



## Cannabis Restoration Grant Program



FY 2021-2022 Proposal Solicitation Notice,  
Watershed Enhancement  
California Department of Fish and Wildlife

**Application Deadline: June 3, 2022**

# California Department of Fish and Wildlife



*The Mission of the Department of Fish and Wildlife is to manage California's diverse fish, wildlife, and plant resources, and the habitats upon which they depend, for their ecological values and for their use and enjoyment by the public.*

## FOREWORD

The California Department of Fish and Wildlife (CDFW) is seeking high quality grant proposals that support the enhancement of watersheds and communities where cannabis cultivation occurs. These grants are provided through the Environmental Restoration and Protection Account pursuant to Revenue and Taxation Code section 34019(f)(2)(A). This Proposal Solicitation Notice (Solicitation) for Fiscal Year 2021-2022 focuses on planning, cleanup and remediation, or implementation projects across multiple project types outlined herein.

This Solicitation addresses priorities that will contribute to the objectives of the State of California's Revenue and Taxation code Section 34019(f)(2)(A) as well as CDFW's mission to manage California's diverse fish, wildlife, and plant resources and the habitats upon which they depend, for their ecological values and for their use and enjoyment by the public. CDFW will award these funds through a competitive process administered by the Cannabis Restoration Grant Program (CRGP). All qualified, eligible entities are encouraged to submit grant proposals.

## Award Information

- Anticipated Total Funding: up to \$10 million
- Grant award notifications anticipated in summer/fall 2022
- Grant-funded project work must be complete by fall 2025

## Eligibility Information

Eligibility under this Solicitation is defined by Fish and Game Code Section §1501.5(b). Eligible entities include: federal, state, and local public agencies and institutions within California (including public universities); nonprofit organizations qualified to do business in California and qualified under Section 501(c)(3) of Title 26 of the United States Code; and California Native American tribes as defined in the Public Resources Code section 21073. Other entities that are not eligible for funding under this Solicitation may work as subcontractors for an eligible applicant.

See [Section 4.1](#) for detailed information.

## Geographic Focus

Funds under this Solicitation will be available for projects statewide. However, proposed projects within a [Cannabis Priority Watershed](#), as defined by the State Water Resources Control Board in coordination with CDFW, and/or identified as a priority stream in the California Water Action Plan are encouraged.

See [Section 4.2](#) for detailed information.

## **Proposal Deadline**

The complete proposal and all supporting documentation must be submitted via the [CDFW WebGrants System](#) by 4:00 PM, Pacific Daylight Time, on June 3, 2022.

## **Solicitation and Application Workshop**

CDFW held a workshop before the release of the finalized Solicitation to provide details regarding this Solicitation and technical assistance with the application. Please see the CDFW Cannabis Restoration Grant Program [website](#) for workshop details. The workshop was recorded and made available online.

## **Contacts**

For questions about this Solicitation please e-mail [canngrantprogram@wildlife.ca.gov](mailto:canngrantprogram@wildlife.ca.gov). This Solicitation, the Application Form and associated attachments, and information about the Cannabis Restoration Grant Program can be found on the [CRGP website](#).

# Table of Contents

<b>FOREWORD</b> .....	i
<b>1 BACKGROUND</b> .....	1
1.1 Funding .....	1
1.2 Solicitation Schedule.....	1
<b>2 SOLICITATION PRIORITY &amp; PROJECT TYPES</b> .....	2
2.1 Project Type - Road Treatments.....	2
2.2 Project Type - Cleanup and Remediation on Private Lands.....	2
2.3 Project Type - Wildlife and Habitat Enhancements.....	2
2.4 Project Type - Water Conservation .....	3
<b>3 PROJECT CATEGORIES</b> .....	4
3.1 Planning .....	4
3.2 Cleanup and Remediation .....	4
3.3 Implementation .....	5
<b>4 PROPOSAL CONDITIONS FOR ALL PROJECT TYPES</b> .....	5
4.1 Eligible Entities .....	5
4.2 Geographic Focus.....	5
4.3 Budget.....	6
4.3.1 Cost Share.....	6
4.3.2 Indirect Costs .....	6
4.3.3 Ineligible Costs .....	6
4.4 Conflict of Interest .....	7
4.5 Confidentiality .....	7
4.6 California Conservation Corps Consultation.....	7
4.7 Cannabis Equity Program .....	8
4.8 Land Tenure/Site Control.....	8
4.9 CDFW Engineer/Geologist Interaction and Coordination .....	8
4.10 Qualifications and Licensed Professionals.....	10
4.11 Labor Code Requirements: Prevailing Wage .....	10
4.12 Long-term Management and Maintenance .....	11
4.13 Environmental Compliance and Permitting.....	11
4.13.1 Planning.....	11
4.13.2 Cleanup and Remediation .....	12

4.13.3 Implementation .....	12
4.14 Water Law .....	12
4.15 Illegal Water Diversions .....	12
4.16 Recognition of Funding Source.....	12
4.17 Hazardous Materials.....	13
4.18 Coordination with Law Enforcement Agencies.....	13
4.19 Project Location Topographic Map.....	13
4.20 Project Monitoring and Reporting .....	13
4.21 Data Management.....	15
<b>5 SUBMISSION PROCESS .....</b>	<b>16</b>
<b>6 REVIEW AND SELECTION PROCESS .....</b>	<b>16</b>
6.1 Administrative Review .....	16
6.2 Technical Review .....	17
6.3 Engineering-Geologic Review .....	19
6.4 Selection Panel Review.....	20
6.5 Final Approval .....	20
<b>7 REQUIRMENTS IF FUNDED .....</b>	<b>21</b>
7.1 Grant Agreement.....	21
7.2 Responsibility of the Grantee .....	21
7.3 Invoicing and Payments .....	21
7.4 Reporting .....	22
7.5 Performance Retention.....	22
7.6 Loss of Funding .....	22
7.7 General Terms and Conditions .....	23
7.8 Liability Insurance – Additional Coverage .....	23

## Tables

Table 1. Proposal Solicitation Process and Anticipated Schedule .....	1
Table 2. Administrative Review Evaluation Criteria .....	17
Table 3. Technical Review Evaluation Criteria and Scoring Standard .....	18

## Appendices

Appendix A – Useful Web Links.....	24
Appendix B – Glossary of Terms .....	25

## Acronyms and Abbreviations

BPC	Business and Professions Code
CALCC	California Association of Local Conservation Corps
CCC	California Conservation Corps
CDFW	California Department of Fish and Wildlife
CEQA	California Environmental Quality Act
Corps	CCC and CALCC, collectively
CRGP	Cannabis Restoration Grant Program
CWC	California Water Code
DGS	Department of General Services
DMP	Data Management Plan
NEPA	National Environmental Policy Act
NOAA	National Oceanic and Atmospheric Administration
PT	Pacific Time
PRC	Public Resources Code
Solicitation	Proposal Solicitation Notice
SWRCB	State Water Resource Control Board

# 1 BACKGROUND

CDFW will provide funding to implement watershed and community enhancements in areas impacted by cannabis cultivation.

Proposals to enhance watersheds and communities should solicit funds for, but not limited to: road decommissioning, road crossing upgrades, erosion and sediment delivery prevention actions, culvert upgrades, water conservation, cleanup and remediation of impacts of illicit cannabis operations on private lands, and/or enhancing biodiversity and wildlife habitat within watersheds, among other projects of similar nature.

This document details eligibility requirements, the proposal process, proposal review procedures, and other pertinent information. Eligible entities are encouraged to thoroughly read this Solicitation prior to deciding to submit a proposal.

## 1.1 Funding

Funding of proposals submitted under this Solicitation are subject to availability of funds. Approximately \$10 million will be available for enhancing watersheds and communities where cannabis cultivation occurs. Projects under this Solicitation are anticipated to begin in summer/fall of 2022 and shall end no later than the summer/fall of 2025. Proposal timeframes must occur within this period.

Future Solicitation for CRGP may have different funding limitations and/or focus on different CRGP priorities. Please check the CDFW Cannabis Restoration Grant Program [website](#) for the most current Solicitation grant opportunities.

## 1.2 Solicitation Schedule

The proposal solicitation schedule is outlined in Table 1. CDFW will advertise timeline updates through e-mail announcements, posting on the [CRGP website](#), and news releases. Please [sign up](#) for email updates on CDFW's Grant News Notification page.

**TABLE 1. PROPOSAL SOLICITATION PROCESS AND ANTICIPATED SCHEDULE**

<b>Activity</b>	<b>Schedule</b>
CRGP Draft Solicitation and Application Public Workshop	<b>April 22, 2022</b>
Public comments on draft Solicitation due by 4:00PM, PT	<b>April 26, 2022</b>
Release Solicitation	<b>April 29, 2022</b>
Proposals due by 4:00 PM, Pacific Daylight Time (PT)	<b>June 3, 2022</b>
Proposal Evaluation	<b>~6-8 weeks</b>
CDFW Director approval	<b>~8 weeks</b>
Execute grant agreements	<b>Summer/Fall 2022</b>
All project work completed, and final invoices submitted for payment	<b>3 years after grant execution</b>



## 2 SOLICITATION PRIORITY & PROJECT TYPES

All proposals submitted under this Solicitation need to concisely describe how the project will accomplish the following objectives:

- 1) Restore or enhance aquatic, riparian, and/or upland native species habitat or habitat connectivity.
- 2) Protect aquatic, riparian, and/or upland native species.
- 3) Alleviate a limiting factor<sup>1</sup> within the watershed.

Additionally, all grants funded by CDFW under this Solicitation must fall within the following priority and may be considered under one or more of the following project types:

### Priority: Enhance Watersheds and Communities

#### 2.1 Project Type - Road Treatments

Activities that may be eligible through this Solicitation under Road Treatments include, but are not limited to: road upgrading, road decommissioning, culvert and road crossing upgrades, and other sediment prevention delivery actions. Road Treatment projects must be necessary due to cannabis cultivation activities within a watershed. All relevant activities must meet the criteria for the specific action as described in Parts IX, X, and XII in Volume II of the California Salmonid Stream Habitat Restoration Manual, (California Department of Fish and Game and Designing Watercourse Crossings for Passage of 100-Year Flood Flows, Wood, and Sediment (Cafferata et al, 2017)). If the proposal is funded, Final Plans (100% plans) accepted by CDFW technical/engineering staff will be required before implementation of the project.

#### 2.2 Project Type - Cleanup and Remediation on Private Lands

Activities that may be eligible through this Solicitation under Cleanup and Remediation will reduce delivery of environmental contaminants and waste into the watershed by removing refuse and infrastructure associated with illegal cannabis cultivation on private land within a watershed. Projects can include the removal of stream crossings or water diversion infrastructure associated with illegal cannabis cultivation.

#### 2.3 Project Type - Wildlife and Habitat Enhancements

Activities that may be eligible through this Solicitation under Wildlife and Habitat Enhancements include but are not limited to: preventing accidental injury/death; habitat improvements for birds, bats, and pollinators; poisoning

---

<sup>1</sup> Limiting factors are conditions that limit the growth, abundance, or distribution of target organisms or a population of organisms in a given habitat.

prevention with rodenticides, limiting human disturbance to wildlife, minimizing the spread of invasive species, enhancing native habitat, habitat connectivity, and fire resilience.

## 2.4 Project Type - Water Conservation

Activities that may be eligible through this Solicitation under Water Conservation include but are not limited to: off-channel water storage, groundwater storage and conjunctive use, and irrigation efficiencies. Note that any activity identified within the Water Conservation project type must be accompanied with a forbearance agreement, which can include a Small Irrigation Use Registration for Cannabis Cultivation, or instream dedication pursuant to California Water Code (CWC) section 1707. For example, an applicant could propose to construct off-channel storage and irrigation efficiencies coupled with a forbearance agreement to protect the conserved water.

Each Water Conservation proposal must describe the following additional specific information in the project description as appropriate:

1. 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. 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 State Water Resource Control Board (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.
2. For projects involving water diversions or diversion-related infrastructure, an applicant must demonstrate to CRGP 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 CRGP any operational conditions, agreements, court or SWRCB orders or

decrees affecting the asserted water right. Projects involving activities described in Fish and Game Code section 1602 may require a Lake or Streambed Alteration Agreement.

### 3 PROJECT CATEGORIES

Eligible project categories for this Solicitation are Planning, Cleanup and Remediation, and Implementation. Proposals may only include one project category. Each project category is described below.

#### 3.1 Planning

Planning grants provide funding for activities that will lead to a specific on-the-ground implementation project. Applicants should consider CDFW grant managers, regional liaisons, and engineers/geologists' part of the stakeholder and/or technical advisory groups formed for the project. Inclusion of CDFW staff in planning level decisions streamlines the grant process for eventual implementation of the project. 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 for Planning projects include, but are not limited to:

- Preparing plans or supplementing existing plans (e.g., watershed and habitat assessments) that will result in a specific project or set of projects
- Developing monitoring, adaptive management, climate change adaptation, and long-term management plans for a specific project
- Performing necessary studies and assessments, collecting baseline data, and developing project designs related to a specific site or physical project
- Obtaining the services of qualified licensed professional (refer to [Section 4.10](#) for guidance on when licensed professionals are required)
- Acquiring permits
- Preparing California Environmental Quality Act (CEQA) and National Environmental Protection Act (NEPA) documents
- Conducting stakeholder and public meetings

#### 3.2 Cleanup and Remediation

Cleanup and Remediation grants fund categorically exempt CEQA and categorically excluded NEPA activities, which result in the cleanup and remediation of environmental damage in watersheds affected by cannabis cultivation on private lands. Eligible activities for include, but are not limited to:

- Finalizing site selection for cleanup and remediation projects
- Submitting a Notice of Exemption and/or Categorical Exclusion
- Waste and infrastructure removal
- Acquiring permits
- Hazardous material testing and disposal
- Training and capacity building to increase cleanup efforts

### 3.3 Implementation

Implementation grants fund construction and monitoring of shovel-ready restoration and enhancement projects. Applicants must demonstrate CEQA compliance, and submit 65% or higher design plans, Basis of Design Report, and technical studies. Eligible activities for Implementation projects include, but are not limited to:

- Preparation of bid packages and subcontractor documents
- Development of final engineering design
- Finalizing permits
- Construction
- Monitoring

## 4 PROPOSAL CONDITIONS FOR ALL PROJECT TYPES

Applicants must demonstrate that the proposed project is consistent with the eligibility requirements, priority, and project categories. Applicants must be in compliance with all stated requirements of this Solicitation. Any changes to the proposal application submission process will be posted in a timely manner on CDFW's CRGP [website](#).

### 4.1 Eligible Entities

The following entity types are eligible (FGC §1501.5(b)):

- Public agencies (federal, state, local);
- Nonprofit organizations qualified to do business in California and qualified under Section 501(c)(3) of Title 26 of the United States Code; and
- California Native American tribes, as that term is defined in Public Resources Code Section 21073.

Proposals from private individuals, for-profit enterprises, or out-of-state public entities (except those that are nonprofit organizations registered with the California Secretary of State) are ineligible for funding under this Solicitation, however, these entities can work as subcontractors for an eligible applicant. Actions required by compensatory mitigation as defined by CEQA Guidelines Section 15370(e), or mitigation pursuant to a court order or settlement agreement will not be funded. Projects that include mitigation efforts as defined above may be considered for funding, but only for those activities that will go beyond the required mitigation may be eligible.

### 4.2 Geographic Focus

Funds under this Solicitation will be available for projects statewide. However, if proposed projects are within a [Cannabis Priority Watershed](#), as defined by the State Water Resources Control Board in coordination with CDFW, and/or identified as a priority stream in the [California Water Action Plan](#), they will receive higher scores under the "Solicitation Priorities" scoring criteria section of the full application phase.

## 4.3 Budget

Eligible costs are only project-related costs associated with an eligible project activity identified in the grant agreement. Eligible costs can only be incurred during the project period specified in the grant agreement. All such costs must be supported by appropriate invoices, purchase orders, canceled warrants, and/or other records.

Applicants should budget for all costs associated with project delivery, for example: presentations to CDFW including travel, long term management plan development, monitoring plan development (if not included in proposal), project signage, publication fees, permit fees, subcontractor costs, etc. Subcontractor costs must be reasonable under the circumstances of the proposal and should be consistent with grantee's cost requirements.

### 4.3.1 Cost Share

Cost share is the portion of the project cost not funded by the awarding agency (CDFW) and is provided by the applicant and/or other sources (e.g., private companies, nonprofit organizations, public agencies, and/or other entities). Cost share must support the proposed project and be spent during the term of the executed grant agreement. Cost share is not required; however, proposals with higher proportions of secured cost share will receive higher scores during the evaluation process.

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

### 4.3.2 Indirect Costs

The applicant's indirect cost (administrative overhead) calculations are limited to actual costs and cannot exceed 20 percent of the direct costs. Direct costs may include up to \$25,000 of each subcontract but shall not include equipment costs as defined in [CDFW General Grant Provisions](#). CDFW will not fund any amount over 20 percent, but the applicant can use applicant's funds above the 20 percent as cost share. Indirect costs include, but are not limited to, utilities, office space rental, phone, use of computers and office equipment, postage, and copying related to completion of the proposed project. Applicant must itemize indirect costs. The costs cannot be rolled into direct costs.

### 4.3.3 Ineligible Costs

The following are ineligible costs for reimbursement:

- Costs incurred outside of the grant agreement term
- Costs related to the preparation of the grant proposal
- Indirect costs greater than 20% of the direct costs

- Student tuition and fees
- Intern stipends
- Travel, equipment, and other property costs not specifically identified in the grant budget, and/or not following the [CDFW General Grant Provisions](#).
- Out of state travel without prior written authorization from CDFW
- Appraisal, title, or escrow costs
- Costs for CEQA or NEPA document completion on implementation projects
- Insurance, including liability insurance
- Activities performed by law enforcement<sup>2</sup>

#### 4.4 Conflict of Interest

All applicants and individuals who participate in the review of submitted proposals are subject to State and federal conflict of interest laws. Any individual who has participated in planning or setting priorities for a specific solicitation or who will participate in any part of the grant development and negotiation process on behalf of the public is ineligible to receive funds or personally benefit from funds awarded through that solicitation.

Applicants should also be aware that certain State agencies may submit proposals that will compete for funding. Employees of State and federal agencies may participate in the review process as scientific and technical reviewers but are subject to the same State and federal conflict of interest laws.

Failure to comply with the conflict of interest laws, including business and financial disclosure provisions, will result in the proposal being rejected and any subsequent grant agreement being declared void. Other legal actions may also be taken. Applicable statutes include, but are not limited to, California Government Code section 1090 and Public Contract Code sections 10365.5, 10410, and 10411.

#### 4.5 Confidentiality

Once the proposal has been submitted to CDFW, any privacy rights, as well as other confidentiality protections afforded by law with respect to the application package will be waived. Unsealed proposals are public records under the California Government Code sections 6250-6276.48.

#### 4.6 California Conservation Corps Consultation

All applicants for projects that include field work should consult with the California Conservation Corps (CCC) and the California Association of Local Conservation Corps (CALCC) as to the feasibility of using their services. If Corps services are available, applicants should identify the appropriate Corps and the components of the project where work will be completed in the Project Narrative and include estimated costs in the Budget. Applicants awarded funding must thereafter work with either the CCC or California Association of Local Conservation Corps (CALCC) to develop a statement of work and enter into a contract with the appropriate Corps.

---

<sup>2</sup> Law enforcement activities may be eligible as a subcontractor cost and will be evaluated by CRGP on a case-by-case basis.



## 4.7 Cannabis Equity Program

The Governor's Office of Business and Economic Development (Go-Biz) administers the Cannabis Equity Grants Program for Local Jurisdictions to aid local equity program efforts to support equity applicants and equity licensees. Offering technical support, regulatory compliance assistance, and assistance with securing the capital necessary to begin a business furthered the stated intent of the Tax Adult Use of Marijuana Act by reducing barriers to entry into the regulated cannabis industry. If applicable, applicants working with local equity applicants, local equity licensees, and/or part of a local equity program(s), as defined by the Business and Professions Code (BPC), Division 10, Chapter 23, Section 26240 (c-e), will receive higher scores during the proposal evaluation process.

## 4.8 Land Tenure/Site Control

Applicants for Implementation and Cleanup and Remediation projects that involve access to private property must demonstrate landowner permission to access the site. Implementation and Cleanup and Remediation projects conducting on-the-ground work must submit documentation showing that they will have adequate tenure to, and site control of, the properties to be improved or restored for at least 10 years. When an applicant does not have tenure at the time of proposal submission, the applicant must submit a proposed agreement template, memorandum of understanding, or landowner permission form with the proposal submission. If awarded, an executed site access agreement is required prior to execution of the grant agreement.

Land tenure agreements must provide CDFW access to the project site at least once every 12 months for 10 years. Proof of adequate land tenure includes:

- 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

## 4.9 CDFW Engineer/Geologist Interaction and Coordination

For projects that involve engineering design or geologic investigations, the project should proceed as follows:

1. Project kick-off meeting in the field to discuss design approach, site constraints, data collection, project setting, goals and objectives, potential alternatives, etc. The grantee, design sub-contractor, regional CDFW biologists, CDFW permitting staff, CDFW engineer/geologist, landowners, and other stakeholders should attend the meeting. The CDFW engineer/geologist should participate in developing an understanding of the site, brainstorming initial alternatives, and discussing the collection of necessary data for design. CDFW should designate a lead person for each project. The CDFW lead person would be responsible for keeping all CDFW

headquarters and regional staff informed during the design process.

2. Check in with the CDFW lead person to discuss anything discovered during data collection that will affect design approach, goals and objectives, potential alternatives, etc.
3. Existing conditions and alternatives analysis report – this includes meeting with kick-off group to review alternatives and come to a consensus on preferred alternative. The CDFW engineer/geologist should participate in discussing how collected data should inform the design and in the process of selecting a preferred alternative.
4. 30% design plans and basis of design (BOD) report – this will detail the rationale for selecting alternative and development of preferred alternative to vet the feasibility of the design. Initial calculations regarding controlling factors should be presented to show that the design will work (performance-based design). The CDFW engineer/geologist should be invested in making the selected alternative work and should collaborate on how to negotiate design challenges.
5. 65% design plans and updated BOD report – this includes grading plans, sections and profiles, limits of disturbance, site access, construction details. The CDFW engineer/geologist should provide detailed input into the specifics of the design to make sure that the benefits to the stream and habitat are maximized (checking of the performance-based design analysis).
6. 90% design plans and updated BOD report – this includes refined sheets from 65% plans that incorporate comments, structural, mechanical, electrical, revegetation plans should be included, draft specifications. The CDFW engineer/geologist should develop an understanding of how the additional plan sheets will impact design performance and give input on performance needs and should check the specifications for clarity.
7. 100% design plans and updated BOD report – this includes the incorporation of comments from 90% plans and specifications. These are the plans used for construction bids.

All engineering designs are subject to review and acceptance by CDFW Engineering staff. If CDFW Engineering staff have not been involved with design development and an applicant submits 65% or higher design plans and the proposal is approved or conditionally approved (see [Section 6.3](#)), then a project kick-off meeting with all relevant CDFW staff and project team representatives will be required. The CDFW engineer/geologist should participate in developing the subsequent design plans and other required reports and documents.

Review and acceptance of engineering design plans by CDFW Engineering staff does not imply CDFW responsibility or liability for the performance of this aspect or any other



aspect of the project. Such liabilities and assurances of performance are the responsibility of the applicant and/or their engineering contractor.

#### 4.10 Qualifications and Licensed Professionals

Applicants must demonstrate that the project team has the experience, facilities/equipment, and capacity to successfully perform the proposed tasks by describing prior projects completed by the applicant and other qualifications of the project team. The project team includes all applicant staff and subcontractors that will be performing the work described in the proposal.

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

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

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

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

Projects consisting only of vegetation planting or invasive species removal activities do not require a licensed professional.

#### 4.11 Labor Code Requirements: Prevailing Wage

Grants awarded through the Cannabis Restoration Grant Program may be subject to prevailing wage provisions of Part 7 of Division 2 of the California Labor Code (CLC),

commencing with section 1720. Typically, the types of projects that are subject to the prevailing wage requirements are public works projects. Existing law defines "public works" as, among other things, construction, alteration, demolition, installation, or repair work done under contract and paid for in whole or in part out of public funds. Assembly Bill 2690 (Hancock, Chapter 330, Statutes of 2004) amended CLC section 1720.4 to exclude most work performed by volunteers from the prevailing wage requirements until January 1, 2017.

The grantee shall pay prevailing wage to all persons employed in the performance of any part of the project if required by law. Any questions of interpretation regarding the CLC should be directed to the Director of the Department of Industrial Relations, the department having jurisdiction in these matters. Refer to the [Department of Industrial Relations website](#) and California Fish and Game Code Section 1501.5 for more details.

## 4.12 Long-term Management and Maintenance

Implementation and Cleanup and Remediation projects shall summarize long-term management and maintenance planning for at least five years, or the life of the project, whichever is longer. If a detailed Long-Term Management Plan has not been prepared, one must be included as a deliverable.

## 4.13 Environmental Compliance and Permitting

Projects funded through this Solicitation must be in compliance with applicable State, tribal and federal environmental laws and regulations, including the California Environmental Quality Act (CEQA), National Environmental Protection Act (NEPA), and other environmental permitting requirements. 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, state what permits have been obtained or the process through which the permits will be obtained, and describe the anticipated timeframe for obtaining each permit. Actions required by compensatory mitigation as defined by CEQA Guidelines Section 15370(e), or mitigation pursuant to a court order or settlement agreement will not be considered for funding. Projects that include mitigation efforts as defined above may be considered for funding, but only for those activities that will go beyond the required mitigation may be eligible.

If a project includes or is involved with an active cultivation site, the Department of Cannabis Control (formerly the California Department of Food and Agriculture) license number, and any associated permit numbers will be requested.

### 4.13.1 Planning

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

#### 4.13.2 Cleanup and Remediation

Cleanup and Remediation projects that include preparation and submission of a Notice of Exemption (CEQA) and/or Categorical Exclusion documentation (NEPA) must identify which Exemption(s)/ Exclusions(s) will be used; submission to the State Clearinghouse and/or appropriate federal agency within 30 days of the grant agreement being executed with CDFW is required, with proof of submission to CDFW.

#### 4.13.3 Implementation

Proposals must demonstrate that all CEQA obligations will be complete prior to the final funding approval. The deadline for CEQA completion is 15 days prior to CDFW Director approval of projects. For purposes of this Solicitation, CDFW will consider CEQA obligations complete when the lead agency has filed a Notice of Determination with the Office of Planning and Research for that lead agency's approval of the project, or upon adequate documentation that the project qualifies for an exemption. CDFW will exercise its independent judgment about whether its decision to fund a project would be subject to a CEQA statutory exemption or eligible for a categorical exemption. Implementation project proposals should include documentation of compliance with these requirements to the extent it is available at the time the proposal is submitted.

### 4.14 Water Law

Funded grants that address stream flows and water use shall comply with the California Water Code (CWC), as well as any applicable State or federal laws or regulations. Any proposal that would require a change to water rights, including, but not limited to, bypass flows, point of diversion, location of use, purpose of use, or off-stream storage shall demonstrate an understanding of the California State Water Resources Control Board (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. Prior to its completion, any water right acquisition must be supported by a water rights appraisal approved by the Department of General Services Real Property Services Section.

### 4.15 Illegal Water Diversions

When applicable, a proposal must include methods to locate and remove or rectify all illegal water diversions and impoundments associated with the project site.

### 4.16 Recognition of Funding Source

The grantee must include signage, to the extent practicable, informing the public that the project received funds through CDFW from the Cannabis Restoration Grant Program. Recognition of funding under this program extends to publications, websites, and other media-related and public-outreach products.

## 4.17 Hazardous Materials

When applicable, proposals for all project types must address the remediation of any hazardous materials on the project site. The remediation of hazardous materials must comply with applicable federal, state, and local laws and regulations, including, but not limited to, the following: California Code of Regulations, Title 8, Section 5160 et seq.; regulations promulgated by the California Department of Occupational Safety and Health (Cal/OSHA); and regulations promulgated by the Occupational Safety and Health Administration (OSHA). Restoration activities shall not commence until remediation is complete and the risk to human health and the environment has been abated. The applicant must prepare a written assessment of whether or not the proposed project site contains hazardous materials and provide that assessment to CDFW for review after execution of grant agreement and before any on-the-ground project work begins. If hazardous materials are later discovered on a project site, the applicant must cease any restoration efforts and remediate the site pursuant to this section.

## 4.18 Coordination with Law Enforcement Agencies

Prior to submitting a proposal that involves the cleanup and remediation of illicit cannabis cultivation impacts on private land, applicants must coordinate with CDFW Law Enforcement Division and other law enforcement agencies with jurisdiction over the geographic scope of the proposal to identify potential project overlap. Proposals must include a plan that outlines the results of this coordination. The plan should identify all agencies to be contacted and the names of primary contacts within each agency. Applicants should coordinate with law enforcement agents to provide safety support during restoration activities in areas where grow site reoccupation is possible and to provide access to other resources such as the National Guard Chemical Biological Radiological and Nuclear (CBRN) Specialists that can provide specialized operators equipment and cost share for toxic material and hazardous waste cleanup. CDFW Law Enforcement Division can be reached via email at [andrew.halverson@wildlife.ca.gov](mailto:andrew.halverson@wildlife.ca.gov).

## 4.19 Project Location Topographic Map

The project must be shown on an appropriately scaled, USGS (or equivalent) 7.5 minute contoured topographic quadrangle map that shows the location of the project. USGS Quad names for all areas shown on the map need to be clearly labeled on every map submitted. Show the extent of the work being conducted, using an outline of the project area. All contiguous work areas should be included in a single project outline. Noncontiguous work areas should be shown as separate project outlines (ex: right and left bank planting exercises should be separated into two sites).

## 4.20 Project Monitoring and Reporting

All projects are required to develop project objectives and include a pre- and post-project Monitoring and Reporting Plan that explains how project success will be evaluated and reported. The specific terms and conditions for monitoring and reporting, including project objectives, 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. Each plan shall include project-specific objectives that have quantitative and clearly defined targets, at least some of which are feasible to meet within one to two years post-grant execution.

Description of the metrics and associated monitoring approaches that will be used to document progress towards the project objectives, including:

1. Characterization of baseline (pre-project) and post-project conditions
2. Pre-implementation data collection, when applicable
3. If dewatering and/or species relocation was conducted as part of the project, then specifics of the activity must be reported including:
  - a. The area dewatered and location (in decimal degrees);
  - b. Time and length of time the area was dewatered;
  - c. Methods used for dewatering and relocation;
  - d. Relocation site (in decimal degrees);
  - e. Number and species of fish relocated, injured, or killed.
4. 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.)
5. For Cleanup and Remediation projects, proposals are also required to evaluate each site for the presence of toxic materials and hazardous waste prior to beginning restoration activities. Additionally, proposals must include a plan for reporting monitoring results and progress toward project objectives that, at a minimum, includes the following measures:
  - a. Grow site name (if known);
  - b. Location (in decimal degrees);
  - c. Preconstruction surveys (if within the range of sensitive species);
  - d. Photographic documentation of the restoration from fixed points that document pre/during/post rest site conditions
  - e. List of weapons found (if any);
  - f. Feet of irrigation line removed;
  - g. Fertilizers removed (approximate weight and type);
  - h. Chemicals removed (approximate weight or volume and type);
  - i. Waste, trash, and equipment removed from the site (approximate weight or volume and type);
  - j. Length (linear feet) and area (acres) of aquatic habitat disturbed;
  - k. Number and type of stream structures implemented within stream channel;

- I. Length (linear feet) of streambank stabilized or planted with riparian species;
- m. Linear feet and acres of riparian area treated (re-vegetation with natives, invasive plants removed);
- n. Number of diversions or impoundments treated and method of treatment.

## 4.21 Data Management

Data management should be consistent with the recommendations of [Enhancing the Vision for Managing California's Environmental Information](#), complementary to the Open and Transparent Water Data Act ([AB1755](#)), and should comply with the following principles:

- Data are interoperable (machine readable)
- Standard data formats are used for similar data types
- Quality assurance and quality control procedures are documented and followed
- Open and transparent data and metadata are accessible to the public in a reasonable time frame

Data must be documented, understandable to general users, and accessible, except where limited by law, regulation, and policy or security requirements. Data are required deliverables and will be a condition of final payment if awarded.

Applicants must demonstrate that project data will be collected using peer-approved methods, undergo a quality control and accuracy assessment process, include metadata that meet the CDFW's [Minimum Data Standards](#), and will be properly stored and protected until the project has been completed and data have been delivered. Data delivery can include uploading data to relevant open data portals, including but not limited to:

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

Projects that include data collection may be asked to prepare a Data Management Plan (DMP). DMPs are short (2-3 page) documents that capture essential information from researchers about their datasets, including:

- Description of the data to be acquired or generated during the project
- Quality control/quality assurance procedures
- The process to manage, describe, analyze, store, curate and publish datasets



- The process for efficient and effective data flow
- The process to address data sharing
- How the DMP is aligned with applicant's established data management approach (if applicable)
- The mechanisms to share and ensure long-term archival of the dataset

## 5 SUBMISSION PROCESS

**Online submission of proposals must be received before 4:00 PM, PT on June 3, 2022.**

- Proposals must be submitted electronically through CDFW WebGrants online at <https://watershedgrants.wildlife.ca.gov>.
- The name of this Solicitation in WebGrants is **CRGP-Watershed Enhancement Solicitation, 2022**.
- To access the application, applicants must register an account in WebGrants.
- See the [WebGrants User Guide](#) to help you navigate through WebGrants.
- Questions regarding the CDFW WebGrants website should be directed to the CDFW WebGrants Help Desk at (916) 323-0477 or by e-mail at [CDFWWebgrants@wildlife.ca.gov](mailto:CDFWWebgrants@wildlife.ca.gov). See the [WebGrants User Guide](#) to help you navigate through WebGrants.

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

## 6 REVIEW AND SELECTION PROCESS

Proposals received by the deadline will be evaluated using the multi-step review process. An overview of the administrative review and technical review criteria are described in this section. All eligible and complete applications will be evaluated and scored by technical reviewers. Technical reviewers will independently score proposals in accordance with the evaluation criteria below. Engineering-Geologic review will be completed on Planning and Implementation projects where engineering design or geologic investigation are included. Applicants will be notified if/when the project will be considered by CRGP.

### 6.1 Administrative Review

An administrative review will first determine if the full application is complete and meets all the requirements for technical review. The administrative review will use a "Yes/No" scoring method based on the criteria presented in Table 2. Applications which receive a "No" for one or more of the Table 2 criteria will be considered incomplete and may not be considered for funding under this Solicitation.

**TABLE 2. ADMINISTRATIVE REVIEW EVALUATION CRITERIA**

<b>Administrative Criteria</b>	<b>Score</b>
Application is complete	Yes/No
Applicant is an eligible entity	Yes/No
Proposed project is not mitigation required as defined by CEQA Guidelines Section 15370(e) <sup>3</sup>	Yes/No
Proposed project is not mitigation required by a court order <sup>3</sup>	Yes/No
Proposed project is not mitigation required by a settlement agreement <sup>3</sup>	Yes/No
CEQA will be complete prior to award (as applicable)	Yes/No
Applicant has submitted: intermediate (65%) or higher design plans, a basis of design report, and supporting technical studies (as applicable)	Yes/No

<sup>3</sup>Projects that include mitigation efforts as defined above may be considered for funding, but only for those activities that will go beyond the required mitigation may be eligible.

## 6.2 Technical Review

CDFW technical reviewers will evaluate and score all eligible and complete proposals. Technical reviewers evaluate each proposal in accordance with technical review criteria (Table 3) and may make narrative comments that support their scores. Each criterion is assigned a point value between zero and five and multiplied by the applicable weighting factor to calculate the criterion score. The sum of the criteria scores produces the total score for the proposal. A proposal must achieve an average score of 70/100 points or better to qualify for a grant. Individuals selected to serve as technical reviewers will be professionals in fields relevant to the proposed project. See the CRGP [detailed technical review criteria](#) for more information.

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 moderately 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. TECHNICAL REVIEW EVALUATION CRITERIA AND SCORING STANDARD**

<b>Criteria</b>	<b>Weighting Factor</b>	<b>Max. Score</b>
<b>1. Purpose and Background</b> Extent to which the proposal includes a detailed description of the project purpose and background, including sufficient rationale to justify the project need.	2	10
<b>2. Project Team Qualifications / Ability to Accomplish Project</b> Extent to which the proposal demonstrates that the project team has the qualifications, experience, and capacity to perform the proposed tasks.	2	10
<b>3. Community Support, Collaboration, and Equity</b> Extent to which the proposed project demonstrates stakeholder support for the project (number, diversity of partners).	2	10
<b>4. Significance of Benefits</b> Extent to which the proposal provides sufficient analysis and documentation to demonstrate the significance of the expected project outcomes (e.g., magnitude, diversity).	2	10
<b>5. Environmental Compliance</b> Extent to which the proposed approach to ensure compliance with all applicable environmental review and permitting requirements is adequate, sufficiently detailed, and reasonable/feasible.	1	5
<b>6. Monitoring and Reporting</b> Extent to which the proposal demonstrates a clear and reasonable approach for monitoring, assessing, and reporting the effectiveness of the project.	1	5
<b>7. Durability of Investment and Long-Term Management</b> Extent to which the proposed project will deliver sustainable outcomes in the long-term.	1	5
<b>8. Timeline and Deliverables</b> Extent to which the proposed schedule demonstrates the sequence and timing of project tasks, milestones, and deliverables and is sufficiently detailed and reasonable.	3	15
<b>9. Project Approach and Scope</b> Extent to which the proposal includes a clear description of the project's primary tasks and objectives, and the project description is sufficiently detailed to serve as a statement of work for a grant agreement.	3	15

<b>Criteria</b>	<b>Weighting Factor</b>	<b>Max. Score</b>
<b>10. Applicant Budget and Justification</b> Extent to which the proposed budget is appropriate to the work proposed, cost effective, sufficiently detailed to describe project costs, and are consistent with the tasks shown in the project narrative and schedule.	2	10
<b>11. Cost Share</b> Extent to which the proposal leverages other state funds or provides private, federal, or local funding match.	1	5
<b>Total Possible Points</b>		<b>100</b>

### 6.3 Engineering-Geologic Review

Applications for applicable projects that are reviewed by CDFW Engineering staff will be evaluated as follows:

A score of 0 will be assigned if the information provided was insufficient to determine that either:

1. The existing site conditions have been, or are proposed to be, adequately characterized;
2. The proposed project is technically appropriate for the site; or
3. The project team is qualified, appropriately experienced, and has a high likelihood of successfully completing the project.

A score of 1 will be assigned if the information provided was sufficient to determine that:

1. The existing site conditions have been, or are proposed to be, adequately characterized;
2. The proposed project is technically appropriate for the site; and
3. The project team is qualified, appropriately experienced, and has a high likelihood of successfully completing the project.

But the information provided was insufficient to determine that either:

1. The proposed scope of work is appropriate and consistent with the proposed budget; or
2. The proposed benefits have a high likelihood of being achieved through successful completion of the project.

A score of 2 will be assigned if the information provided was sufficient to determine that:

1. The existing site conditions have been, or are proposed to be, adequately characterized;
2. The proposed project is technically appropriate for the site;

3. The project team is qualified, appropriately experienced, and has a high likelihood of successfully completing the project;
4. The proposed scope of work is appropriate and consistent with the proposed budget; and
5. The proposed benefits have a high likelihood of being achieved through successful completion of the project.

If a CDFW engineer/geologist gives a proposal a score of 0 or 1 and the grant is awarded regardless, there should be a meeting with the CDFW grant manager, CDFW regional staff, the grantee, and the CDFW engineer/geologist prior to writing the grant agreement. Outcomes of this meeting would be agreed upon changes to the grant's scope of work or that the grant deliverables will not be receiving reviews from an engineer/geologist or that the grant will not be funded.

## 6.4 Selection Panel Review

CDFW will convene a Selection Panel to review the scores and comments from the Engineering-Geologic and Technical Review processes. The Selection Panel may establish subcommittees, organized around funding priorities, to provide a preliminary ranking for Selection Panel deliberations. Representatives from other agencies and organizations may be invited to participate on the Selection Panel or its subcommittees. The Selection Panel will generate the initial funding recommendations. When developing the funding recommendation, the Selection Panel considers:

- Technical Review scores and comments
- Engineering-Geologic Review, if applicable
- Input from CDFW Regional Managers and Staff
- Subcommittee preliminary rankings
- Availability and distribution of funds
- Program purposes
- Policy Considerations
- Balance/distribution of funds: a) by and within priorities, b) by project types, c) by geographic area, or d) by type of institutions
- Results of coordination with partner agencies implementing other relevant granting programs

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

## 6.5 Final Approval

The Director of CDFW will review the Selection Panel recommendations and associated materials and make the final funding approval. CDFW anticipates awarding grants in spring/summer of 2022 and executing grant agreements by the summer/fall of 2022.

## 7 REQUIRMENTS IF FUNDED

### 7.1 Grant Agreement

Development of grant agreements will begin following announcement of awards. The applicant must submit additional forms before an agreement is prepared and executed. The applicable forms described in this section are for informational purposes only. Do not submit these forms with your proposal. Applicants are required to complete, sign, and return the forms when projects are approved for funding. These additional forms include:

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

Grant agreements are not executed until signed by both the authorized representative of the grant recipient and CDFW. Development and review of grant agreements between CDFW and grantee can take as long as 120-days before sent to the grantee for signature. Work performed prior to the start date of an executed grant agreement will not be reimbursed.

### 7.2 Responsibility of the Grantee

The grantee must be responsive during grant agreement development and will be responsible for carrying out the work agreed to and for managing finances, including but not limited to, invoicing, payments to subcontractors, accounting and financial auditing, and other project management duties including reporting requirements. Grantees shall comply with all applicable federal, state, and local laws, rules, regulations, and/or ordinances. As may be necessary, the grantee shall be responsible for obtaining the services of appropriately licensed professionals to complete project design plans (See Section 4.9).

### 7.3 Invoicing and Payments

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

All expenses claimed for reimbursement, including indirect costs, must be supported by appropriate documentation. State auditing requirements are described in Appendix C.

## 7.4 Reporting

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

## 7.5 Performance Retention

CDFW may retain from the grantee's reimbursements, for each period for which payment is made, an amount equal to 10 percent of the invoiced amount pending satisfactory completion of the task or grant. Retention withholding will be modified in the following circumstance: When the grantee or subcontractor is a public entity contracting for construction of any public work of improvement, CDFW may retain from the grantee's earnings, for each period for which payment is made, an amount equal to five percent of such earnings, pending satisfactory completion of the task or grant (Public Contract Code §7201(b)(1)).

## 7.6 Loss of Funding

Work performed under the grant agreement is subject to availability of funds through the State's normal budget process. If funding for the grant agreement is reduced, deleted, or delayed by the Budget Act or through other budget control actions, CDFW shall have the option to either cancel the grant agreement, offer to the grantee a grant agreement amendment reflecting the reduced amount, or to suspend work. In the event of cancellation or suspension of work, CDFW shall provide written notice to the grantee and be liable for payment for any work completed pursuant to the agreement up to the date of the written notice and shall have no liability for payment for work undertaken after such date. In the event of a suspension of work, CDFW may remove the suspension of work through written notice to the grantee. CDFW shall be liable for payment for work completed from the date of written notice of the removal of the suspension of work forward, consistent with other terms of the grant agreement. In no event shall CDFW be liable to the grantee for any costs or damages associated with any period of suspension invoked pursuant to this provision, nor shall CDFW be liable for any costs in the event that, after a suspension, no funds are available and the grant agreement is then cancelled based on budget contingencies.

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

- Lack of appropriated funds
- Executive order directing suspension or cancellation of grant agreements
- CDFW 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:

- Failing to execute an agreement with CDFW within six months of the award announcement. In such situations, the applicant may apply to a future Solicitation
- Withdrawing from the grant program
- Failing to submit required documentation within the time periods specified in the grant agreement
- Failing to submit evidence of environmental or permit compliance as specified by the grant agreement
- Changing project scope without prior approval from CDFW
- Failing to complete the project
- Failing to demonstrate sufficient progress
- Failing to comply with pertinent laws

## 7.7 General Terms and Conditions

Successful applicants must agree to the appropriate terms and conditions for their entity type. General Grant Provisions include information regarding audits, amendments, liability insurance, and rights in data. All awarded entities must agree to the CDFW [General Grant Provisions](#) for Public or Non-public entities. Awarded applicants from the University of California and California State University must agree to [University Terms & Conditions - Exhibit "C" for University of California and California State University Agreements \(UTC-518 Exhibit C\)](#).

As may be necessary, the grantee shall be responsible for obtaining the services of appropriately licensed professionals to comply with the applicable requirements of the Business and Professions Code including but not limited to section 6700 et seq. (Professional Engineers Act) and/or section 7800 et seq. (Geologists and Geophysicists Act) with the applicable requirements of the Business and Professions Code.

If the project is selected for funding and the project proponent fails to perform in accordance with the provisions of the enacted agreement, the CDFW retains the right, at its sole discretion, to interrupt or suspend the work for which the monies are appropriated or to terminate the agreement.

## 7.8 Liability Insurance – Additional Coverage

In addition to insurance limits identified in CDFW's General Terms and Conditions, prior to executing a final grant agreement, successful applicants shall provide either proof of self-insurance or certificate(s) of insurance, showing that the required insurance is presently in effect. Insurance coverage limit requirements will be based upon scope of project to include policies, including, but not limited to, pollution liability, auto liability, aircraft liability, and watercraft liability.

## **APPENDIX A – USEFUL WEB LINKS**

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

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

[CRGP Homepage](#)  
[Grant Opportunities](#)  
[ERP Conservation Strategy](#)  
[State Wildlife Action Plan](#)

#### **California Department of Cannabis Control**

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

[Bond Accountability](#)

#### **California Department of Conservation**

[Watershed Program](#)

#### **California Department of Industrial Relations**

#### **California Department of Water Resources**

[Integrated Regional Water Management](#)

#### **State Water Resources Control Board**

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

### **Other Relevant Resources:**

#### **California Water Action Plan**

#### **CEQA Information**

[California State Clearinghouse Handbook](#)  
[Environmental Information](#)

#### **Climate Change Information**

[CDFW's Science Institute: Climate Change](#)  
[Safeguarding California: Reducing Climate Risk](#)  
[National Fish, Wildlife, and Plants Climate Adaptation Strategy](#)

#### **National Oceanic Atmospheric Administration**

#### **NEPA Information**

#### **United States Fish and Wildlife Service**

#### **United States Forest Service**

#### **Water Conservation and Efficiency Plans**

[U.S. Environmental Protection Agency](#)  
[Alliance for Water Efficiency](#)

## APPENDIX B – GLOSSARY OF TERMS

**Applicant** - The entity that is formally submitting a grant application. This is the same entity that would enter into an agreement with the state should the grant application be funded. The grant applicant must be an eligible entity.

**Application** - The individual application form and any required attachments for grants pursuant to this grant program.

**Area Sites** - These are described by the outline of a polygon on the landscape. These areas may be relatively small, such as the planting area for a riparian project, or relatively large, such as a watershed in which a planning project is taking place.

**California Native American tribe** - a Native American tribe located in California that is on the contact list maintained by the Native American Heritage Commission for the purposes of Chapter 905 of the Statutes of 2004 (PRC § 21073).

**Eligible Costs** - Expenses incurred by the grantee during the agreement performance period of an approved agreement, which may be reimbursed by CDFW.

**Eligible Entities** - (FGC §1501.5[b]) - Public agencies (federal, state, local), nonprofit organizations qualified to do business in California and qualified under Section 501(c)(3) of Title 26 of the United States Code, and California Native American tribes, as that term is defined in Public Resources Code Section 21073.

**Feature** - A feature is a distinct physical implementation at a location within a project work site intended to interact with the environment to improve anadromous salmonid, aquatic, riparian, and upland habitat. Features consist of one or more restoration Treatments. Within one project site there can be numerous features. For implementation monitoring, features are divided by treatment type and location. However, functional groups of structures or treatments can be grouped as one feature. For example, a group of tightly spaced willow baffles should be considered one feature. It is impractical to separate each baffle because they interact and work together as a group for the same objective at the same location. A string of closely spaced grade control weirs is another example of a group of structures of the same type functioning together. However, willow baffles and riprap bank stabilization at the same location would need to be separated into different features because they have different objectives.

**Grant Agreement** - An agreement between CDFW and the grantee specifying the payment of funds by CDFW for the performance of the project scope within the term of the agreement by the grantee.

**Grant Manager** - The CDFW staff person assigned to manage a grant, including to assist with the development of the grant agreement, accept and review invoices and deliverables, and be the first point of contact for the grantee.



Grantee - Refers to the applicant once a proposal is awarded and a grant agreement is executed (i.e., a grant recipient)

Limiting Factor - conditions that limit the growth, abundance, or distribution of target organisms or a population of organisms in a given habitat.

Line (Length) Sites - are a continuous line along which associated treatments are implemented. Lines must either follow the path of a stream or a road where work is taking place.

Local equity applicant – means an applicant who has submitted, or will submit, an application to a local jurisdiction to engage in commercial cannabis activity within the jurisdictional boundaries of that jurisdiction and who meets the requirements of that jurisdiction’s local equity program (BPC § 26240(c)).

Local equity licensee - means a person who has obtained a license from a local jurisdiction to engage in commercial cannabis activity within the jurisdictional boundaries of that jurisdiction and who meets the requirements of that jurisdiction’s local equity program (BPC § 26240(d)).

Local equity program - means a program adopted or operated by a local jurisdiction that focuses on inclusion and support of individuals and communities in California’s cannabis industry who are linked to populations or neighborhoods that were negatively or disproportionately impacted by cannabis criminalization as evidenced by the local jurisdiction’s equity assessment. Local equity programs may include, but are not limited to, the following types of services ((BPC § 26240(e)):

- 1) Small business support services offering technical assistance or professional and mentorship services to those persons from economically disadvantaged communities that experience high rates of poverty or communities most harmed by cannabis prohibition, determined by historically high rates of arrests or convictions for cannabis law violations.
- 2) Tiered fees or fee waivers for cannabis-related permits and licenses.
- 3) Assistance in paying state regulatory and licensing fees.
- 4) Assistance securing business locations prior to or during the application process.
- 5) Assistance securing capital investments or direct access to capital.
- 6) Assistance with regulatory compliance.
- 7) Assistance in recruitment, training, and retention of a qualified and diverse workforce, including transitional workers.

- 8) Other services deemed by the bureau to be consistent with the intent of this chapter.

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

Point Sites - describe work that occurs at one or more discrete locations that are more than ½ mile from each other.

Project - Refers to an effort included in the proposal. It may include construction of physical facilities or implementation of non-structural actions.

Proposal - Refers to the application for a project that is proposed for funding.

Public Agency - A California agency or department [including public universities], special district, joint powers authority, county, city, city and county, or other political subdivision of the state (CWC §79702[s]).

Qualified public land - includes land owned in fee simple title and managed by a federal, state, or local government or institution, or California Native American tribal government. It also includes land held by the United States in trust for a California Native American tribe.

Review Criteria - Set of requirements used to evaluate a proposal for a specific solicitation.

Selection Panel - Representatives from CDFW, assembled to review and consider the evaluations of all complete and eligible proposals and to make initial funding recommendations. Representatives from other agencies and organizations may also be invited to participate on the Selection Panel.

Site - A project site is defined as a point, line (reach), or polygon that spatially describes a work area where specific restoration activities take place. Many projects employ multiple treatment types within a given work site. With multiple treatment types (point, line, or polygon) a project may need to be divided into more than one site. For example - a project that includes instream restoration and riparian treatments in a contiguous area would require two sites: a line for the instream activities and a polygon for the riparian plantings. Another example - a reach of stream may have several treatments, such as, instream habitat structures, stream bank stabilization structures, and a log jam barrier removal, but still be considered as one linear site, provided the distance between any two individual features is less than 1/2 mile. Similarly, the area of habitat where cannabis cultivation sites are to be cleaned and replanted would be considered one polygon site.

Subcontractor - An entity other than the project proponent/applicant that performs a portion of the Scope of Work and includes subrecipients, subawardees,

independent contractors, and consultants. Applicant budgets cannot charge indirect costs for subcontractors.

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

Wetlands - Lands transitional between terrestrial and aquatic systems where the water table is usually at or near the surface or the land is covered by shallow water. For purposes of this classification, wetlands must have one or more of the following three attributes: (1) at least periodically, the land supports predominantly hydrophytes; (2) the substrate is predominantly undrained hydric soil; and (3) the substrate is non-soil and is saturated with water or covered by shallow water at some time during the growing season of each year (Cowardin et al. 1979).

## **APPENDIX C – STATE AUDITING REQUIREMENTS**

The list below details the documents or records that State Auditors may need to review in the event of a grant agreement being audited. Grant recipients should ensure that such records are maintained for each State funded project. For additional details, see the California Department of Finance Bond Accountability and Audits Guide and the Bond Audit Bulletins ([www.dof.ca.gov/osae/prior\\_bond\\_audits/](http://www.dof.ca.gov/osae/prior_bond_audits/)).

### **State Audit Document Requirements**

#### **Internal Controls:**

1. Organization chart (e.g. Grant recipient's overall organization chart and organization chart for the State funded project).
2. Written internal procedures and flowcharts for the following:
  - a. Receipts and deposits
  - b. Disbursements
  - c. State reimbursement requests
  - d. State funding expenditure tracking
  - e. Guidelines, policies, and procedures on State funded project
3. Audit reports of the Grant recipient's internal control structure and financial statements within the last two years.
4. Prior audit reports on State funded projects.

#### **State Funding:**

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

#### **Agreements:**

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

#### **Invoices:**

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

#### **Cash Documents:**

1. Receipts (copies of warrants) showing payments received from the State.
2. Deposit slips or bank statements showing deposit of the payments received from the State.

3. Cancelled checks or disbursement documents showing payments made to vendors, subcontractors, consultants, or agents under the grant agreement.

**Accounting Records:**

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

**Administration Costs:**

1. Supporting documents showing the calculation of administration costs.

**Personnel:**

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

**Project Files:**

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