

Wildlife Conservation Board

Proposition 1 Stream Flow Enhancement Program 2021 Proposal Solicitation Notice



Photo Credit: California Sea Grant

Concept Proposal Deadline: 5:00 p.m. October 18, 2021

Full Proposal Deadline: 5:00 p.m. January 14, 2022



FOREWORD

The Wildlife Conservation Board (WCB) is seeking high quality grant proposals for projects that will enhance stream flow; contribute to achieving the objectives of the Water Quality, Supply, and Infrastructure Improvement Act of 2014 (Proposition 1), California Water Action Plan, State Wildlife Action Plan, and the fulfillment of WCB's Mission; and meet the priorities in this Proposal Solicitation Notice (Solicitation). This document details eligibility requirements, the proposal process, proposal review procedures, and other pertinent topics. Potential applicants are encouraged to thoroughly read this Solicitation and the [Project Solicitation and Evaluation Guidelines](#) (Guidelines) for the Proposition 1 Stream Flow Enhancement Program (SFEP) prior to deciding to submit a proposal.

Changes of Note to the 2021 PSN

In a continuing effort to streamline and improve the SFEP, this PSN includes a few changes of note from previous SFEP PSNs. Those changes include:

- Shifting of the solicitation schedule (see p.2).
- Inclusion of a Concept Proposal phase to the solicitation (see p. 2, p.16, and p.17).
- Altered Board meeting schedule to make SFEP awards on an ongoing basis (noted throughout).

Award Information

- Anticipated Total Funding: approximately \$15 million.
- Length of Funding: Projects awarded funds in Fiscal Year 2021/22 should be complete before March 31, 2027.

Eligibility Information

Eligible entities are California public agencies (including public California universities), nonprofit organizations registered and in good standing in California, public utilities, federally recognized Indian tribes, state Indian tribes listed on the Native American Heritage Commission's California Tribal Consultation List, and mutual water companies (California Water Code § 79712(a)).

Deadlines and Submission Instructions

Complete Concept Proposals must be submitted using the provided online form. Full Proposals (by invitation only) and all supporting documentation must be submitted to

wcbstreamflow@wildlife.ca.gov. Dates for each submission are:

Concept Proposal: **5:00 p.m., PDT, October 18 2021.**

Full Proposal: **5:00 p.m., PDT, January 14, 2022.**

WCB strongly recommends applicants submit early to avoid any unforeseen system delays. Materials submitted after the deadlines will not be accepted, reviewed, or considered for funding. Electronic files should be submitted in the following formats:

- Text: Microsoft (MS) Word (e.g., Application Form)
- Spreadsheets: MS Excel (e.g., Budget Worksheets)
- Images: jpg, jpeg, or PDF (e.g., maps and design drawings)
- Geospatial: ArcGIS-compatible (e.g., shapefiles, KMZ, KML)

NOTE: WCB cannot receive zip files as e-mail attachments. All e-mails with zip file attachments are filtered automatically and will not be registered as part of an application submission.

All information submitted with either Concept or Full Proposals is subject to the unqualified and unconditional right of WCB to use, reproduce, publish, or display free of charge. Indicate if image credit is requested for any of the photos and/or maps. Information in this application may be transmitted to the State Water Resources Control Board as part of the Stream Flow Enhancement Program's review of this application.

Electronic submittals of Full Proposals as an attachment to an e-mail shall have a subject line of "[Applicant Organization Name] SFEP Proposal" and be sent to wcbstreamflow@wildlife.ca.gov. Maximum combined size for e-mail attachments is approximately 20 MB. If necessary (e.g., due to file size), Full Proposals may be submitted as attachments to multiple emails. In such instances, clearly define the number emails to be received in the subject line and body of the emails. For example, add "# of Total#" in subject line, where "#" is the number of an email and "Total#" is the total number of emails submitted. All elements of the Concept or Full Proposals must be received before the respective deadlines.

Contacts

For questions about this Solicitation please contact WCB's Stream Flow Enhancement Program by e-mail at wcbstreamflow@wildlife.ca.gov. This document, the Application Form and associated attachments, and information about the Stream Flow Enhancement Grant Program can be found on the [SFEP web page](#).

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ACRONYMS AND ABBREVIATIONS

Acronym	Abbreviation
CALCC	California Association of Local Conservation Corps
CCC	California Conservation Corps
CDFW	California Department of Fish and Wildlife
CEDEN	California Environmental Data Exchange Network
CEQA	California Environmental Quality Act
CWA	Clean Water Act
Corps	CCC and CALCC, collectively
CWC	California Water Code
CWAP	California Water Action Plan
DGS	Department of General Services
GAMA	Groundwater Ambient Monitoring and Assessment
Guidelines	Wildlife Conservation Board California Stream Flow Enhancement Grant Program Project Solicitation and Evaluation Guidelines
MOU	Memorandum of Understanding
NEPA	National Environmental Policy Act
NOUGA	Notice of Unrecorded Grant Agreement
PDT	Pacific Daylight Time
PST	Pacific Standard Time
SFEP	Stream Flow Enhancement Program
Solicitation	Proposal Solicitation Notice
SWAP	State Wildlife Action Plan
SWRCB	State Water Resources Control Board
WCB	Wildlife Conservation Board, the organization as a whole
WCB Board (Board)	Seven voting member Board, made up of the Director of CDFW, the Director of the Department of Finance, the President of the Fish and Game Commission and four public members appointed pursuant to Fish and Game Code section 1320. Six legislative advisory members, three from the Senate and three from the Assembly, provide direction.

1. BACKGROUND

[Proposition 1](#) provides funding to implement the three objectives of the [California Water Action Plan](#) (CWAP): 1. more reliable water supplies, 2. the restoration of important species and habitat, and 3. a more resilient, sustainably managed water resources system (e.g., water supply, water quality, flood protection, environment) that can better withstand inevitable and unforeseen pressures in the coming decades.

Proposition 1 amended the California Water Code (CWC) to add, among other articles, [section 79733](#), authorizing the Legislature to appropriate up to \$200 million to WCB for projects that result in enhanced stream flows (*i.e., a change in the amount, timing and/or quality of the water flowing down a stream, or a portion of a stream, to benefit fish and wildlife*). WCB distributes these funds on a competitive basis through the Stream Flow Enhancement Program (SFEP). The Project Solicitation and Evaluation Guidelines ([Guidelines](#)) for this program were finalized in June 2015.

The purpose of this Proposal Solicitation Notice (Solicitation) is to solicit proposals for multi-benefit ecosystem restoration and protection projects that result in enhanced stream flow, are consistent with the purposes of Proposition 1, and contribute to achieving the objectives of the CWAP, State Wildlife Action Plan, WCB's Strategic Plan, and other State or federal plans.

1.1. Grant Program Requirements

Proposition 1 includes a number of provisions that govern how WCB may allocate funds authorized by CWC section 79733, including those identified below.

It is the intent of WCB that these funds will be invested in stream flow enhancement projects that contribute to or accomplish the following:

- Provide public benefits, addressing critical statewide needs and priorities (CWC § 79707(a));
- Advance the purposes articulated in CWC section 79732;
- Leverage private, federal, or local funding or produce the greatest public benefit (CWC § 79707(b));
- Use best available science to inform decisions regarding water resources (CWC § 79707(d));
- Employ new or innovative technology or practices including decision support tools that support integrated resource management (CWC § 79707(e));
- Promote State planning priorities consistent with Government Code section 65041.1 and sustainable communities strategies consistent with the provisions of Government Code section 65080(b)(2)(B), to the extent feasible (CWC § 79707(i)); and
- Achieve working agricultural and forested landscape preservation wherever possible through voluntary landowner participation (CWC § 79707(j)).

Ultimately, proposals must lead to, or result in, actions that enhance stream flow. Proposals may result in multibenefit projects that improve conditions for anadromous fish; support special status, threatened, endangered, or at-risk species; or increase climate resilience.

1.2. Solicitation Schedule

Table 1 identifies the anticipated timeline from release of the Solicitation through execution of grant agreements. The events listed in this schedule may be subject to change. Updates may be advertised through e-mail announcements, postings on the [SFEP web page](#), and news releases. For parties that are not already on WCB’s contact list and wish to receive updates regarding SFEP, as well as other WCB programs, please see the Subscribe feature on [WCB’s home page](#).

Table 1: Proposal Solicitation Process and Anticipated Schedule

Milestone or Activity	Schedule
Release 2021 Proposal Solicitation Notice and Concept Proposal Application	September 20, 2021
Concept Proposal Applications must be received by 5:00 p.m. PDT	October 18, 2021
Concept Proposal Evaluation Process	October – November 2021
Concept Proposal Consultation for those invited to submit a Full Proposal Application	November 2021
Full Proposal Applications must be received by 5:00 p.m. PST	January 14, 2022
Full Proposal Evaluation Process	January – February 2022
WCB notifies applicants of Full Proposal results	March 2022
WCB staff will work with successful applicants to develop grant agreements prior to a WCB Board meeting (Grants will not be executed until after the Board meeting) which occur four times per year	Annually each February, May, August, and November

2. FOCUS

Under this Solicitation, approximately \$15 million is anticipated to be available for award through the Proposition 1 SFEP.

Section 2 of the [Guidelines](#) provides information regarding eligibility requirements as established through Proposition 1. All Proposition 1 grants funded by WCB under this Solicitation must fall within the list of priorities described below. An applicant must demonstrate that the proposed project is consistent with the eligibility requirements, priorities, project categories, [Guidelines](#), and Proposition 1. WCB is seeking a diversity of projects that encompass the priorities for this Solicitation.

2.1. Funding Priorities

The priorities of the 2021 Stream Flow Enhancement Program solicitation will be to support projects that:

- Directly result in meaningful increases in the availability and/or quality of water in streams such as through the acquisition or long term dedication of water rights.
- Are located in southern California, though projects located in other regions will also be accepted.
- Evaluate stream flow conditions and stream responses to previous Stream Flow Enhancement Program projects.
- Are consistent with the objectives and actions outlined in the CWAP.

Eligible Project Types

Proposals must demonstrate that the proposed project will enhance stream flow at a time and location necessary to provide fisheries or ecosystem benefits (i.e., help alleviate a limiting factor). Proposals must also clearly identify the target stream(s), stream reaches, and watershed(s) in which proposal activities will occur as well as the reaches where project benefits will be realized.

Examples of project activities that may be eligible through this Solicitation include, but are not limited to:

- Water transactions (refer to California Water Code section 79709)
 - Purchase or long-term transfer of water from a willing seller
 - Water rights instream dedication pursuant to CWC section 1707
 - Forbearance agreements
 - Conservation easements
- Water conservation projects (actions that provide more efficient use of water diverted or reduces the amount diverted from a stream, resulting in enhanced stream flow) coupled with adequate long-term (≥ 20 years) protections for the conserved water
 - Off-channel water storage
 - Changes in the timing or rate of diversion or source water supply
 - Irrigation ditch lining or piping
 - Stock-water systems
 - Agricultural tailwater recovery/management systems
 - Fans for frost protection
- Changing points of diversion
- Groundwater storage and conjunctive use
- Reservoir operations both at existing and new storage sites
- Increase resilience to climate change
- Habitat restoration projects that enhance stream flow
 - Wet meadow restoration
 - Forest management practices (e.g., thinning)
 - Reconnecting flood flows with restored flood plains
 - Eradication of invasive plant species with high water use rates, relative to native plant species
- Acquisition of land or interests in land that lead to a direct and measurable enhancement to stream flow, improving upon existing flow conditions

- Stream flow gauging
- Scientific studies that assess effectiveness of previously implemented projects and/or inform design and implementation of future stream flow enhancement project(s).

Note that the individual activities identified above are not necessarily mutually exclusive. Proposed projects may incorporate more than one of these activities. For example, an applicant could propose to construct off-channel storage and irrigation efficiencies coupled with an instream dedication pursuant to CWC section 1707 and forbearance agreement to protect the conserved water.

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 20 years or more. This data can be submitted with the full proposal or be included as a Task in the project proposal.

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 20 years or more. See [A Practitioner's Guide to Instream Flow Transactions in California](#) (SWIFT) for guidance specific to helping water right holders understand their options for keeping water instream in California.

2.2. Project Categories

Eligible project categories for this Solicitation are Planning, Scientific Studies, Implementation, and Acquisition. Proposals for Planning and Scientific Study projects must be stand-alone (i.e., not combined with other project categories). Each of these project categories is described below.

Planning

Planning grants provide funding for necessary activities that will lead to a specific future on-the-ground implementation project(s) that is likely to qualify for future implementation funding. If the proposal seeks funding for permitting, a complete description of the permits needed and

a timeline for obtaining them must be included in the proposal. Eligible activities and expenses for Planning projects include, but are not limited to:

- Acquiring permits for a specific, future on-the-ground project(s)
- Preparation of water right change petitions to facilitate instream flow dedication (e.g., CWC § 1707)
- Analysis required to support complete California Environmental Quality Act (CEQA) and National Environmental Policy Act (NEPA) documentation for a specific, future on-the-ground project(s). Lead agency(ies) must be identified and demonstrate a willingness to complete adoption of CEQA/NEPA.
- Developing project designs or supplementing existing designs for a specific future on-the-ground project(s)
- Performing necessary biological, hydrologic or other studies/surveys to support project design and/or environmental compliance related to a specific future on-the-ground project(s)
- Developing a monitoring plan and/or collecting baseline data to support future effectiveness monitoring linked to a specific future on-the-ground project(s) (monitoring should be linked to other Planning activities)

The degree to which proposed planning activities advance a project(s) to an implementation ready stage will be taken into consideration during Selection Panel deliberations.

Scientific Studies

Scientific Study grants fund studies to assess the effectiveness of previously implemented stream flow enhancement projects or inform design and implementation of future stream flow enhancement projects. Applicants must illustrate how data and information derived from the scientific study will inform management and/or design of an existing project(s) or a future implementation project(s) that will enhance stream flow. These projects will be evaluated within the SFEP in relation to projected stream flow benefits anticipated to accrue through implementation of stream flow enhancement projects directly related to the Scientific Study.

Implementation

Implementation grants shall fund construction of restoration and enhancement projects and new or enhanced facilities that will provide a direct and measurable enhancement to stream flow. They are intended to support high priority "shovel ready" projects that have advanced to the stage where planning, land tenure, and design plans have been completed. CEQA must be completed at least 15 days prior to the WCB Board Meeting (applicants are strongly encouraged to have CEQA complete prior to January 31, 2022). For evaluation purposes, WCB will consider CEQA complete when the lead agency has filed a Notice of Determination with the Office of Planning and Research for that lead agency's approval of the project, or upon adequate documentation that the project qualifies for an exemption. WCB will exercise its independent judgment about whether a project qualifies for a statutory or categorical CEQA exemption.

Implementation proposals must include intermediate or higher design plans (e.g., design plans at ~65% level of development or higher). If available, a Basis of Design Report should also be submitted with the proposal. Implementation projects may include development of

final design plans and permitting as project activities. Design plans may be subject to review by California Department of Fish and Wildlife (CDFW) Engineering staff.

If permits are to be obtained for a proposed project, a complete description of the permits needed and a timeline for obtaining them must be included in the proposal. Eligible activities and expenses for Implementation projects include, but are not limited to:

- Preparation of bid packages and subcontractor documents (when subcontractors have not been identified at the time of grant award)
- Development of the final design plans
- Acquiring necessary permits
- Preparation and filing of water right change petitions (CWC § 1707) and/or execution of forbearance agreements for instream flow dedication
- Construction and/or habitat restoration activities
- Pre- and post-project monitoring (within grant term)

Additional attachments for Implementation proposals:

- Maps and photos of the project site as applicable;
- Evidence of landowner permission to implement the project (see section 3.7 Land Tenure/Site Control)
- A monitoring and reporting plan (see Solicitation Section 3.4, Project Monitoring and Reporting); and
- A long-term management plan (valid for at least 20 years).

Acquisition

Acquisition grants shall fund purchases of land, water rights, or interests in land or water that leads to a direct and measurable stream flow enhancement. Applicants must illustrate how the acquisition will enhance stream flow. Acquisitions which only protect existing conditions will not be funded through this Solicitation. Acquisitions must be from willing sellers and 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). A completed appraisal, approved by DGS Real Property Services Section, is not required at the time of application submission; however, if a grant is awarded, the appraisal must be submitted to WCB and approved by DGS prior to execution of a grant agreement (anticipate this to occur within six months following the Board's funding determination).

The most competitive acquisition proposals will be for the acquisition of water rights, accompanied by an instream dedication pursuant to CWC section 1707 and a forbearance agreement or conservation easement. **If activities such as an instream dedication, stream restoration, or on-farm efficiency upgrades are included in the proposal, the acquisition and implementation activities must be clearly differentiated as separate tasks in the work plan, budget, and budget justification.** In such instances, a single CEQA analysis that addresses the acquisition and implementation activities should be completed, as applicable. While projects solely for acquisitions may be exempt under CEQA, in instances where an acquisition would be followed by implementation activities, such activities may result in project impacts that would complicate reliance on an exemption. CEQA compliance must be complete 15 days before the WCB Board Meeting (see section 3.3 Environmental Compliance and Permitting).

WCB will not hold title to land or water rights, nor will WCB enter into forbearance agreements with applicants or other entities. A separate, eligible entity must be identified at the time of proposal submission. If a signed purchase or option agreement is unavailable at the time of application submission, a Willing Seller Letter is required from each landowner indicating a willingness to participate in the proposed real estate transaction. The letter should clearly and specifically identify the relevant property and state, "If grant funds are awarded, the seller(s) is willing to enter into negotiations with [name of applicant] for sale of the property at a purchase price not to exceed fair market value".

Applicants must disclose any known or suspected hazardous material release, threatened release or other environmental condition associated with the property. Prior to execution of a grant agreement for acquisition of an interest in real property, WCB will assess the environmental conditions of the property, including any recognized environmental conditions that could occur on the property. As part of WCB's risk assessment, WCB may require the surface estate landowner or project proponent to provide WCB 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 WCB for specific requirements prior to initiating work on an Environmental Site Assessment. Based on its risk assessment, WCB will determine whether the environmental condition and the related consequences for intended conservation purposes is acceptable. If WCB determines that the risk is not acceptable and the risk cannot be reduced to an acceptable level within a reasonable amount of time, then WCB will rescind the grant award.

All grant awards for acquisition of an interest in real property are contingent on a WCB 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 for acquisition of an interest in real property, WCB will assess the risk that future mining activities could occur on the property. As part of WCB's risk assessment, WCB may require the surface estate landowner or project proponent to provide WCB 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 WCB for specific requirements prior to initiating work on a mineral assessment report. Based on its risk assessment, WCB will determine whether the risk of mining and the related consequences for intended conservation purposes is acceptable. If WCB determines that the risk is not acceptable and the risk cannot be reduced to an acceptable level within a reasonable amount of time, then WCB will rescind the grant award.

Additional attachments required for Acquisition proposals include:

- Signed purchase or option agreement, or Willing Seller Letter;
- Legal description of the property or water right;
- 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);
- Minimum of six color photographs illustrating the property, stream segment to benefit, diversion, method of diversion, etc.;
- Legal description of diversion, if relevant;

- USGS 7.5-minute topographic map, or comparable depicting the location of the property;
- Current Preliminary Title Report;
- Copy of water right application, permit or license;
- Copy of all statements of diversion and use for past five years;
- A description of existing conditions on the property including existing hydrological conditions;
- A monitoring and reporting plan (see Solicitation Section 3.4, Project Monitoring and Reporting); and
- A long-term management plan (valid for at least 20 years).

Include if available:

- Title report for water rights;
- Appraisal; and]
- Phase 1 Environmental Site Assessment.

Eligible expenses for Acquisition projects include the purchase price (not to exceed fair market value) for:

- Acquisitions of fee title or interests in land that include perpetual conservation easements; and
- Water acquisitions that include permanent or long-term dedications (not less than 20 years).

Ineligible costs include:

- Appraisals;
- Title escrow and closing costs;
- Environmental Site Assessments;
- Mineral Rights Assessments; and
- Other fees and costs to accomplish the transaction and the conveyance and acquisition of the property.

3. PROPOSAL REQUIREMENTS

By submitting an application, applicant agrees to and understands all requirements and responsibilities as described in this Solicitation and the [Guidelines](#).

3.1. Eligibility

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

- Public agencies within California (state agencies or departments, public universities, special districts, joint powers authorities, counties, cities, or other political subdivisions of the State of California) (CWC § 79702(s));
- Nonprofit organizations registered in California (CWC § 79702(p));
- Public utilities (CWC § 79712(b)(1));
- Federally recognized Indian tribes;
- State Indian tribes listed on the Native American Heritage Commission's California Tribal Consultation List; and

- Mutual water companies (CWC § 79712(b)(2-4)).

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

Proposals from federal agencies, private individuals, for-profit enterprises (except those that are eligible as a public utility), or out-of-state public entities (except those that are nonprofit organizations registered in California) are ineligible for funding under this Solicitation. However, these entities can be included as subcontractors for an eligible applicant.

3.2. California Conservation Corps Consultation

Prior to the submission of proposals, all applicants for restoration and ecosystem protection projects shall first consult with the California Conservation Corps (CCC) **and** the California Association of Local Conservation Corps (CALCC), collectively referred to as the Corps, as to the feasibility of using their services to implement projects (CWC § 79734), unless proposed activities are exempt from the consultation process (refer to Attachment B [Corps Consultation Process] of the application). The Corps have determined that planning or acquisition projects with no field work or hand labor are exempt from the consultation process. The Corps must be consulted on **all other projects, including planning projects and scientific studies with field work**, such as, but not limited to, baseline studies, invasive plant removal, native plant propagation, mapping, and site maintenance. The CCC is a state agency with local operations throughout the State. CALCC is the representative for the certified local conservation corps defined in section 14507.5 of the Public Resources Code.

In instances where the Corps determine that their services can be used in a proposed project, the applicant must identify the appropriate CCC and/or CALCC and their role in the work plan and include estimated costs for those services in the budget. Further, applicants awarded funding must thereafter work with the appropriate CCC and/or CALCC to develop a statement of work and enter into a contract to provide those services.

Returning applicants cannot reuse Corps Consultation Review Documents or any other proof of consultation from previous Solicitations. In instances where the proposed project is exempt from the consultation process, the applicant is not required to submit completed Corps Consultation Review Documents with the application. In instances where consultation with the Corps is required, applicants that do not adequately complete the required Corps consultation and submit completed Corps Consultation Review Documents with their application may be ineligible to receive funding under this Solicitation.

3.3. Environmental Compliance and Permitting

Activities funded under the SFEP must comply with all applicable laws and regulations. Several local, State, tribal, and federal agencies may have permitting or other approval authority over projects that are eligible for grant funding. The applicant is responsible for obtaining all permits necessary to carry out the proposed work.

Applicants must identify the project's expected permitting requirements, which permits have been obtained or the process through which the permits will be obtained and describe the anticipated timeframe for obtaining each permit. Projects that are undertaken to meet mitigation obligations, or projects that are under an enforcement action by a regulatory agency, will not be considered for funding.

Proposals for projects that are subject to CEQA and NEPA must identify the State and federal lead agencies and provide documentation that the agency or agencies have accepted the role. CEQA compliance must be complete 15 days before the WCB Board Meeting (Applicants are strongly encouraged to have CEQA complete prior to January 31, 2022). For evaluation purposes, WCB will consider CEQA complete when the lead agency has filed a Notice of Determination with the Office of Planning and Research for that lead agency's approval of the project, or upon adequate documentation that the project qualifies for an exemption. WCB will exercise its independent judgment about whether a project qualifies for a statutory or categorical CEQA exemption. If CEQA compliance for a proposed project is not complete at time of proposal submission, WCB will determine the likelihood of CEQA completion by the anticipated WCB Board Meeting date based upon the applicant's schedule for and progress toward completion. Applicants must provide environmental documents and lead agency compliance, such as an Environmental Impact Report and a Notice of Determination, upon request.

All project components within your proposal must be fully covered by a single CEQA document.

3.4. Monitoring and Reporting

All Acquisition and Implementation project proposals are required to include a Monitoring and Reporting Plan that explains how changes to the stream's hydrograph will be measured or quantified, how project success will be evaluated and reported, and over what duration the reporting will occur post project implementation. Planning projects proposing to conduct baseline monitoring may include development of a monitoring plan as a task in the scope of work, or if the proposed monitoring approach is known, it should be described in the Monitoring and Reporting Plan portion of the application. Performance of Planning and Scientific Study projects will be evaluated based on completion of project deliverables per the grant agreement. The specific terms and conditions for monitoring and reporting, including performance measures, may be negotiated prior to grant execution, to ensure appropriate measures have been identified and to assist with consistency of nomenclature, units, and measurements.

The scope of the Monitoring and Reporting Plan will vary depending on the nature of the project; however, each plan shall include:

- Project-specific performance measures that are clearly linked to project objectives and have quantitative and clearly defined targets, at least some of which must be feasible to meet within one to two years post-implementation. Performance measures can be placed into two broad categories.
 - Output performance measures track whether on-the-ground activities were completed successfully and evaluate factors that may be influencing ecosystem outcomes (e.g., acre feet of water conserved and left in stream, number of acres restored).
 - Outcome performance measures evaluate ecosystem responses to project activities (e.g., responses by target wildlife populations and responses in ecosystem function).
- Description of the metrics and monitoring methodologies, periods/duration, and locations, that will be used to document project effectiveness/performance, consistent with project objectives and performance measures.

- Identify opportunities to extend the monitoring activities beyond the term of the grant (e.g., by using standardized, readily replicated monitoring and evaluation processes; leveraging on-going monitoring programs; and building partnerships capable of attracting funding from multiple sources over time).
- A plan for reporting monitoring results and progress toward performance measures.

3.5. Data Management

Environmental data collected under this grant program must be made visible, accessible, and independently understandable to general users in a timely manner, except where limited by law, regulation, policy, or security requirements. Where applicable, each proposal must include a description of how data and other information generated by the project will be handled, stored, shared, and how successful data submission will be validated. Applicants should account for the resources necessary to implement data management activities in the project budget. Projects generating environmental data must include data management activities that support incorporation of those data into statewide data systems (e.g., [California Environmental Data Exchange Network](#) [CEDEN]), where applicable.

Unless otherwise stipulated, all data collected and/or created through WCB grant funds shall be required as a deliverable and will become the property of WCB. A condition of final payment shall include the delivery of all related data as well as proof of successful data submission to appropriate data systems. Geospatial data must be delivered in an [ESRI](#)-useable format where applicable and documented with metadata in accordance with the [CDFW Minimum Data Standards](#).

Water Quality Data

If the project includes water quality monitoring data collection, it shall be collected and reported to State Water Resources Control Board (SWRCB) in a manner that is compatible and consistent with surface water monitoring or groundwater data systems administered by the SWRCB (e.g., CEDEN for surface water data) (CWC § 79704). The Grantee shall be responsible for uploading the data and providing a receipt of successful data submission, generated by CEDEN, to the WCB Project Manager prior to submitting a final invoice. Guidance for submitting data, including minimum data elements, data formats, and contact information for the Regional Data Centers, is available on the [CEDEN](#) website.

Groundwater Data

Groundwater monitoring data generated by the project shall be collected and reported in a manner that is compatible and consistent with the groundwater data systems administered by the SWRCB. The Grantee shall upload relevant data to GeoTracker Groundwater Ambient Monitoring and Assessment ([GAMA](#)) and provide proof of successful data submission prior to submitting a final invoice.

Wetland and Riparian Restoration Project Data

Wetland and riparian restoration project data should be uploaded to [EcoAtlas Project Tracker](#). Examples of project data include project proponent, project name, location (e.g., latitude/longitude, project boundary), pertinent dates (e.g., site construction), WCB Proposition 1 award, activity type (e.g., restoration), and habitat type and amount. For

additional information, refer to the “Project Tracker” online tool on the EcoAtlas website. The Grantee shall upload relevant data to EcoAtlas.

Long-term Management and Maintenance

Applicants proposing Acquisition or Implementation projects shall outline long-term (≥ 20 years) management and maintenance plans for the project as part of their grant proposal. The outline should describe how the project area will be managed for a minimum of 20 years to deliver enduring, sustainable benefits consistent with the purposes of the grant and identify funding mechanisms and parties responsible for conducting maintenance and management activities. Properties restored, enhanced, or protected, and facilities constructed or enhanced with funds provided by WCB shall be operated, used, and maintained throughout the project life (≥ 20 years) consistent with the purposes of the grant and in accordance with the long-term management plan for the project.

3.6. Land Tenure/Site Control

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

- Fee title ownership.
- An easement or license agreement.
- Other agreement between the applicant and the fee title owner, or the owner of an easement in the property, sufficient to give the applicant adequate site control for the purposes of the project and long-term management.
- For projects involving multiple landowners, all landowners or an appointed designee must provide written permission to complete the project.
- For most grants to nonprofit organizations for project implementation and construction, WCB will require an agreement sufficient to protect the public interest. That agreement shall be recorded in the county in which the real property is located. This document is typically a Notice of Unrecorded Grant Agreement (NOUGA).

When an applicant does not have tenure at the time of proposal submission, but intends to establish tenure via an agreement that will be signed prior to grant execution, the applicant must submit a template copy of the proposed agreement, memorandum of understanding (MOU), or permission form at the time of proposal submission. If a project is awarded funds, the applicant must submit documentation of land tenure before a grant agreement can be executed.

WCB and its representatives shall have the right to access the project site at least once every 12 months from the start date of the grant for 20 years, or an appropriate term negotiated prior to grant execution (for acquisition projects, site access is once every three years). WCB shall provide advance notice to Grantee and landowners prior to accessing the project site.

3.7. Budget

Direct Costs

Direct costs are the costs which can be specifically and easily identified as generated by and in accordance with the provisions or activity requirements of the project, which are for work

performed within the specified terms and conditions of the grant agreement, and are eligible for reimbursement. Example of eligible direct costs include, but are not limited to:

- Grantee and subcontractor personnel time
- Environmental permit application fees
- Development of restoration design plans
- Construction materials
- Monitoring supplies (Supplies and travel costs should be specifically requested in the Applicant Budget worksheet (Attachment A))
- Acquisition of water rights
- Funder Recognition Signage, if required (see section 6.2)

Indirect Costs

Indirect cost (administrative overhead) rates are limited to 20 percent of the total WCB award, minus subcontractor and equipment costs (refer to Section 7.1 Definitions). Any amount over 20 percent will not be funded but may be used as cost share. Indirect costs include but are not limited to: workers compensation insurance, utilities, office space rental, phone, and copying which is directly related to completion of the proposed project. Costs for subcontractors and purchase of equipment cannot be included in the calculation of indirect costs in the overall project budget. The applicant must explain the methodology used to determine the rate and provide detailed calculations in support of the indirect cost rate. Please refer to the budget worksheets (Attachment A).

Cost Share

Cost share (or match) is the portion of the project cost not funded by the awarding agency (WCB) and is provided by the applicant and/or other sources (e.g., private companies, nonprofit organizations, public agencies, and/or other entities). A list of all cost share sources must be detailed in the budget worksheets. Proposals must specify the source and dollar amount of all cost share contributions of cash or in-kind services (e.g., volunteer time, materials, land donations). If volunteer time is to be used as part of the cost share, explain the type of service that will be provided, the number of hours the service will be provided, and the hourly rate associated with the service. Cost share must be:

- Used to support the proposed project
- Spent between the full proposal due date and the end of the proposed WCB funded grant term
- Secured prior to application submission in order to be considered during proposal scoring

Where applicable, cost share agreements or funding assurances will be required prior to grant execution. Applicant must also indicate if any cost share is being used as match for other grants or entities and whether they intend to leverage other Proposition 1 funds as cost share, if awarded.

Ineligible Costs

Examples of costs that are ineligible for reimbursement through an awarded grant, include:

- All costs incurred outside of the grant agreement term
- All costs related to the preparation and submission of the grant proposal
- Travel, equipment, or other property costs not specifically identified in the grant budget
- Out of state travel without prior written authorization from WCB
- Appraisal, title, or escrow costs
- Student tuition and/or registration fees

NOTE: if ineligible expenses are included in the project budget, the project may be deemed ineligible. In some circumstances, a project may be considered for funding with the total amount of the award reduced by the amount of ineligible expenses. In that event, WCB will contact the applicant to confirm that the project is still viable.

3.8. Disadvantaged Community

Proposition 1 defines a disadvantaged community as “a community with an annual median household income that is less than 80 percent of the statewide annual median household income” (CWC § 79505.5). Proposition 1 does not require that WCB direct a specific portion of funding to projects that benefit disadvantaged communities. However, WCB will strive to ensure that a portion of its Proposition 1 funding benefits these communities.

The Department of Water Resources has developed an interactive [Disadvantaged Communities Mapping Tool](#) that shows the location and boundaries of disadvantaged communities in the State.

Applicants should use the following two-step process to evaluate whether their proposed project will benefit one or more disadvantaged communities.

Step 1 – Determine whether a majority ($\geq 50\%$) of the proposed project area is located within a disadvantaged community. Applicants may use boundary data from the census place, census tract, or census block group geography levels to determine whether the project is located within a disadvantaged community, based on the geography that is the most representative for that community.

Step 2 – Determine whether the proposed project will provide benefits to a disadvantaged community. If the proposed project meets one or more of the following criteria, it will be considered to provide benefits to a disadvantaged community:

- Project preserves, restores, or enhances a site where the majority of the land area ($\geq 50\%$) is located within a disadvantaged community.
- Project preserves, restores, or enhances a site that allows public access, enhances public recreational opportunities (e.g., fishing, hiking, bird watching), and is within 1 mile of a disadvantaged community.
- Project significantly reduces flood risk to one or more adjacent disadvantaged communities.
- Project reduces exposure to local environmental contaminants (e.g., water quality contaminants) within a disadvantaged community.

- Project includes recruitment, agreements, policies, or other approaches that are consistent with federal and state law and result in at least 25% of project work hours performed by residents of a disadvantaged community.
- Project includes recruitment, agreements, policies, or other approaches that are consistent with federal and state law and result in at least 10% of project work hours performed by residents of a disadvantaged community participating in job training programs which lead to industry-recognized credentials or certifications.

3.9. Licensed Professional Engineers or Geologists

Some projects may require a licensed professional engineer or licensed professional geologist to comply with the requirements of the Business and Professions Code, section 6700 et seq. (Professional Engineers Act) and section 7800 et seq., (Geologists and Geophysicists Act). If a project requires the services of licensed professionals, these individuals and their affiliations should be identified in the proposal.

3.10. Water Law

Funded grants that may impact a water right, including any project that would require a change to water rights, involve water diversion, or address stream flows or water use shall comply with the CWC, as well as any applicable State or federal laws or regulations. Refer to Section 2.4 (Specific Funding Requirements) of the Guidelines for specific requirements stipulated in Proposition 1 (CWC § 79709). Any proposal that would require a change to water rights, including, but not limited to, bypass flows, point of diversion, location of use, purpose of use, or off-stream storage shall demonstrate an understanding of the relevant SWRCB processes, timelines, and costs necessary for project approvals by SWRCB and the ability to meet those timelines within the term of a grant. In addition, any proposal that involves modification of water rights for an adjudicated stream shall identify the required legal process for the change as well as associated legal costs. Any project involving a water right acquisition, prior to its completion, must be supported by a water rights appraisal approved by the DGS Real Property Services Section. Typically, WCB obtains this approval from DGS.

For projects involving water diversions or diversion-related infrastructure, an applicant must demonstrate to WCB a legal right to divert water, consistent with the project proposal, and sufficient documentation regarding actual water availability and use. For post-1914 water rights, the applicant must submit with their proposal a copy of the applicable 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 with their proposal written evidence of the right to divert water and the priority in the watershed of that diversion right. An applicant must submit with their proposal to WCB any operational conditions, agreements, court or SWRCB orders or decrees affecting the asserted water right. All applicants must include past water diversion and use information reported to the SWRCB, pursuant to 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. Projects involving activities described in Fish and Game Code section 1602 may require a Lake or Streambed Alteration Agreement.

Projects that may result in a change to water rights are encouraged to consult early with Rae Vander Werf at the State Water Resources Control Board, Division of Water Rights, Permitting Section. They may be reached at:

Rae.VanderWerf@Waterboards.ca.gov

1001 Street, P.O. Box 2000, Sacramento, CA 95814

Phone: 916.323.5174 | Fax: 916.341.5400

4. SUBMISSION PROCESS

Submitted proposals must be in full compliance with all stated requirements of this Solicitation as well as the requirements outlined in Sections 2 (Eligibility Requirements) and 5 (General Program Requirements) of the [Guidelines](#). The Application Form and associated attachments are available on WCB's [Stream Flow Enhancement Program web page](#). Failure to use the Application Form, submit any required attachment, or complete all required application components will make the proposal incomplete. Incomplete proposals may not be reviewed or considered for funding.

Proposals are subject to Public Records Act requests.

For questions regarding the Solicitation or proposal submission process, please contact SFEP staff by e-mail at wcbstreamflow@wildlife.ca.gov.

4.1. Proposal Submission Deadlines

Concept Proposals must be received by 5:00 p.m. PDT on October 18, 2021.

Full Proposals must be received by 5:00 p.m. PST on January 14, 2022.

Concept Proposals must be submitted online using the [online application form](#). Full Proposals must be submitted via e-mail to wcbstreamflow@wildlife.ca.gov with a subject line of "[Applicant Organization Name] SFEP Proposal". Proposals submitted by e-mail must be in Word, Excel, RTF, or PDF format, with attachments less than 20 megabytes (MB). As components of Full Proposals, WCB requests that the completed Application Form be submitted as a Word document and Budget worksheets be submitted in Excel.

Applicants are encouraged to allow sufficient time to submit proposals to avoid last minute errors, omissions, or unforeseen system delays. Proposals and associated documents will not be accepted after the submission deadline, and thus will not be reviewed or considered for funding.

5. PROPOSAL REVIEW PROCEDURE

5.1. Concept Proposal Review

WCB staff review Concept Proposals for consistency with WCB goals, Stream Flow Enhancement Program priorities, and the strength of the proposed project. In addition, WCB staff will look at all Concept Proposals for geographic location, regional need, project type, readiness, and funding. WCB staff will offer applicants feedback regarding alignment with PSN priorities, overall merit, and any ineligible costs. WCB staff will select Concept Proposals to move forward and will invite the selected applicants to submit Full Proposals. WCB staff will offer consultation meetings with the selected applicants prior to the full application submission deadline.

5.2. Full Proposal Administrative Review

All Full Proposals will be initially reviewed for completeness. This review will use a “Yes/No” scoring method, based on the criteria presented in Table 2. Proposals which receive a “No” for one or more of the Administrative Review Criteria (Table 2) may not be considered for funding under this Solicitation.

Table 2: Administrative Review Criteria

Criteria	Score
All proposal components have been completed in the required formats, including all proposal forms and associated documents.	Yes/No
Every question has been answered. N/A is appropriate where a question is not applicable.	Yes/No
Applicant is an eligible entity.	Yes/No
Proposal was received by the deadline.	Yes/No
Budget is included using supplied Excel budget worksheets (Attachment A of the application)	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, or a permit issued by any local, State, or federal agency.	Yes/No
In instances where consultation with the California Conservation Corps (CCC) AND California Association of Local Conservation Corps (CALCC) (collectively, “the Corps”) is required, Applicant has included completed Corps Consultation Review Documents from the CCC AND CALCC that determine the feasibility of the Corps participation, consistent with the guidance in Attachment B of the application.	Yes/No
If the CCC and/or CALCC determined it is feasible to use their services on the project, their role in the project is clearly defined in the work plan and the budget includes estimated rates for those services.	Yes/No
CEQA compliance is complete or likely to be complete 15 days before the WCB Board Meeting (Applicants are strongly encouraged to have CEQA complete prior to January 31, 2022). WCB will consider CEQA complete when the lead agency has filed a Notice of Determination with the Office of Planning and Research for that lead agency’s approval of the project, or upon adequate documentation that the project qualifies for an exemption. WCB will exercise its independent judgment about whether a project qualifies for a statutory or categorical CEQA exemption.	Yes/No Anticipated Completion Date:_____

5.3. Full Proposal Technical Review

Table 3 provides an overview of the technical review criteria, as well as the weighting factors and maximum criterion scores. All complete and eligible proposals will be evaluated and scored by technical reviewers in accordance with the scoring criteria documented in Appendix A. Technical reviewers may make narrative comments that support their scores. Technical reviewers assigned to each proposal will include representatives from WCB as well as individuals from CDFW and the SWRCB, as appropriate. WCB may request reviewers from other agencies or other outside experts to participate in the review. Individuals selected to serve as technical reviewers will be professionals in fields relevant to the proposed project (CWC § 79707(f)).

Each criterion will be scored by technical reviewers and assigned a point value between zero and five. Each criterion’s point value will then be multiplied by the applicable weighting factor to calculate the criterion score. A total score for the proposal will be generated by averaging the scores from each of the reviewers. An application must achieve an average score of 70/100 points or better to qualify for a grant. Where standard scoring criteria are applied, points will be assigned as follows:

- 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.
- 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.
- 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.
- A score of 2 points will be awarded where the criterion is marginally addressed or the documentation or rationale is incomplete or insufficient.
- A score of 1 point will be awarded where the criterion is minimally addressed or no documentation or rationale is presented.
- A score of 0 points will be awarded where the criterion is not addressed.

Table 3: Overview of Technical Review Criteria, Weighting Factors, and Maximum Criterion Scores

Criteria	Weighting Factor	Maximum Criterion Score
1. Purpose and Background/Scientific Merit	1.5	7.5
2. Project Outcomes – Enhances Stream Flow	3.0	15
3. Project Outcomes – Diversity and Significance of Other Benefits	1.5	7.5
4. Project Team Qualifications	1.0	5
5. Work Plan – Approach, Feasibility, and Scope	2.0	10
6. Schedule and Deliverables	1.5	7.5
7. Data Management	0.5	2.5
8. Specific Category Considerations	1.5	7.5
9. Climate Change Considerations	0.5	2.5
10. Durability of Investment	3.0	15

Criteria	Weighting Factor	Maximum Criterion Score
11. Budget	1.0	5
12. Leverages Other Funds	1.5	7.5
13. Community Support and Collaboration	1.0	5
14. Disadvantaged Communities	0.5	2.5
Total Possible Score	---	100
Applicability to Solicitation Priorities	N/A	N/A
Strengths and Weaknesses	N/A	N/A
Significant Concerns	N/A	N/A

5.4. Full Proposal Selection Panel Review

Following completion of the technical reviews of all complete and eligible proposals, WCB will convene a Selection Panel to develop a preliminary funding recommendation.

Representatives from other agencies and organizations may be invited to participate on the Selection Panel. The Selection Panel will generate the preliminary funding recommendation taking into account the following considerations:

- Technical review scores and comments;
- Program purposes and goals;
- Stream flow benefits and co-benefits;
- Balance/distribution of funds by: a) geographic area, b) project type, or c) type of institutions;
- Current and previous investments in the subject watersheds;
- Scientific Studies – timeliness and need in context of existing knowledge and ability to inform resource management decisions;
- Availability of funds; and
- Results of coordination and consultation with partner agencies implementing other relevant granting programs (e.g., Proposition 1).

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.

5.5. Executive Director Review and Board Action

The Selection Panel’s preliminary funding recommendation will be presented to the Executive Director of WCB for review. Applicants will be notified of their selection after the evaluation process is complete, including all due diligence and analysis by WCB staff. The funding recommendation will be placed on a future WCB Board Meeting agenda at the discretion of WCB’s Executive Director. The Board has sole and absolute discretion to approve or reject funding for a project.

6. REQUIREMENTS IF FUNDED

6.1. Grant Agreement

Development of grant agreements may begin prior to the Board meeting, however, grants will not be executed until after Board approval. Grants executed as result of this Solicitation will

use standard SFEP grant templates unless WCB legal counsel determines that use of a modified or alternate form is necessary. The applicant must submit the following additional forms before an agreement is prepared and executed:

- Authorizing Resolution by the Grantee organization or governing Board
- State of California Department of Finance STD 204 – Payee Data Record

Grant agreements are not executed until signed by both the authorized representative of the grant recipient and WCB. *Work performed prior to the start date of a grant agreement will not be reimbursed.*

Responsibility of the Grantee

Successful applicants 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. State auditing requirements are described in Appendix D of the [Guidelines](#).

Invoicing and Payments

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

Performance Retention

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

- WCB will not withhold performance retention from payments for conservation easement acquisition or fee-title land or water right acquisitions.

Loss of Funding

Work performed under the grant agreement is subject to availability of funds through the State's normal budget process. If funding for the grant agreement is reduced, deleted, or delayed by the Budget Act or through other budget control actions, WCB shall have the option to either cancel the grant agreement, offer to the Grantee a grant agreement amendment reflecting the reduced amount, or to suspend work. In the event of cancellation or suspension of work, WCB 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 and shall have no liability for payment for work undertaken after such date. In the event of a suspension of work, WCB may remove the suspension of work through written notice to the Grantee. WCB shall be liable for payment for work completed from the date of written notice of the removal of the suspension of work forward, consistent with other terms of

the grant agreement. In no event shall WCB be liable to the Grantee for any costs or damages associated with any period of suspension invoked pursuant to this provision, nor shall WCB be liable for any costs in the event that, after a suspension, no funds are available and the grant agreement is then cancelled based on budget 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.
- WCB or California Natural Resources Agency directive requiring suspension or cancellation of grant agreements.

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

- Withdrawing from the grant program
- Failing to acquire land at an approved fair market value
- Losing willing seller(s)
- 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 WCB
- Failing to complete the project
- Failing to demonstrate sufficient progress
- Failing to comply with pertinent laws

6.2. Signage

Successful applicants for Implementation and Acquisition projects must include signage (with durability to persist for the expected life of the project), to the extent practicable, informing the public that the project received funds through WCB from the Water Quality, Supply, and Infrastructure Improvement Act of 2014 (CWC § 79707(g)). At a minimum, project signs will display logos for WCB and the Water Quality, Supply, and Infrastructure Improvement Act of 2014. All projects must give credit to the funder and fund source on presentations and outreach materials. Logos are available on WCB's [Logos and Signage web page](#).

7. DEFINITIONS AND LINKS

7.1. Definitions

Acquisition

Acquisition means obtaining a fee interest or any other interest in real property, including, easements, leases, water, water rights, or interest in water obtained for the purposes of instream flows and development rights (CWC § 79702(a)).

Conjunctive Use

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

Disadvantaged Community

Disadvantaged community means a community with an annual median household income that is less than 80 percent of the statewide annual median household income (CWC § 79505.5).

Eligible Entities

Eligible entities are California public agencies, nonprofit organizations registered in California, public utilities, federally recognized Indian tribes, state Indian tribes listed on the Native American Heritage Commission's California Tribal Consultation List, and mutual water companies (CWC § 79712(a)). Additional eligibility requirements for public utilities, mutual water companies, and agricultural and urban water suppliers can be found in CWC section 797129(b)(1-4).

Enhanced Stream Flow

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

Equipment

Equipment means tangible personal property having a useful life of more than one year and a per-unit acquisition cost which equals or exceeds \$5,000. Equipment also includes accessories and services included with the purchase price necessary for the equipment to be operational. In general, equipment is not eligible for funding if it will be used for multiple projects or uses. Title or ownership to equipment or other property with a unit cost of \$5,000 or more and/or a useful life of one (1) year or more may be retained by the State upon end of the grant term; final disposition will be coordinated by WCB's Project Manager. Grantee shall keep, and make available to WCB, adequate and appropriate records of all equipment or other property purchased with grant funds.

Federally Recognized Indian Tribe

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

Forbearance

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

Hydrograph

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

Instream Flows

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

Limiting Factor

Flow conditions that limit the growth, abundance, or distribution of a target organism or a population of organisms in a stream.

Mutual Water Companies

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

Nonprofit Organization

Nonprofit organization means an organization qualified to do business in California and qualified under section 501(c)(3) of Title 26 of the United States Code (CWC § 79702(p)).

"Paper" Water

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

Performance Measure

A performance measure is a quantitative measure used to track progress toward a project objective/desired outcome.

Public Agency

Public agency means a California state agency or department, special district, joint powers authority, county, city, city or county, or other political subdivision of the state of California (CWC § 79702(s)).

Public Utilities

Public utilities are privately owned electric, natural gas, telecommunications, water, railroad, rail transit, and passenger transportation companies that are regulated by the Public Utilities Commission. To be eligible for funding, proposals must have a clear and definite public purpose and benefit the customers of the water system and not the investors (CWC § 79712(b)(1)).

State Wildlife Action Plan

The State Wildlife Action Plan (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 (CDFW 2015). The SWAP 2015 Update is a guide for resource managers, conservation partners, and the public in how they can participate in conserving California's precious natural heritage.

Water Right

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

“Wet” Water

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

7.2. Links

State Departments and Programs

Wildlife Conservation Board

- [WCB Strategic Plan](#)
- [WCB Strategic Plan Update, 2019-2024](#)
- [WCB SFEP Guidelines](#)
- [Concept Proposal Online Form](#)

California Department of Fish and Wildlife

- [Grant Opportunities](#)
- [State Wildlife Action Plan](#)
- [California Wildlife Habitat Relationships \(CWHR\)](#)
- [Coho Salmon Habitat Enhancement Leading to Preservation Act \(Coho HELP Act, AB 1961, Huffman\)](#)
- [Habitat Restoration and Enhancement Act of 2014 \(AB 2193, Gordon\)](#)
- [2018 Priority Water Diversions for Screening](#) (revised 10/1/2019)
- [2018 Fish Passage Priorities List](#) (revised 9/27/2019)

California Conservation Corps

- [Proposition 1](#)

California Natural Resources Agency

- [Bond Accountability](#)

California Department of Industrial Relations

California Department of Water Resources

State Water Resources Control Board

- [California Environmental Data Exchange Center \(CEDEN\)](#)
- [eWRIMS – Electronic Water Rights Information Management System](#)
- [Surface Water Ambient Monitoring Program](#)

Other Relevant Resources:

A Practitioner's Guide to Instream Flow Transactions in California (SWIFT)

California Water Action Plan

California Wetland Monitoring Workgroup

CEQA Information

- [Summary](#)
- [California State Clearinghouse Handbook](#)

Climate Change Information

- [CDFW's Climate Science Program](#)

- [Safeguarding California: Reducing Climate Risk](#)

Disadvantaged Community Information

- [Disadvantaged Communities Mapping Tool](#)

EcoAtlas

Enabling Legislation

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

Metadata Information

- [Biogeographic Information and Observation System \(BIOS\)](#)
- [Federal Geographic Data Committee](#)

Mutual Water Companies

- [California Corporations Code § 14300](#)

NEPA Information

- [United States Environmental Protection Agency](#)

Recovery Plans for Coho Salmon, Steelhead, and Chinook Salmon

- [2013 Task List for the Steelhead Restoration and Management Plan for California \(DFG 1996\)](#)
- [Recovery Strategy for California Coho \(DFG 2004\)](#)
- [Coho Salmon Recovery Tasks](#) – this site contains the most recent changes to the Coho Recovery Strategy and must be used for task selection instead of the original document (above)
- [Southern California Steelhead Recovery Plan NOAA Final Version: January 2012](#)
- [South-Central California Steelhead Recovery Plan NOAA Final: September 2013](#)
- [Recovery Plan for Evolutionarily Significant Unit of Central California Coast Coho Salmon Final Plan: September 2012](#)
- [List of Central California Coast Coho Salmon Recovery Actions](#)
- [Recovery Plan for the Evolutionarily Significant Unit of Southern Oregon/Northern California Coast Coho Salmon Public Final: September 2014](#)
- [Recovery Plan for the Evolutionarily Significant Units of Sacramento River Winter-Run Chinook Salmon and Central Valley Spring-Run Chinook Salmon and the Distinct Population Segment of California Central Valley Steelhead NOAA Final: July 2014](#)
- [Coastal Multispecies Recovery Plan, North Central California Coast Recovery Domain: California Coastal Chinook Salmon, Northern California Steelhead, Central California Coast Steelhead NOAA Public Draft: October 2015](#)

APPENDIX A

Full Proposal Technical Review Evaluation Criteria and Scoring Standards

Criteria	Weight Factor	Point Value	Maximum Criteria Score
<p>1. Purpose and Background/Scientific Merit</p> <ul style="list-style-type: none"> Does the proposal include a detailed description of the project purpose (i.e., the limiting factor(s) the project will reduce), background (e.g., How did the problem develop? What are the current/existing baseflow conditions), and sufficient rationale to justify the project need? Does the project clearly meet program goals and funding priorities? Is the underlying scientific basis for the proposed work clearly explained (e.g., does it include a clearly articulated conceptual model, if applicable) and is it based on the best available science? Are the goals, objectives, hypotheses, and questions clearly stated, reasonable and internally consistent? Are the anticipated improvements addressing the limiting factor(s) quantified? Are the project location and boundaries clearly delineated? <p>Scoring: See Standard Scoring Criteria (Section 5.2).</p>	1.5	0-5	7.5
<p>2. Project Outcomes – Enhances Stream Flow</p> <p>Projects must measurably enhance stream flows (a change in the amount, timing, and/or quality of the water flowing down a stream, or a portion of a stream, to benefit fish and wildlife) at a time and location necessary to provide fisheries or ecosystem benefits that improve upon existing flow conditions, are measurable, and significant, in that they help alleviate a limiting factor.</p> <ul style="list-style-type: none"> How significant is the anticipated stream flow enhancement in the context of the stream’s current (pre-project) flow regime? Will the limiting factor be eliminated or reduced and by how much? <p>Scoring:</p> <p><i>Note:</i> Scientific Study and Planning proposals will be scored on the anticipated future stream flow enhancement, taking into account the specific, future on-the-ground flow enhancement project(s) that the proposed activities are intended to support.</p> <ul style="list-style-type: none"> Proposals likely to provide stream flow enhancements that are highly significant and are supported by thorough and well-presented documentation will receive 5 points Proposals likely to provide stream flow enhancements that are highly significant but the quality of the supporting documentation is lacking will receive 4 points 	3	0-5	15

Criteria	Weight Factor	Point Value	Maximum Criteria Score
<ul style="list-style-type: none"> • Proposals likely to provide stream flow enhancements that are moderately significant and are supported by thorough and well-presented documentation will receive 3 points • Proposals likely to provide stream flow enhancements that are moderately significant but the quality of the supporting documentation is lacking will receive 2 points • Proposals likely to provide stream flow enhancements of low significance will receive 1 point • Proposals that do not provide an apparent stream flow enhancement will receive a score of zero (<i>Note: proposals that receive a score of zero for this criterion will not be eligible for funding</i>) 			
<p>3. Project Outcomes – Diversity and Significance of Other Benefits</p> <p>The extent to which the project provides multiple tangible benefits and the proposal provides sufficient analysis and documentation to demonstrate the significance of those benefits and the likelihood that they will be realized.</p> <p>Examples of other potential benefits include:</p> <ul style="list-style-type: none"> • Reduce stressors on native species • Increase habitat for anadromous fish or threatened and endangered species • Drought preparedness • Climate change resiliency • Use and reuse water more efficiently • Integrated flood management • Expand environmental stewardship, community engagement, or education <p>Scoring:</p> <p><i>Note:</i> Scientific Study and Planning proposals will be scored on the anticipated future benefits, taking into account the specific, future on-the-ground flow enhancement project(s) that the proposed activities are intended to support.</p> <ul style="list-style-type: none"> • Proposals likely to provide multiple benefits that are highly significant and are supported by thorough and well-presented documentation will receive 5 points • Proposals likely to provide multiple benefits that are highly significant, but the quality of the supporting documentation is lacking will receive 4 points • Proposals likely to provide multiple benefits that are moderately significant and are supported by thorough and well-presented documentation will receive 3 points • Proposals likely to provide multiple benefits that are moderately significant, but the quality of the supporting documentation is lacking will receive 2 points • Proposals likely to provide benefits that are of low significance will receive 1 point • Proposals that do not provide an apparent benefit will receive a score of zero 	1.5	0-5	7.5

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<p>4. Project Team Qualifications The proposal clearly demonstrates that the project team has the qualifications, experience, and capacity to perform the proposed tasks.</p> <p>Scoring:</p> <ul style="list-style-type: none"> Proposals that demonstrate an appropriate level of expertise and, where applicable, successful completion of previously funded grants will receive 5 points. Proposals that demonstrate an appropriate level of expertise and, where applicable, successful completion of previously funded grants, but some key subcontractors are not named, will receive 4 points. Proposals in which the project team lacks some expertise, has had some problems with successful completion of previously funded grants, or some key subcontractors are not named, or named subcontractors are not appropriate for work, will receive 2 to 3 points Proposals in which the project team lacks a lot of expertise and/or has had many problems with successful completion of previously funded projects, or no key subcontractors are named, will receive 1 point Proposals in which the project team is unqualified, there have been persistent problems with completing previously funded grants, or problematic subcontractors are identified will receive a score of zero 	1	0-5	5
<p>5. Work Plan – Approach, Feasibility, and Scope</p> <ul style="list-style-type: none"> Is the work plan sufficiently detailed to serve as a statement of work for a grant agreement? Is there an adequate description of the responsible parties and means by which each element of the project will be implemented (e.g., methods/techniques used, materials and equipment used, etc.)? Is the approach well designed and does it include tasks appropriate for meeting the objectives of the project? Is the project technically feasible from a biological and engineering perspective? Is it feasible to complete the project within the term of the grant agreement? Does the project apply methods and technologies that are appropriate, understood, and well proven? If not, does the proposal provide an adequate basis for the use of new or innovative technology or practices? <p>Scoring: See Standard Scoring Criteria (Section 5.2).</p>	2	0-5	10

Criteria	Weight Factor	Point Value	Maximum Criteria Score
<p>6. Schedule and Deliverables Extent to which the proposed schedule demonstrates a logical sequence and timing of project activities, with reasonable milestones and appropriate deliverables, and that aligns with the work plan (task descriptions).</p> <p>Scoring: See Standard Scoring Criteria (Section 5.2).</p>	1.5	0-5	7.5
<p>7. Data Management Extent to which the proposal clearly demonstrates the means by which data and other information generated by the project will be handled, stored, and made publicly available. How well do the proposed data management activities address the specific requirements identified in Section 3.5, Data Management of this Solicitation, including:</p> <ul style="list-style-type: none"> • Where applicable, will geospatial data be delivered to WCB in an ESRI-useable format where applicable and documented with metadata in accordance with the CDFW Minimum Data Standards • If water quality data will be collected by the project, does the proposal discuss integration of data into the State Water Resources Control Board's California Environmental Data Exchange Network (CEDEN) or Groundwater Ambient Monitoring Assessment (GAMA) Program? <p>Scoring: See Standard Scoring Criteria (Section 5.2).</p>	0.5	0-5	2.5
<p>8. Specific Category Considerations Approach to evaluating and scoring this criterion varies by project category</p> <p><i>Acquisition and Implementation Projects – Project Monitoring and Reporting</i></p> <p>The proposed approach will be evaluated in the context of the project type, objectives, scale, and complexity of the project.</p> <ul style="list-style-type: none"> • Does the proposal demonstrate a clear and reasonable approach for monitoring, assessing, and reporting project effectiveness / performance consistent with the project's objectives? • Are the performance measures appropriate and adequate to demonstrate the project's outcomes? • Does the proposal leverage existing monitoring efforts or produce data that can be readily integrated with such efforts, where applicable/feasible? • Does the proposal contain a description of baseline monitoring that would be or has already been conducted, in order to support effectiveness monitoring and does it appear to be reasonable? <p>Scoring: See Standard Scoring Criteria (Section 5.2)</p>	1.5	0-5	7.5

Criteria	Weight Factor	Point Value	Maximum Criteria Score
<p><i>Planning Projects – Preparing for Project Effectiveness Monitoring</i></p> <ul style="list-style-type: none"> • Does the proposal contain a reasonable description of baseline monitoring that would be or has already been conducted? • Does the proposal identify how and when a monitoring plan was or will be developed in order to support future effectiveness monitoring? <p>Scoring: See Standard Scoring Criteria (Section 5.2)</p> <p><i>Scientific Study Projects – Timeliness and Need</i></p> <ul style="list-style-type: none"> • Is the idea timely and is there strong opportunity for progress? • Is the study justified relative to existing knowledge? • How well does the proposed study build upon existing knowledge in the watershed? • To what extent does the project address key scientific uncertainties and fill important information gaps? • Does the project have a high potential to address and resolve areas of scientific conflict? • If applicable, is the project likely to generate novel information, methodologies, or approaches? • Does the project have partial support and commitments that can be greatly enriched by focused short-term funding? <p>Scoring: See Standard Scoring Criteria (Section 5.2)</p>			
<p>9. Climate Change Considerations To what extent does the proposal describe susceptibility of the project target(s) (flow, habitat and/or species) to climate change impacts and how the project accounts for and provides for adaptation to those known or potential climate change impacts anticipated at the project site? To what extent does the project provide climate change adaptation and resilience benefits to wildlife, habitat, and ecosystem function?</p> <p>Scoring: See Standard Scoring Criteria (Section 5.2).</p>	0.5	0-5	2.5
<p>10. Durability of Investment Approach to evaluating and scoring this criterion varies by project category.</p> <p><i>Implementation and Acquisition Projects</i></p> <p>The extent to which the project will deliver sustainable flow enhancements for 20 years or more.</p> <p>Scoring:</p>	3	0-5	15

Criteria	Weight Factor	Point Value	Maximum Criteria Score
<ul style="list-style-type: none"> • Proposals that legally protect instream flow dedications and/or provide durable improvements to limiting factors impacting stream flow and provide a well-defined long-term management and maintenance plan, including documentation of protection in perpetuity will receive 5 points • Proposals that legally protect instream flow dedications and/or provide durable improvements to limiting factors impacting stream flow and provide a well-defined long-term management and maintenance plan for a minimum of 20 years will receive 4 points • Proposals that may legally protect instream flow dedications and/or provide durable improvements to limiting factors impacting stream flow, but provide a less-than-well-defined long-term management and maintenance plan for a minimum of 20 years will receive 2 to 3 points • Proposals that may legally protect instream flow dedications and/or provide durable improvements to limiting factors impacting stream flow, but provide an inadequate long-term management and maintenance plan for a minimum of 20 years will receive 1 point • Proposals that do not legally protect instream flow dedications or provide durable improvements to limiting factors impacting stream flow for a period of at least 20 years will receive a score of zero <p><i>Planning Projects</i></p> <ul style="list-style-type: none"> • To what extent will the proposed project complete necessary planning activities (e.g., CEQA compliance, permitting, water right applications or petitions, and design plans), in order to advance a specific on-the-ground project to the implementation stage? • When will the related implementation project be ready to start (i.e., will planning activities advance the project toward implementation in a timely manner)? <p>Scoring: See Standard Scoring Criteria (Section 5.2).</p> <p><i>Scientific Study Projects</i></p> <p>The extent to which the project will generate information and associated products (e.g., publications, models) that will assess effectiveness of previously implemented stream flow enhancement projects or inform the design and implementation of current and/or future stream flow enhancement projects.</p> <ul style="list-style-type: none"> • Can the work produce results/outcomes over the duration of the project? • Are products of value likely from the project? • Is there a plan for widespread and effective dissemination of information gained from the project? • Will the information produced by the project be useful to practitioners implementing stream flow enhancement projects, resource managers, and policymakers? <p>Scoring: See Standard Scoring Criteria (Section 5.2).</p>			

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<p>11. Budget</p> <ul style="list-style-type: none"> • How clear, reasonable, and justified is the proposed budget? • Are the costs adequately justified for each task (for both WCB requested cost and cost share)? • Are the tasks shown in the budget justification consistent with those shown in the Work Plan and Schedule and Deliverables? <p>Scoring:</p> <ul style="list-style-type: none"> • Proposals for which the Budget is considered reasonable, and shows a detailed cost breakdown by task with clear justification of both WCB requested costs and cost share will receive 5 points • Proposals for which the Budget appears reasonable, and contains moderate detail by task with moderate justification of both WCB requested costs and cost share will receive 3 to 4 points • Proposals for which the Budget is insufficient, and contains little detail by task with little justification of either WCB requested costs or cost share will receive 1 to 2 points • Proposals for which the Budget is insufficient, and contains no detail by task and no justification of WCB requested costs and cost share will receive a score of zero 	1	0-5	5
<p>12. Leverages Other Funds</p> <p>To what extent does the proposal provide private, local, State, or federal cost share? Cost share includes cash and in-kind services. For the purposes of scoring this criterion, cost share must be secured prior to Application submission and must be spent between Solicitation release and end of the proposed WCB funded grant term.</p> <p>Scoring:</p> <ul style="list-style-type: none"> • Proposals in which >40% of the budget is funded by leveraging other funds will receive 5 points • Proposals in which 31-40% of the budget is funded by leveraging other funds will receive 4 points • Proposals in which 21-30% of the budget is funded by leveraging other funds will receive 3 points • Proposals in which 11-20% of the budget is funded by leveraging other funds will receive 2 points • Proposals in which 1-10% of the budget is funded by leveraging other funds will receive 1 point • Proposals that do not leverage other funds (0%) will receive a score of zero 	1.5	0-5	7.5
<p>13. Community Support and Collaboration</p> <ul style="list-style-type: none"> • Does the project have public and institutional support, at the local, regional, and/or larger scale (this may include collaborators, partners, elected officials, supporters, other granting organizations, and engaged stakeholders)? 	1	0-5	5

Criteria	Weight Factor	Point Value	Maximum Criteria Score
<ul style="list-style-type: none"> Does the applicant demonstrate that the community is engaged in the project by providing funds, in-kind contributions (i.e., administrative/technical services, labor, materials, equipment, etc.), partnerships, or other evidence of support? Does the applicant describe efforts to include stakeholders in project planning, design, outreach/education, implementation, monitoring, maintenance, etc.? <p>Scoring: See Standard Scoring Criteria (Section 5.2).</p>			
<p>14. Disadvantaged Communities The extent to which the project benefits a disadvantaged community as defined in California Water Code Section 79702(j) (refer to Section 3.9 Disadvantaged Community).</p> <p>Scoring:</p> <ul style="list-style-type: none"> Projects that are located within and provide benefits to one or more disadvantaged communities will receive 5 points Projects that are not located within a disadvantaged community but provide benefits to one or more disadvantaged communities will receive 3 points Projects that do not provide benefits to a disadvantaged community will receive a score of zero 	0.5	0, 3, or 5	2.5
<p>Total Possible Score</p>	---	---	100
<p>Applicability to Solicitation Priorities Provide a determination and supporting justification addressing the following questions:</p> <ul style="list-style-type: none"> Does the project align with the funding priority? Is the project likely to lead to, or result in, a meaningful stream flow enhancement? 	N/A	N/A	N/A
<p>Strengths and Weaknesses Identify key strengths and deficiencies that may influence the likelihood of achieving the proposed benefits.</p>	N/A	N/A	N/A
<p>Significant Concerns Identify significant issues that should be considered by the Selection Panel or should be addressed by the grant manager (if project is awarded funds).</p>	N/A	N/A	N/A