provide technical assistance with the application. Please see CDFW [Proposition 1 Restoration Grant Programs website](#) for workshop details. Workshop will be recorded and made available online.

### **Contacts**

For questions about this Solicitation please contact CDFW's Watershed Restoration Grants Branch by e-mail at [WatershedGrants@wildlife.ca.gov](mailto:WatershedGrants@wildlife.ca.gov).

This document, email list subscription information, and further information about the funding sources can be found at the CDFW websites for the Proposition 1 Restoration Grant Programs.

For questions regarding CDFW WebGrants, please contact the CDFW WebGrants by e-mail at [Prop1Webgrants@wildlife.ca.gov](mailto:Prop1Webgrants@wildlife.ca.gov).

## **1.1 Proposition 1 Grant Programs**

Proposition 1 includes a number of provisions that govern how CDFW may allocate funds authorized by California Water Code (CWC) [Section 79737](#), including those identified below. Projects must be consistent with the purposes of Proposition 1 to be eligible for funding through this Solicitation. See Section 2 for the geographic focus and topical focus of this Solicitation.

## 1.2 Solicitation Schedule

CDFW will advertise timeline updates through e-mail announcements, postings on the [Proposition 1](#) website, and news releases. Please sign up for email updates at <https://wildlife.ca.gov/Grants/Signup>.

**Table 1: Proposal Solicitation Process and Anticipated Schedule**

<b>Activity</b>	<b>Schedule</b>
Release Proposal Solicitation Notice	August 30, 2021
Online Workshop for Pre-Applications	September 8, 2021
Pre-applications due by 4:00 PM, Pacific Daylight Time (PDT)	September 30, 2021
Anticipated full applications due by 4:00 PM, Pacific Daylight Time (PDT)	December 3, 2021
Proposal Evaluation	December 2021
CDFW Director approval/awards announced	No sooner than January 2022
Execute grant agreements	No sooner than March 2022
All project work completed, and final invoice submitted for payment	March 15*, 2025

\*January 1 for University of California or California State University grants

## 1.3 Requirements for Awarded Proposals

Grant agreement requirements for awarded proposals can be found in Section 4.4 of the [Proposition 1 Guidelines](#).

CDFW requires a Monitoring and Long-term Management Plan for all implementation and acquisition projects. The application asks for a summary of proposed monitoring and long-term management actions, but a full Monitoring and Long-term Management Plan is considered a grant deliverable and is not required for application. Additionally, a Data Management Plan will be required for all projects that include scientific data collection, such as baseline data collected for planning projects or post-implementation monitoring conducted for implementation projects. The Data Management Plan may also be submitted as a grant deliverable. Templates are available on [CDFW's website](#), and tasks should be included in the scope and budget to account for development of these plans.



## 2 SOLICITATION FOCUS

### 2.1 Geographic Focus

Projects must be located within an area of existing Coho Salmon habitat or an area with high Coho Salmon habitat recovery potential in the following watersheds, as shown in the map on page 5:

#### Eel River

- Lower Eel River Watershed
  - Larabee Creek HUC10: 1801010506
  - Yager Creek HUC10: 1801010508
  - Lower Van Duzen River HUC10: 1801010509
  - Price Creek-Eel River HUC10: 1801010510
  - Salt River-Eel River HUC10: 1801010511
- South Fork Eel River HUC 8: 18010106

#### Mendocino Coast

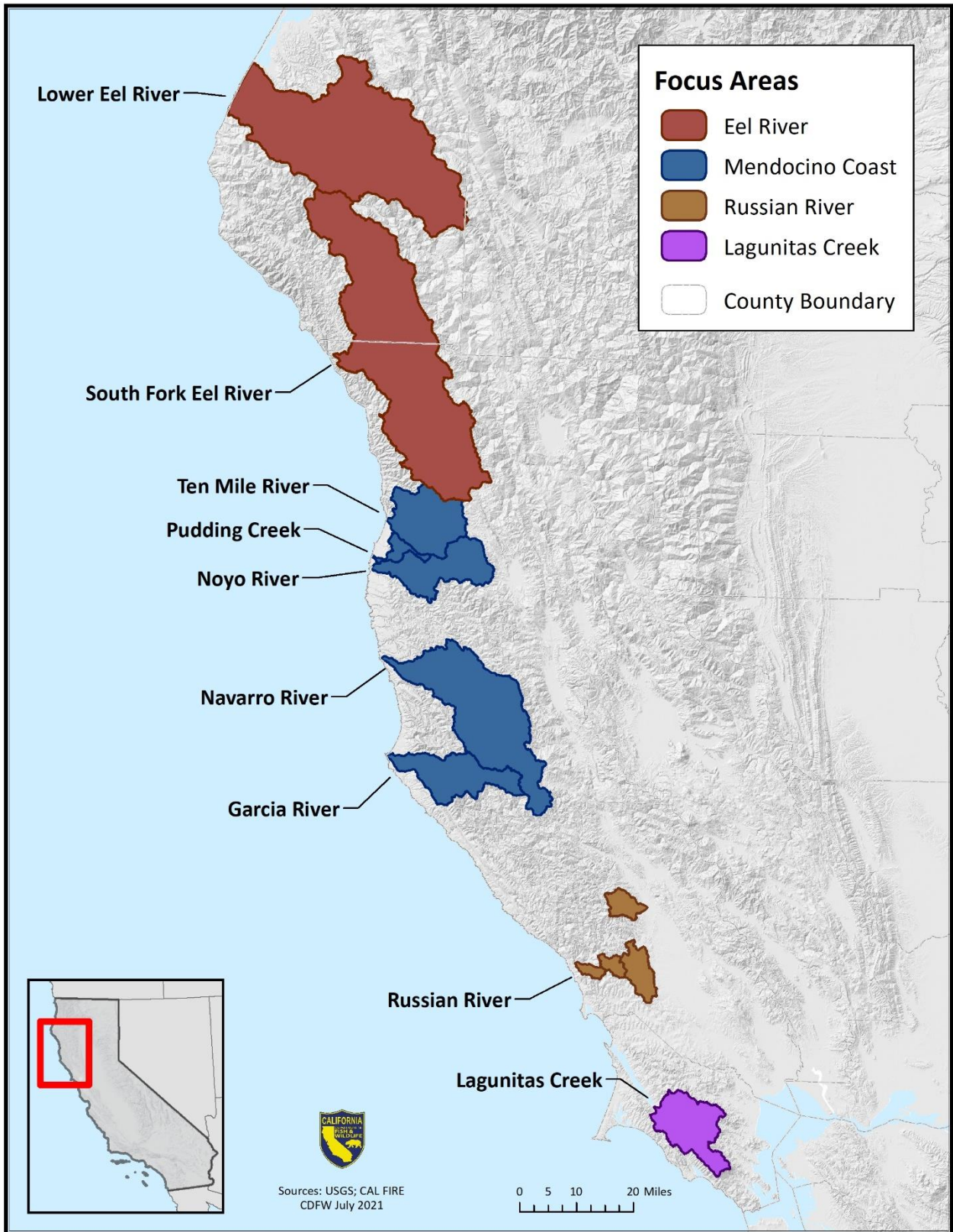
- Ten Mile River HUC10: 1801010801
- Noyo River HUC10: 1801010802
- Navarro River HUC10: 1801010804
- Garcia River HUC10: 1801010805
- Pudding Creek watershed: mainstem and all tributaries

#### Russian River (not including mainstem Russian River)

- Mill Creek HUC12: 180101100506
- Green Valley Creek HUC12: 180101100901
- Dutch Bill Creek watershed: mainstem and all tributaries
- Willow Creek watershed: mainstem and all tributaries

#### Lagunitas Creek

- Lagunitas Creek HUC10: 1805000501



## 2.2 Topical Focus

This Solicitation emphasizes consistency with actions defined in a publicly available, authoritative Coho Salmon recovery document, including CDFW's [Recovery Strategy for Coho Salmon](#) (2004), [NOAA Fisheries' Recovery Plan for the Southern Oregon/Northern California Coast Evolutionarily Significant Unit of Coho Salmon](#) (2014), [Priority Action Coho Team Report](#) (2020), and the [South Fork Eel River SHaRP report](#) (2021). Proposals must protect, restore, or enhance Coho Salmon habitat in eligible North Coast watersheds (see Section 2.1, Geographic Focus) to aid in the recovery and conservation of Coho Salmon.

CDFW is seeking projects that address limiting factors and priority actions specified in state or federal Coho Salmon recovery plans, such as:

1. Removing high priority fish passage barriers (refer to the 2019 Fish Passage Priorities List, CDFW's Recovery Strategy for Coho Salmon (2004), NOAA Fisheries' Recovery Plan for the Southern Oregon/Northern California Coast Evolutionarily Significant Unit of Coho Salmon (2014), Priority Action Coho Team Report (2020), South Fork Eel River SHaRP report (2021));
2. Restoring instream spawning and rearing habitat;
3. Restoring off-channel rearing, streambank, and riparian habitats and migratory conditions;
4. Restoring or enhancing instream, floodplain, side channel, estuarine, or riparian habitat;
5. Improving instream flow quality and quantity;
6. Installing screens on priority unscreened diversions and repair/replacement of existing substandard screens (refer to the 2019 Priority Water Diversions for Screening);
7. Reducing erosion and instream/downstream sedimentation;
8. Protecting important watershed lands and riparian buffers in agricultural landscapes through acquisitions of fee interests and conservation easements;
9. Improve and protect the quantity and quality of water available year-round;
10. Storage and forebearance projects and associated permitting as part of restoration of anadromous salmonid habitat;
11. Public outreach and stakeholder coordination (as part of planning and implementation projects).

Proposition 1 grant funds are also available for water conservation projects (e.g., off-channel water storage, changes in the timing or source of water supply, moving points of diversion, irrigation ditch lining, piping, stock-water systems, and agricultural tailwater recovery/management systems) that permanently dedicate 100 percent of the water saved due to project implementation for instream purposes to support anadromous fish during water limited seasons.

## 3 Project Categories

Eligible project categories for this Solicitation are Implementation, Acquisition, and Planning. Each project category is described below.

CDFW's Fisheries Branch maintains a [list](#) of additional restoration manuals and guidelines that may be considered for salmon and steelhead habitat restoration in addition to [CDFW's California Salmonid Stream Habitat Restoration Manual](#).

### 3.1 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 3.8 in the Proposition 1 Guidelines 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 outreach/education, stakeholder and public meetings.

### 3.2 Implementation

Implementation grants fund construction and monitoring of restoration and enhancement projects and new or enhanced facilities. CDFW's Fisheries Branch maintains a [list](#) of restoration manuals and guidelines that may be considered for salmon and steelhead habitat restoration in addition to [CDFW's California Salmonid Stream Habitat Restoration Manual](#).

Applicants must demonstrate that their project qualifies for a statutory or categorical CEQA exemption or that a state or local agency will have filed a Notice of Determination with the Office of Planning and Research for that agency's approval of the project before CDFW will award a grant to the project (see Sections 2.2 and 3.11.2 in the [Proposition 1 Guidelines](#)). Applicants should submit 65% or higher design plans, a Basis of Design Report, and technical studies (see Section 3.7 in the [Proposition 1 Guidelines](#)). Proposals for projects that are shovel-ready upon application, or that

include schedules demonstrating adequate time to complete final planning tasks in addition to construction, will be the most competitive.

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. Finalization of 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. Communication of project results to stakeholders and the public.

### **3.3 Acquisition**

Acquisition grants fund purchases of interests in land or water. Property must be acquired from willing sellers at a price that does not exceed fair market value, as set forth in an appraisal prepared by a licensed real estate appraiser and 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 not available for submittal with the application, a Willing Seller Letter is required from each landowner (see Section 3.6 of the [Proposition 1 Guidelines](#)). 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.

CDFW is interested in funding conservation easements that protect fish and wildlife habitat as a primary objective. Applicants should describe the species and habitats that would benefit from the conservation easement. Applicants should also describe performance measures and conservation easement terms that demonstrate a clear nexus to the needs of target species. In particular, the proposal should demonstrate how the conservation easement will protect fish and wildlife beyond merely restricting the fee owner's right to subdivide parcels that make up the property that would be covered by the conservation easement; 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 the property that would be covered by the conservation easement, applicants

should include information on existing land uses and development and land uses and development that would be allowed by the conservation easement, including the location and a general description of such land uses and developments. Any future improvements that would be allowed by the conservation easement, including residences and other structures, roads, trails, parking lots, interpretive facilities, utilities, utility lines, and stream crossings should be described in detail (including approximate quantitative measurements) and shown on a map. While this Solicitation does not set a specific limit on future improvements (i.e., a development cap), CDFW will weigh the potential impacts of allowed new development, such as fragmentation, noise and disturbance, water quality, or other habitat impairments, against the conservation value of the proposed conservation easement. CDFW may rescind an award if the scope of the recorded conservation easement will not protect fish and wildlife habitat at a level consistent with what the applicant represented in its proposal.

For water rights acquisitions, applicants must demonstrate a legal right to divert water and sufficient documentation regarding actual water availability and use. For post-1914 water rights, the applicant must submit a copy of a water right permit or license on file with the SWRCB. Applicants who divert water based on a riparian or pre-1914 water right must submit written evidence of the right to divert water and the priority in the watershed of that diversion right with their proposal. All applicants must include past water diversion and use information reported to the SWRCB, required by CWC section 5101. Such reports include Progress Reports of Permittee and Reports of Licensee for post-1914 rights, and Supplemental Statements of Water Diversion and Use for riparian and pre-1914 water rights. All water rights must be accompanied by any operational conditions, agreements or court orders associated with the right, as well as any SWRCB orders affecting the water right. Projects that will result in a change in a stream's hydrograph must provide baseline reference data and demonstrate how the changes will be protected for the entire reach of stream within the project limits for a duration of 25 years or more.

Any proposal that would require a change to water rights, including, but not limited to, bypass flows, point of diversion, location of use, purpose of use, or off-stream storage shall demonstrate an understanding of the relevant SWRCB processes, timelines, and costs necessary for project approvals by SWRCB and the ability to meet those timelines within the term of a grant. The three legal mechanisms by which a water right holder can dedicate water instream are: CWC section 1707 dedications, forbearance agreements, and conservation easements. It is important to note that forbearance agreements and conservation easements do not protect instream flows from diversion by other water rights holders and do not protect appropriative water rights from forfeiture. A CWC section 1707 dedication will protect against these issues but will not necessarily require that the water remain instream. Under CWC section 1707, a water right may be changed to designate instream use as the only purpose of use, thereby effectively requiring that the water be left instream, or instream uses can simply be added to the list of allowable uses under the water right. Under the latter option, often referred to as a "permissive" change, the water right holder may leave some or all the water instream and specify the timeframe and duration of the instream dedication.

Because the maximum instream benefit may be attained from guaranteeing that water will be both dedicated instream and protected from diversion by others, these tools often work best in combination. For example, to permanently dedicate and protect water instream, a project might use a CWC section 1707 dedication to protect the water from diversion by others and combine that with a conservation easement requiring the water to be left instream in perpetuity. To dedicate water instream long-term, a project might use a CWC section 1707 permissive dedication and combine it with a forbearance agreement of 25 years or more.

Subject to CDFW's discretion and prior approval, interests in water or real property acquired through this Solicitation may be transferred to another entity that would be an eligible grantee under this Solicitation for that transferee to 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. CDFW encourages applicants requesting such a transfer to identify the proposed transferee at the time of proposal submission.

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

1. Acquisition of fee title or perpetual conservation easements for the purpose of conserving fish and wildlife habitat;
2. Water acquisitions that include permanent, long-term, or short-term water transfers, leases, or dedications;
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.

The following information is required at the time of application:

1. Parcel numbers, acreage, and willing seller information;
2. Acquisition schedule;
3. Description of existing improvements, if any;
4. Description of proposed or allowed improvements, if any;
5. Description of the species and habitats that would benefit from the acquisition and a summary of long-term management actions that would be taken to protect and enhance those resources;
6. Description of uses that are proposed to be prohibited on the property following acquisition;

7. Copy of the signed purchase option agreement or willing seller letter(s);
8. Appraisal or estimation of fair market value;
9. Current Preliminary Title Report; and
10. Map showing lands to be acquired, including parcel lines and numbers.

For water rights acquisitions, the following additional items are required:

1. For riparian rights and all appropriative water rights (pre-1914, post-1914, registrations) transferred appurtenant to land, include a preliminary title report or legal opinion (ideal);
2. Legal description of diversion, if relevant;
3. Copy of water right application, permit or license;
4. Copy of all statements of diversion and use for past five years; and
5. A description of existing hydrological conditions

Applicants must disclose any known or suspected hazardous material release, threatened release, or other adverse 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 risk cannot be reduced 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 this Solicitation. CDFW may require that



income generated from property purchased with CDFW grant funds (Project Income) only be used 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.

## 4 PROPOSAL REQUIREMENTS

In addition to the requirements listed in this section, applicants must demonstrate that the proposed project is consistent and in compliance with all program requirements found in the [Proposition 1 Guidelines](#).

### 4.1 Eligible Entities

The following entity types are eligible for Proposition 1 funding (CWC §79712):

1. Public agencies within California (state agencies or departments, public universities, special districts, joint powers authorities, counties, cities, or other political subdivisions of the state (CWC §79702[s])),
2. Non-profit organizations registered with the California Secretary of State (CWC §79702[p]),
3. Federally recognized Indian tribes and state Indian tribes listed on the Native American Heritage Commission's California Tribal Consultation List,
4. Public utilities (CWC §79712[b][1]), and
5. Mutual water companies (CWC §79712[b][2], [3], & [4]).

Additional eligibility requirements for public utilities, mutual water companies, and agricultural and urban water suppliers can be found in Section 2.1 of the [Proposition 1 Guidelines](#).

Proposals from private individuals, for-profit enterprises (except those that are eligible for Proposition 1 funding as a public utility), or out-of-state public entities (except those that are nonprofit organizations registered with the California Secretary of State) are ineligible for funding under this Solicitation, however, these entities can work as subcontractors for an eligible applicant.

## 5 SUBMISSION PROCESS

### 5.1 Proposal Submission Deadline

**Online submission of the pre-application proposals must be received before 4:00 PM, PDT on September 30, 2021.**

**Online submission of the full application proposals must be received before 4:00 PM, PDT on December 3, 2021.**

Proposals are subject to Public Records Act requests and may be publicly available.

## **5.2 Electronic Submission**

Proposals must be submitted electronically through CDFW WebGrants online at <https://watershedgrants.wildlife.ca.gov>. The name of this Solicitation in WebGrants is “2021 Proposition 1 – Cutting the Green Tape.” To access the application, applicants must register an account in WebGrants. The WebGrants Help Desk is staffed Monday–Friday (9:00AM–4:00PM). Questions regarding the CDFW WebGrants website should be directed to the CDFW WebGrants Help Desk e-mail at [Prop1Webgrants@wildlife.ca.gov](mailto:Prop1Webgrants@wildlife.ca.gov).

The Proposal Application in WebGrants consists of multiple forms. WebGrants includes dropdown menus, text boxes, multiple-choice selections, tables, and attachment upload links. Once submitted, applicants cannot alter their proposal or submit additional information without first contacting the WebGrants Help Desk. Applicants are encouraged to allow sufficient time to submit proposals to avoid last minute errors and omissions.

## **5.3 Pre-Application**

This Solicitation includes a two-step application process. The first step, the pre-application, consists of primarily short-answer and multiple-choice questions. CDFW will use information in the pre-application to determine whether a proposal meets the eligibility criteria and scope of this Solicitation. CDFW will also identify any preliminary concerns with administrative requirements and schedule. Applicants must submit a pre-application to be eligible to submit a full application.

Within 30 days of receipt of a pre-application, CDFW will provide notification to the applicant that (1) CDFW is not inviting the applicant to submit a full application because the proposal is not eligible under the Solicitation; (2) CDFW requests further information or clarification about the proposed project before it decides whether to invite the applicant to submit a full application; or (3) CDFW invited the applicant to submit a full application.

## **5.4 Full Application**

The full application is the second and final step in the application process and will only be available for pre-application proposals that received an invitation from CDFW to submit a full application.

The full application will require additional information such as:

- Further description of the project, including detailed location description
- Information on land tenure, ownership and site access
- A summary of project goals, objectives, and performance measures
- A summary of monitoring actions that will be taken to assess the effects of the project against the defined performance measures
- Discussion of how the project would promote resilience to conditions associated with climate change
- A complete table of deliverables and timelines
- Schedule
- Budget and budget justification
- Supplemental exhibits, as needed

## 6 REVIEW AND SELECTION PROCESS FOR FULL APPLICATION PROPOSALS

Full application proposals received by the deadline will be evaluated using the multi-step review process described in the [Proposition 1 Guidelines](#). An overview of the administrative review and technical review criteria are described in this section. Engineering-Geological review will be completed on Planning and Implementation projects, where engineering is included. See the [Engineering-Geological Review Scoring Criteria](#) for more information. The project selection process is described in more detail in Section 4.3 of the [Proposition 1 Guidelines](#), including the Selection Panel process and Director’s final approval. CDFW will determine the funding program that best fits the submitted proposals, and may conduct separate evaluations for each program.

### 6.1 Administrative Review

Administrative review determines if the proposal is complete. Proposals which receive a “No” for one or more of the Administrative Review Evaluation Criteria (Table 2) will be considered incomplete and may not be considered for funding.

**Table 2: Administrative Review Criteria**

<b>Criteria</b>	<b>Score</b>
Application is complete	Yes/No
Proposed project is not required mitigation	Yes/No
California Conservation Corps and Certified Community Conservation Corps consultation form is complete	Yes/No
Applicant has submitted: intermediate (65%) or higher design plans, a basis of design report, and supporting technical studies (as applicable)	Yes/No

## 6.2 Technical Review

Technical reviewers evaluate each proposal in accordance with technical review criteria (Table 3) and make narrative comments that support their scores. Each criterion is assigned a point value between zero and five and multiplied by the applicable weighting factor to calculate the criterion score. The sum of the criteria scores produces the total score for the proposal. Individuals selected to serve as technical reviewers will be professionals in fields relevant to the proposed project (CWC §79707[f]). See the [detailed technical review criteria](#) for more information.

**Table 3: Technical Review Criteria**

Criteria	Weighting Factor	Maximum Score
Project Team Qualifications	1	5
Consistency with Plans	2	10
Location Information / Land Tenure	1	5
Climate Change Considerations	1	5
Goals, Objectives & Performance Measures	2	10
Monitoring and Long-Term Management	2	10
Deliverables and Timeline	2	10
Applicant Budget	1	5
Budget Justification	2	10
Community Support	2	10
Purpose, Need and Background	2	10
Approach, Feasibility, and Scope	2	10
Total Possible Points		100

Where standard scoring criteria are applied, points will be assigned as follows:

1. A score of 5 points will be awarded where the criterion is fully addressed and supported by thorough and well-presented documentation and logical rationale.
2. A score of 4 points will be awarded where the criterion is fully addressed but is supported by less thorough documentation or less sufficient rationale.
3. A score of 3 points will be awarded where the criterion is less than fully addressed and is supported by less thorough documentation or less sufficient rationale.
4. A score of 2 points will be awarded where the criterion is marginally addressed, or the documentation or rationale is incomplete or insufficient.
5. A score of 1 point will be awarded where the criterion is minimally addressed, or no documentation or rationale is presented.
6. A score of 0 points will be awarded where the criterion is not addressed.

## 7 CEQA and Permitting

### 7.1 Permitting

There are several potential accelerated or programmatic permitting pathways for projects funded through this Solicitation. These pathways, and related application requirements, are summarized below. Additionally, Sustainable Conservation, a nonprofit organization, has prepared additional guidance for restoration practitioners that may be useful when evaluating permitting options: <https://suscon.org/technical-resources/>.

For all permitting pathways, applicants interested in obtaining coverage should review the eligibility requirements carefully and should account for costs associated with permit compliance (e.g., pre- and post-project and construction monitoring) in the application budget and scope of work.

If an applicant cannot verify whether its project will be eligible for a specific permitting pathway for restoration projects or it is uncertain when a permitting pathway for restoration projects that is currently being developed by a permitting agency will be available for use, applicants may estimate costs for preparing individual permits and include these costs in their proposal's budget, indicating that the project's actual permitting pathway and costs may differ. CDFW will work with applicants selected for funding to adjust grant award budgets as applicants resolve their projects' permitting pathways and costs.

#### CDFW Restoration Permitting Options

CDFW has three permitting options that are specific to restoration projects. First, the Habitat Restoration and Enhancement Act (HREA) established a permitting process with CDFW for landowners, state and local governments, and conservation organizations seeking to implement small-scale, voluntary habitat restoration projects throughout California. Restoration and enhancement projects approved by CDFW, pursuant to HREA, do not require additional permits from CDFW, such as a Lake and Streambed Alteration agreement or California Endangered Species Act permit. To qualify, HREA projects must:

- Meet the eligibility requirements for the State Water Resources Control Board's [Order for Clean Water Act Section 401 General Water Quality Certification for Small Habitat Restoration Projects](#) (401 SHRP certification), which includes not exceeding a maximum project size of 5 acres or a cumulative 500 linear feet;
- Have the primary purpose of improving fish and wildlife habitat; and
- Avoid or minimize any incidental impacts.

For more information, please see: <https://wildlife.ca.gov/Conservation/Environmental-Review/HREA>.

Second, as part of its Cutting the Green Tape Initiative, CDFW developed a Restoration Management Permit (RMP) for larger restoration projects. The RMP is a new document

that incorporates three “take” authorizations into a single streamlined permit:

- (1) endangered, threatened, and candidate species pursuant to the California Endangered Species Act (CESA);
- (2) fully protected species pursuant to Fish and Game Code sections 3511, 4700, 5050, and 5515; and
- (3) species of special concern and common species pursuant to the scientific collecting permit process.

The RMP is designed to work in conjunction with a Lake and Streambed Alteration Agreement, which must be obtained separately. For further information on whether a specific project is eligible for an RMP, please contact CDFW Proposition 1 staff at [WatershedGrants@wildlife.ca.gov](mailto:WatershedGrants@wildlife.ca.gov).

Third, in response to a strong interest in facilitating programmatic permitting options, CDFW also worked with the NOAA Restoration Center to develop a new process for issuing CESA consistency determinations (CD) for restoration projects that have received approvals pursuant to federal programmatic biological opinions (BOs). CDFW may also issue CDs for voluntary restoration projects using approved project-specific federal BOs. Under existing law, restoration CDs are exempt from CESA fees.

Restoration CDs are designed to work in conjunction with a Lake and Streambed Alteration Agreement, which must be obtained separately. For further information on whether a specific project may be eligible for a restoration CD, please contact CDFW Proposition 1 staff at [WatershedGrants@wildlife.ca.gov](mailto:WatershedGrants@wildlife.ca.gov).

## **Regional General Permit 12**

CDFW is working with the U.S. Army Corps of Engineers (USACE), NOAA Fisheries and the U.S. Fish and Wildlife Service to develop a federal permitting mechanism for projects under this Solicitation via programmatic restoration permits. CDFW expects that projects funded through this Solicitation that meet the eligibility criteria for the USACE’s Regional General Permit No. 12 (RGP 12) would be eligible for coverage under RGP 12.

RGP 12 is currently being updated; however, applicants interested in RGP 12 coverage can refer to the 2016 RGP 12 permit for information on project eligibility, design constraints, best management practices for construction, pre- and post-construction monitoring requirements, etc. Please see the 2016 RGP 12 permit at: <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=134759>

Applicants interested in RGP 12 coverage should indicate this in their application. CDFW expects the 2021 update to RGP 12 should be completed in Fall 2021.

## **Additional Programmatic NOAA Fisheries Permits**

In addition to the RGP 12, NOAA Fisheries has existing programmatic BOs that cover certain restoration actions in various parts of the state. With respect to this Solicitation, the NOAA Fisheries Santa Rosa office has a BO that covers northern San Luis Obispo

County north to Mendocino County, including San Francisco Bay tributaries, which also has a corresponding Coastal Commission Consistency Determination. There is also a programmatic BO out of the Arcata Office that covers northern coastal areas. As mentioned above, CDFW may be able to issue CESA CDs using these programmatic BOs.

For questions about coverage of projects in the Eel River watersheds, contact the following:

Leah Tolley – [Leah.Tolley@noaa.gov](mailto:Leah.Tolley@noaa.gov)– for the North Coast, NMFS Arcata office programmatic BO (OR border south to the Mattole River)

For coverage of projects on the Mendocino Coast, Russian River and Lagunitas Creek watersheds:

Joe Pecharich – [Joe.Pecharich@noaa.gov](mailto:Joe.Pecharich@noaa.gov)– for the Central Coast, NMFS Santa Rosa office programmatic BO (Usal Creek in northern Mendocino County south to the Monterey/San Luis Obispo County border)

## **Clean Water Act 401 Certification**

The State Water Resources Control Board (State Water Board) has an Amended Order for Clean Water Act Section 401 General Water Quality Certification for Small Habitat Restoration Projects which covers certain restoration projects with a project size that does not exceed 5 acres or a cumulative total of 500 linear feet of stream bank or coastline. For more information on this order see the following State Water Board webpage: [\(General Order for Clean Water Act Section 401 General Water Quality Certification for Small Habitat Restoration Projects\(PDF\)\)](#),

Also, the State Water Board is currently developing a General Order for Clean Water Act Section 401 Water Quality Certification and Waste Discharge Requirements for Restoration Projects Statewide (General Order) and supporting Program Environmental Impact Report (PEIR). According to the proposed General Order, its purpose is to provide authorization for restoration projects that meet the eligibility criteria of the proposed General Order and do not qualify for coverage under the Amended Order for Clean Water Act Section 401 General Water Quality Certification for Small Habitat Restoration Projects. The proposed General Order and draft PEIR would apply statewide and establish a permit authorization process for specific types of restoration activities, which would, subject to other eligibility requirements, include the following types of restoration projects:

- Improvements to Stream Crossings and Fish Passage
- Removal of Small Dams, Tide Gates, Flood Gates, and Legacy Structures
- Bioengineered Bank Stabilization
- Restoration and Enhancement of Off-Channel and Side-Channel Habitat
- Water Conservation Projects
- Floodplain Restoration

- Removal of Pilings and Other In-Water Structures
- Removal of Nonnative Terrestrial and Aquatic Invasive Species and Revegetation with Native Plants
- Establishment, Restoration, and Enhancement of Tidal, Subtidal, and Freshwater Wetlands
- Establishment, Restoration, and Enhancement of Stream and Riparian Habitat and Upslope Watershed Sites

For more information on the proposed General Order and draft PEIR, see the following State Water Board webpage:

[https://www.waterboards.ca.gov/water\\_issues/programs/cwa401/generalordersunderde](https://www.waterboards.ca.gov/water_issues/programs/cwa401/generalordersunderde)  
[v](#).

Projects that would require 401 Certification and that do not fit under these options would need to obtain individual permits.

## Individual Permits

When a project does not meet the eligibility requirements for one of the permit options specified above, individual permits may be required. The schedule and budget in the application should reflect adequate time and budget to obtain necessary individual permits and implement any measures or actions required in those permits (i.e., costs associated with compliance).

## 7.2 CEQA

As noted above, applicants should demonstrate that their project qualifies for a statutory or categorical CEQA exemption or that a state or local agency will have filed a Notice of Determination with the Office of Planning and Research for that agency's approval of the project before CDFW would award a grant to the project (see Sections 2.2 and 3.11.2 in the [Proposition 1 Guidelines](#)). Many smaller restoration projects that meet certain qualifying criteria (e.g., not exceeding five acres in size) may be categorically exempt from more detailed analysis under CEQA pursuant to Section 15333 of the CEQA Guidelines. Other restoration projects may be approved by state or local lead and responsible agencies relying on an environmental impact report (EIR), mitigated negative declaration (MND), or negative declaration (ND), among other options.

Another CEQA compliance option being developed by the State Water Board is the PEIR for the General Order described above. The State Water Board released the draft PEIR for public review in June 2021 (SCH No. 2019100230). For additional detail please see:

[https://www.waterboards.ca.gov/water\\_issues/programs/cwa401/generalordersunderde](https://www.waterboards.ca.gov/water_issues/programs/cwa401/generalordersunderde)  
[v](#).

The State Water Board proposed General Order and draft PEIR are being developed as part of a broader effort in California to facilitate statewide implementation of restoration projects, including projects too large to qualify for the "Class 33" Categorical Exemption



for Small Habitat Restoration Projects. The State Water Board draft PEIR is structured by design as a CEQA platform to facilitate other state and local agency review and approval of individual restoration projects that may qualify for coverage under the proposed General Order. The public review draft PEIR describes various ways that the State Water Board's environmental analysis could be used by a lead or responsible agency to streamline environmental review of individual projects. Related details are described in the public review draft PEIR in Chapter 1 (Introduction), Section 1.3 (Overview and Use of the PEIR), at pages 1-6 through 1-10.

CDFW encourages applicants and project proponents generally to consider and exercise their independent judgment regarding the various ways that the State Water Board PEIR might help streamline CEQA review of individual restoration projects. Applicants that intend to rely on the State Water Board PEIR in some respect for an individual restoration project should estimate related cost for that effort and include that estimate in the project-specific budget. CDFW may adjust any relevant grant award once the CEQA compliance strategy is finalized and estimated costs are confirmed.

Applicants that intend to rely on the State Board PEIR, if and when certified, may identify the State Board as the lead agency as an initial matter or another state or local agency, including a relevant Regional Water Quality Control Board.

## 8 LINKS

Links within the body of this Solicitation are provided below for your convenience. Please see the [Proposition 1 Guidelines](#), and the CDFW, WRGB's [Proposition 1 Restoration Grant Programs](#) webpage for additional resources.

### **State Departments and Programs:**

#### **California Department of Fish and Wildlife**

[2019 Fish Passage Priorities List](#)

[2019 Priority Water Diversions for Screening List](#)

[CDFW's California Salmonid Stream Habitat Restoration Manual](#)

[Additional Restoration Guidelines and Manuals that may be Considered for Salmon and](#)

[Steelhead Habitat Restoration in California](#)

[Proposition 1 Restoration Grant Programs](#)

[Proposition 1 Restoration Grant Programs - Resources for Grantees](#)

[State Wildlife Action Plan \(SWAP\)](#)

[Priority Action Coho Team Report \(2020\)](#)

[South Fork Eel River SHaRP report \(2021\)](#)

#### **Consulting with the California Conservation Corps**

[California Conservation Corps](#)

[California Association of Local Conservation](#)

[Corps Consultation Form](#)

[Corps Consultation Process](#)

#### **California Natural Resources Agency**

[Bond Accountability Proposition 1](#)

[California Biodiversity Initiative](#)

[California EcoRestore](#)

[California Water Action Plan](#)

[Safeguarding California Plan: 2018 Update](#)

[Sacramento Valley Salmon Resiliency Strategy](#)

### **Enabling Legislation**

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

### **Mutual Water Companies**

[California Corporations Code §14300](#)