

June 2015 DRAFT For Final Board Approval



SACRAMENTO - SAN JOAQUIN

**DELTA** CONSERVANCY

*A California State Agency*

**DRAFT**

**GRANT GUIDELINES**

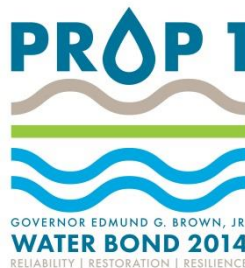
Fiscal Year 2015-16

**PROPOSITION 1**

**Delta Conservancy Ecosystem Restoration and Water  
Quality Grant Program**

**FUNDED BY THE**

**Water Quality, Supply, and Infrastructure  
Improvement Act of 2014**



June 2015 DRAFT For Final Board Approval

## Table of Contents

<b>Introduction.....</b>	<b>4</b>
Background and Purpose .....	4
Purpose of Grant Guidelines .....	5
<b>Eligibility Requirements.....</b>	<b>5</b>
Funding Available .....	5
Geographic Area of Focus .....	5
Eligible Projects .....	6
Ineligible Projects .....	7
Eligible Applicants .....	7
Eligible Costs.....	8
Ineligible Costs .....	8
<b>General Program Requirements .....</b>	<b>9</b>
Conflict of Interest .....	9
Confidentiality.....	9
Labor Code Compliance .....	9
Environmental Compliance .....	10
Water Law .....	10
Monitoring and Assessment .....	11
Performance Measures.....	12
Grant Provisions .....	13
<b>Proposal Selection .....</b>	<b>14</b>
Grant Categories .....	14
Proposal Review and Selection Process .....	14
Evaluation Criteria for Concept Proposal .....	16
Evaluation Criteria for Full Proposal.....	18
Federal and Local Cost Share and State-Leveraged Funds.....	20
Consultation and Cooperation with State and Local Agencies and Demonstration of Local Support .....	20

June 2015 DRAFT For Final Board Approval

Performance Measures .....21

**Appendices.....22**

Glossary of Terms.....22

Key State, Federal, and Local Plans and Tools.....25

DRAFT

June 2015 DRAFT For Final Board Approval

## Introduction

### A. Background and Purpose

The Sacramento-San Joaquin Delta Conservancy (Conservancy) is a primary state agency in the implementation of ecosystem restoration in the Delta and supports efforts that advance environmental protection and the economic well-being of Delta residents. The Conservancy collaborates and cooperates with local communities and others parties to preserve, protect, and restore the natural resources, economy, and agriculture of the Sacramento-San Joaquin Delta and Suisun Marsh. The Conservancy's goals include a set of programs that implement complex economic and environmental objectives, resulting in a vision of a rich, diverse, resilient, and accessible Sacramento-San Joaquin Delta and Suisun Marsh.

The Water Quality, Supply, and Infrastructure Improvement Act of 2014 (Prop. 1) was approved by voters in November 2014. Prop. 1 provides funding to implement the three objectives of the California Water Action Plan: more reliable water supplies, restoration of important species and habitat and a more resilient and sustainably managed water infrastructure. The Conservancy's Ecosystem Restoration and Water Quality Grant Program intends to focus on the restoration of important species and habitat.

In Prop. 1, \$50 million is identified for the Conservancy "for competitive grants for multibenefit ecosystem and watershed protection and restoration projects in accordance with statewide priorities (Sec. 79730 and 79731)."

Per Prop. 1 and the Conservancy's enabling legislation, emphasis will be placed on projects using public lands and private lands purchased with public funds and that "maximizes voluntary landowner participation in projects that provide measureable and long-lasting habitat or species improvements in the Delta."

To the extent feasible, projects need to promote state planning priorities and sustainable communities strategies consistent with Government Code 65080(b)(2)(B). Furthermore, all proposed projects must be consistent with statewide priorities as identified in Prop. 1, the California Water Action Plan, the Conservancy's enabling legislation, the Delta Plan, the Conservancy's Strategic Plan, as well as applicable recovery plans. Links to Prop. 1 and the other plans and documents can be found in Appendix B.

June 2015 DRAFT For Final Board Approval

## **B. Purpose of Grant Guidelines**

These Grant Guidelines (Guidelines) establish the process and criteria that the Conservancy will use to administer competitive grants for multibenefit ecosystem restoration and water quality projects. These Guidelines include the required information and documentation for Prop. 1 grants. The Guidelines were posted on the Conservancy's web site for 30 days prior to approval and were vetted via three public meetings (Sec. 79706(b)).

## **Eligibility Requirements**

### **A. Funding Available**

The Conservancy intends to grant up to \$9 million each year for 5 years. Grants will be awarded for Category 1 (necessary activities that will lead to on-the-ground projects, e.g., planning, permits, etc.) and Category 2 proposals (on-the-ground projects) to eligible entities subject to approval by the Conservancy pursuant to these Guidelines.

A maximum of \$450,000 is available during each funding cycle for Category 1 proposals. Category 1 proposals may range from \$20,000 to \$100,000. Please note that the awarding of a Category 1 grant for a project does not guarantee that a Category 2 grant will be awarded for the same project. A maximum of up to \$8,550,000 is available during each funding cycle for Category 2 proposals. Category 2 proposals may range from \$25,000 to \$2,000,000.

### **B. Geographic Area of Focus**

The Conservancy will fund projects within or near the statutory Delta and Suisun Marsh. The statutory Delta and the Suisun Marsh are defined in Public Resources Code Section 85058.

The Conservancy may take or fund an action outside the Delta and Suisun Marsh if the Board makes all of the following findings (Sacramento-San Joaquin Delta Reform Act of 2009, Sec. 32360.5):

- The project implements the ecosystem goals of the Delta Plan.
- The project is consistent with the requirements of any applicable state and federal permits.
- The Conservancy has given notice to and reviewed any comments received from affected local jurisdictions and the Delta Protection Commission.
- The Conservancy has given notice to and reviewed any comments received from any state conservancy where the project is located.
- The project will provide significant benefits to the Delta.

June 2015 DRAFT For Final Board Approval

### C. Eligible Projects

Prop. 1 identifies projects to protect and restore California rivers, lakes, streams, and watersheds that can be funded with Prop. 1 funding (Sec. 79732 *et seq*). The Conservancy's highest priority projects will address the following:

- Restoration and Enhancement. Examples include:
  - Channel margin enhancement projects and riparian habitat restoration or enhancement projects.
  - Watershed adaptation projects to reduce the impacts of climate change on California's communities and ecosystems.
  - Restoration and protection projects of aquatic, wetland, and migratory bird ecosystems, including fish and wildlife corridors.
  - Fish passage barrier removal projects.
  - Endangered, threatened, or migratory species recovery projects that improve watershed health, inland wetland restoration, or other means, such as natural community conservation plan and habitat conservation plan implementation.
  - Projects that enhance habitat values on working lands.
  - Projects that recover anadromous fish populations and their habitats.
- Water Quality. Examples include:
  - Polluted runoff reduction projects that restore impaired waterbodies, prevent pollution, improve water management, increase water conservation, and conduct environmental education.
  - Pollution reduction projects that focus on the contamination of rivers, lakes, or streams, prevent and remediate mercury contamination from legacy mines, and protect or restore natural system functions that contribute to water supply, water quality, or flood management.
- Water-related Agricultural Sustainability. Examples include:
  - Agricultural analysis and investment strategy projects.
  - Projects that support agricultural sustainability in areas where agriculture is impacted by restoration or other water-related projects.
  - Projects that protect and increase the economic benefits arising from healthy watersheds.
  - Agricultural conservation that will result in pollution runoff reduction.

This list is offered as guidance for potential applicants and is not exhaustive nor a guarantee of individual project eligibility or funding. Eligibility and funding determinations will be made on a

June 2015 DRAFT For Final Board Approval

project-by-project basis during the application review process. Projects must comply with all legal requirements, including the General Obligation Bond law in order to be deemed eligible.

**NOTE:** Any grantee acquiring land with Prop. 1 may use the Natural Heritage Preservation Tax Credit Act of 2000 (Division 28 (commencing with Section 37000) of the Public Resources Code) (Section 79711[h]).

**D. Ineligible Projects**

Examples of ineligible projects include:

- Construction equipment purchased solely for purposes of implementing a single project.
- Projects dictated by a legal settlement or mandated to address a violation of, or an order (citation) to comply with, a law or regulation.
- Education, outreach, or event related projects, although these types of activities may be included as part of the overall implementation of a project eligible for Conservancy grant funds.
- Projects that subsidize or decrease the mitigation obligations of any party.
- Projects to design, construct, operate, mitigate, or maintain Delta conveyance facilities.
- Projects that do not comply with all legal requirements of Prop. 1 and other applicable laws.

NOTE: Funds will only be used for projects that will provide fisheries or ecosystem benefits or improvements that are greater than required applicable environmental mitigation measures or compliance obligations.

**E. Eligible Applicants**

Eligible grant applicants include public agencies, nonprofit organizations, 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 that will have an eligible proposal or project that provides a public benefit in the Delta (Public Resources Code Section 75004) and that will satisfy all the grant requirements. Specifically, eligible applicants are:

- Public agencies (any city, county, district, or joint powers authority; state agency; public university; or federal agency). To be eligible, public utilities that are regulated by the Public Utilities Commission must have a clear and definite public purpose and shall benefit the customers and not the investors.

June 2015 DRAFT For Final Board Approval

- Qualifying 501(c)(3) nonprofit organizations. “Nonprofit Organization” means an organization that is qualified to do business in California and qualified under Section 501(c)(3) of Title 26 of the United States Code.
- Eligible tribal organizations (includes any Indian tribe, band, nation, or other organized group or community, or a tribal agency authorized by a tribe, which is listed on the National Heritage Commission’s California Tribal List or is federally recognized).
- Mutual water companies, including local and regional companies. Additionally, in order to be eligible:
  - Mutual water companies must have a clear and definite public purpose and shall benefit the customers of the water system and not the investors.
  - An urban water supplier shall adopt and submit an urban water management plan in accordance with the Urban Water Management Planning Act.
  - An agricultural water supplier shall adopt and submit an agricultural water management plan in accordance with the Agricultural Water Management Planning Act.
  - An agricultural water supplier or an urban water supplier is ineligible for funding unless it complies with the requirements of Part 2.55 of their respective water management planning acts.

**NOTE:** As a general rule, organizations or individuals performing non-grant related work for the Conservancy under contract are ineligible to apply for a grant from the Conservancy during the life of the contract. This policy applies to organizations that:

- Contract directly with the Conservancy.
- Are providing services as a subcontractor to an individual or organization contracting directly with the Conservancy.
- Employ an individual, on an ongoing basis, who is performing work for the Conservancy under a contract whether as a contractor or as a subcontractor. If you have a contract with the Conservancy and are contemplating applying for a grant, please consult with Conservancy staff to determine eligibility.

**F. Eligible Costs**

Only project costs for items within the scope of the project and within the time frame of the project agreement are eligible for reimbursement. Costs related to project-specific performance measures and reporting are required to be addressed in the project budget.

Eligible administrative costs must be directly related to the project and may not exceed five (5) percent of the project implementation cost. To determine the amount of eligible administrative costs, the applicant must first determine the cost of implementing the project, not including any



June 2015 DRAFT For Final Board Approval

administrative costs. Once the project implementation cost has been determined, the applicant may calculate administrative costs and include them in the total grant request.

**G. Ineligible Costs**

Grant funding may not be used to establish or increase a legal defense fund or endowment, make a monetary donation to other organizations, pay for food or refreshments, or eminent domain processes.

If ineligible costs are included in the project budget, it could result in the project being deemed ineligible. In some cases, the project may be approved for funding with the total amount of the award reduced by the amount of the ineligible costs. In that event, the Conservancy will contact the applicant to confirm that the project is still viable. Applicants should avoid including ineligible costs in the application and should contact Conservancy staff with questions.

**General Program Requirements**

**A. 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. Employees of state and federal agencies may participate in the review process as scientific/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.

**B. Confidentiality**

Once the Proposal has been submitted to the Conservancy, 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.

June 2015 DRAFT For Final Board Approval

**C. Labor Code Compliance**

Grants awarded through the Conservancy's Ecosystem Restoration and Water Quality 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 California Labor Code (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 to do so. Any questions of interpretation regarding the CLC should be directed to the Director of the Department of Industrial Relations (DIR), the state department having jurisdiction in these matters. For more details, please refer to the DIR website at <http://www.dir.ca.gov>.

**D. Environmental Compliance**

Activities funded under this grant program must be in compliance with applicable state and federal laws and regulations, including the California Environmental Quality Act (CEQA), National Environmental Policy Act (NEPA), Delta Plan, and other environmental permitting requirements. The applicant is solely responsible for project compliance and proposals may include in their budgets the funding necessary for compliance related tasks. The solicitation will provide information on common permits required and where to get information related to permit requirements. Applicants are responsible for CEQA compliance and all CEQA obligations must be met prior to the final approval of any Category 2 projects.

For grant proposals prepared under the Ecosystem Restoration and Water Quality Grant Program that include an action that is likely to be deemed a covered action, pursuant to California Water Code (CWC) Section 85057.5, the applicant is responsible for ensuring consistency with the Delta Plan policies. In such instances, the proposal shall include a description of the approach through which consistency will be achieved and may include in their budgets the funding necessary to complete related tasks.

**E. Water Law**

Funded grants that address stream flows and 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 State Water

June 2015 DRAFT For Final Board Approval

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.

All applicants must demonstrate to the Conservancy that they have a legal right to divert water and sufficient documentation regarding actual water availability and use. For post-1914 water rights, the applicant must submit a copy of a water right permit or license on file with the SWRCB. Applicants who divert water based on a riparian or pre-1914 water right must submit written evidence of the right to divert water and the priority in the watershed of that diversion right with their proposal. All applicants must include past water diversion and use information reported to the SWRCB, required by CWC Section 5101. Such reports include Progress Reports of Permittee and Reports of Licensee for post-1914 rights, and Supplemental Statements of Water Diversion and Use for riparian and pre-1914 water rights. All water rights must be accompanied by any operational conditions, agreements or court orders associated with the right, as well as any SWRCB orders affecting the water right.

**F. Monitoring and Assessment**

All proposals must include a plan to measure, track, and report on project performance (compliance and effectiveness) that is consistent with the project's objectives and performance measures. Applicants should incorporate standardized approaches, where applicable, into their monitoring plans and evaluate opportunities to coordinate with existing monitoring efforts (e.g., California Coastal Monitoring Program, Surface Water Ambient Monitoring Program (SWAMP)) or produce information that can readily be integrated into such efforts. For more information, please see the *SWAMP* website (Appendix B).

Wetland and riparian restoration projects shall collect and report project and monitoring data in a manner that is compatible and consistent with the Wetland and Riparian Area Monitoring Program framework and tools administered by the California Wetlands Monitoring Workgroup (CMMW) of the Water Quality Monitoring Council. The framework can be used to decide on the kinds of data to collect based on how they will be used. The tools include the California Aquatic Resource Inventory for classifying the distribution and abundance of wetlands throughout the state, rapid assessment tools, such as the California Rapid Assessment Method, for assessing the overall condition of wetlands, and EcoAtlas for tracking project information and aggregating and visualizing data from multiple sources. For more information, please see the *California Wetlands Monitoring Workgroup* website (Appendix B).

June 2015 DRAFT For Final Board Approval

The monitoring plan should include the following elements:

- What will be monitored;
- Monitoring objectives (why the monitoring is needed [e.g., comply with terms of grant, assess progress toward an objective]);
- Clearly stated assessment questions;
- The specific metrics that will be measured and the methods / protocol(s) that will be used;
- Linkages to relevant conceptual model(s);
- The timeframe and frequency of monitoring (including pre- and post-project monitoring);
- The spatial scope of the monitoring effort;
- Quality assurance/quality control procedures;
- Compliance with all permit requirements for monitoring activities (Scientific Collecting Permits, incidental take permits for listed species, etc.);
- Description of relationships to existing monitoring efforts; and
- How the resulting data will be analyzed, interpreted and reported.

Applicants are required to demonstrate alignment with the Delta Science Plan, complete the Delta Stewardship Council's covered action requirements as applicable, and upload all relevant information to EcoAtlas. Links to these items are listed in Appendix B: Key State, Federal, and Regional Plans. Applicants are required to develop and utilize science-based adaptive management frameworks for ecosystem restoration and watershed management actions that are consistent with the Delta Plan's adaptive management framework

#### Data Management

Each proposal must describe how data and other information generated by the project will be handled, stored, and shared. Projects must include data management activities that support incorporation of project data into statewide data systems, where applicable. Environmental data and information collected under these grant programs 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.

Unless otherwise stipulated, all data collected and created is a required deliverable and will become the property of the Delta Conservancy.

#### Water Quality Data

If the project includes water quality monitoring data collection, it shall be collected and reported to the California Environmental Data Exchange Network [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 grant manager prior to submitting a

June 2015 DRAFT For Final Board Approval

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. For more information, please see the *CEDEN* website (Appendix B).

Wetland and Riparian Restoration Data

Wetland and riparian restoration project data shall be uploaded to EcoAtlas. Monitoring data shall be uploaded to statewide data systems, as applicable, in a manner that is compatible and consistent with the WRAMP framework.

Reporting

All projects will be required to provide periodic progress reports during implementation of the project and a final report prior to project completion. Specific reporting requirements will be included in the grant agreement. Among other requirements, all such reports will include an evaluation of project performance that links to the project's performance measures. The final report will include, among other things, a discussion of findings, conclusions, or recommendations for follow-up, ongoing, or future activities.

**G. Performance Measures**

Performance measures must be designed so the Conservancy can ensure that projects meet their intended goals, achieve measurable outcomes, and provide value to the State of California. The Conservancy requires that all grant funded projects monitor and report project performance with respect to the stated benefits or objectives identified in the grant proposal. Applicants are required to prepare and submit Project Performance Measures Table, specific to their proposed project, as part of the full proposal (See the Grant Application Packet, Appendix B for more information).

The goals of the PAEP are to:

- Provide a framework for assessment and evaluation of project performance.
- Identify measures that can be used to monitor progress towards achieving project goals and desired outcomes.
- Provide a tool for grantees and grant managers to monitor and measure project progress and guide final project performance reporting that will fulfill the grant agreement requirements.
- Provide information to help improve current and future projects.
- Quantify the value of public expenditures to achieve environmental results.

June 2015 DRAFT For Final Board Approval

Many projects include multiple activities that will require measurement of several parameters to evaluate overall project performance. Successful applicants must be prepared to demonstrate the success of the project through the development and measurement of the appropriate metrics. These metrics may include acres of habitat restored; measurement-based estimates of pollution load reductions; feet of stream channel stabilized or restored; improved water supply reliability and flexibility; or other quantitative measures or indicators. These and other measures or indicators should be selected to fit the performance evaluation needs of the project.

**H. Grant Provisions**

For each awarded grant, the Conservancy will develop an individual grant agreement with detailed provisions and requirements specific to that project. Please be aware that if you are authorized to receive a grant from the Conservancy, the provisions listed below also will apply:

- Actual awards are conditional upon funds being available from the state.
- Grant eligible costs may be incurred by the grantee only after the grantee has entered into a fully executed agreement with the Conservancy; only these costs will be eligible for reimbursement.
- Grant eligible costs will only be paid in arrears on a reimbursement basis.
- Grantees will not be paid if any of the following conditions occur:
  - the applicant has been non-responsive or does not meet the conditions outlined in the grant proposal and grant agreement;
  - the project has received alternative funding from other sources that duplicates the portion or work or costs funded by a Conservancy grant;
  - the project description has changed and is no longer eligible for funding, or
  - the applicant requests to end the project.
- To the extent practicable, Category 2 proposals funded by Prop. 1 should include signage informing the public that the project received funds from the Water Quality, Supply, and Infrastructure Improvement Act of 2014.
- Projects shall consult with representatives of the California Conservation Corps (CCC) AND CALCC (the entity representing the certified community conservation corps) (collectively, “the Corps”) to determine the feasibility of the Corps’ participation and, where feasible, utilize their services (see Appendix E in the Grant Application Packet for CCC guidelines).

June 2015 DRAFT For Final Board Approval

## Proposal Selection

### A. Grant Categories

A maximum of \$450,000 is available for Category 1 proposals. Category 1 proposals are limited to pre-project activities necessary for a specific future on-the-ground project. A Category 1 proposal must meet all of the requirements for Category 2 proposals if it were to make it to the Category 2 stage. Examples of Category 1 activities include:

- Planning
- Permitting
- Studies (that will aid in a future on-the-ground project)
- Designs
- CEQA activities

Category 1 proposals may range in cost from a minimum of \$20,000 to a maximum of \$100,000.

Category 2 proposals include on-the-ground, implementation projects. Examples of Category 2 activities include:

- Channel margin enhancement
- Habitat restoration
- Pollution runoff reduction
- Working landscape enhancements

Category 2 proposals may range in cost from a minimum of \$25,000 to a maximum of \$2,000,000.

### B. Proposal Review and Selection Process

The following steps will be followed during a grant cycle:

- Potential applicants are encouraged to attend a proposal submission workshop to learn about eligible projects and the proposal process.
- Questions received at the proposal submission workshop, or subsequently over the phone or via email, and staff's response will be posted on the Conservancy's Prop. 1 Grant Program web page to assist others with similar questions.

June 2015 DRAFT For Final Board Approval

- If potential applicants have questions that are not answered on the Conservancy's Grant Program web page or via the proposal submission workshop, potential applicants are encouraged to contact Conservancy grant staff before submitting a proposal. Once a proposal has been submitted, Conservancy staff will only be able to provide status updates.
- Potential applicant submits a concept proposal (See Grant Application Packet). Only proposals submitted prior to the submission deadline will be considered.
- The concept proposals will be reviewed for administrative and technical purposes as outlined in the concept proposal evaluation criteria. If the concept proposal is complete, meets all concept proposal requirements, and scores a minimum of 85 points, a full proposal will be requested.
- Please note that a project's full proposal documents will not be accepted unless a completed concept proposal has been submitted for review, scored, and the Conservancy requests a full proposal. Only full proposals submitted prior to the deadline identified in the grant application packet will be considered.
- The full proposals will be reviewed and scored by the Conservancy grant team according to the proposal evaluation criteria below. A technical review team will then provide an independent review of staff's evaluation and scoring.
- The full proposals will also be reviewed by a peer review team in coordination and consultation with the Department of Fish and Wildlife's peer review process. The peer review team will provide an additional independent review of staff's evaluation and scoring.
- Following technical and peer review, the staff team will assign final scores to each application.
- The final score will be posted on the Conservancy's website for final board approval at a public meeting. The Board will be provided with a list of all applications received, their final scores, and the staff recommendation for projects to be funded. The Board action will involve ratification of the projects' scores and action on staff's funding recommendation. Applicants and members of the public will have the opportunity to appear before the Board at this time.
- A score of 85 percent during either the concept or full proposal stages does not guarantee that a grant award will be made. When eligible projects (those receiving at least 85 points) exceed the amount of funds available in the funding cycle, funding recommendations and decisions will be based upon the scores received, as well as the



June 2015 DRAFT For Final Board Approval

diversity of the types of projects and their locations, which together will, create the maximum ecosystem benefit within the Delta as a whole.

- If a project scores 85 points or higher during either the concept or full proposal stages but cannot demonstrate strong local support or a lack of significant conflict from local interests, the Conservancy reserves the right not to fund the project until the conflict is satisfactorily resolved.
- Application and scoring information will be made available upon request.
- If a grant proposal is approved, Conservancy staff will work with the applicant to complete a grant agreement that outlines reporting requirements, specific performance measures, invoice protocol, and grant funding disbursement.

**C. Evaluation Criteria for Concept Proposal**

Concept proposals will be evaluated by Conservancy staff using the concept proposal criteria listed below. If a project scores a minimum of 85 points (out of 100), the applicant will be notified to submit a full proposal. The number in parentheses reflects the maximum number of points allocated to each criterion.

Project Description and Organizational Capacity

1. A clear project description including location, need, goals and objectives, tasks, deliverables, and budget (requested funds and cost share contributions). Explain related experience, qualifications of all individuals working on the project, and examples of similar projects (10).

State Priorities/Project Benefits

2. Tangible results from the project that further Prop. 1 and state priorities, including implementation of the California Water Action Plan, the Conservancy's enabling legislation and Strategic Plan, the Delta Plan, and applicable recovery plans (15).
3. The degree to which the project has multiple benefits (10).
4. The extent to which climate change considerations were taken into account. If an agricultural sustainability project, the extent to which the impacts of climate change are vetted and deemed relevant or applicable to the project (10).

June 2015 DRAFT For Final Board Approval

Readiness

5. The design and readiness of the project:
  - a. If a Category 1 project, this means an understanding of how the planning activities relate to the entire project, the permits and plans needed, and data gaps (10);
  - b. If a Category 2 project, this means the completeness of the design and the readiness of the project to begin (10).

Local Support

6. The degree to which potentially affected parties, including local government and the Delta Protection Commission, have been informed and consulted, good neighbor policies have been adopted and will inform the implementation of the project, and the Agricultural Land Stewardship Strategies (see link in Appendix B) have been applied (5).
7. The degree to which the project has local support, is consistent with similar efforts on nearby or surrounding lands, and is part of larger plans or identified partnerships (5).

Scientific Merit and Performance Measures

8. The extent to which the scientific basis of the proposed project is clearly described and the degree to which best available science and adaptive management practices have been adopted and will be implemented. If scientific basis and adaptive management are not relevant for this project (e.g., a sustainable agriculture project), the extent to which best industry practices are used (10).
9. The extent to which the applicant demonstrates the project objectives including outcomes and outputs (10).

Funding: Cost Share and Leveraging

10. The degree to which the project develops a cost share with private, federal, or local funding to maximize benefits and outcomes. If a project has a minimum of 25 percent cost share, it will score 5 points; if it has a minimum of 50 percent cost share, it will score 10 points (5-10).
11. The degree to which the project leverages other state funds (5).

June 2015 DRAFT For Final Board Approval

**D. Evaluation Criteria for Full Proposal**

If a concept proposal scores a minimum of 85 points and a full proposal is invited, full proposals will be evaluated using the following criteria (for a maximum of 100 points). Projects will need a score of 85 points or better to be considered for funding.

*Project Description and Organizational Capacity*

1. Does the applicant provide a clear description of the project including the needs for the project, project objectives, tasks, deliverables, and budget. More specifically, how well can the applicant manage and complete the proposed project considering related experience, readiness, and staff qualifications and knowledge; and what is the applicant's performance on prior federal or state assistance agreements awarded in the past three years (10).

*State Priorities/ Project Benefits*

2. How well does the project demonstrate consistency with Prop. 1 and state priorities, including implementation of the California Water Action Plan, the Conservancy's enabling legislation and Strategic Plan, the Delta Plan, and applicable recovery plans. Projects should demonstrate consistency with regional plans to show the multibenefit outcome of the project (see Appendix B of the Grant Guidelines for a list of relevant plans), and with Delta Plan policies (15).
3. How well does the applicant explain plans for long-term management and sustainability beyond the term of the grant proposal, and if a Category 2 Restoration and Enhancement or Water Quality project, (a) third party monitoring and verification of the pre-project conditions, post-project habitat conditions, and the maintenance of habitat beyond the terms of the project; and (b) an adaptive management plan as required and defined in the Delta Plan regulations that considers threats to habitat including climate change (5).
4. The extent which climate change considerations were taken into account. If an agricultural sustainability project, the extent to which the impacts of climate change are vetted and deemed relevant or applicable to the project (5).

June 2015 DRAFT For Final Board Approval

Readiness

5. How well does the applicant provide a (a) detailed project plan or implementation schedule; and (b) budget with reasonable costs and clear identification of grant funds and cost share contributions (10).

Local support

6. The degree to which the project has local support, is consistent with similar efforts on nearby or surrounding lands and is part of larger plans or identified partnerships (5).
7. How well does the applicant demonstrate appropriate and necessary partnerships to help implement the project (5).
8. How well does the project avoid, reduce, or mitigate conflicts with existing and adjacent land uses, incorporate voluntary landowner participation that allows working agricultural landscapes to remain in production while also producing high quality habitat for species, and apply the Agricultural Land Stewardship Strategies, if applicable (see link in Appendix B) (5).

Funding: Cost Share and Leveraging

9. The degree to which the project develops a cost share with private, federal, or local funding to maximize benefits and outcomes. If a project has a minimum of 25 percent cost share, it will score 5 points; if it has a minimum of 50 percent cost share, it will score 10 points (5-10).
10. The degree to which the project leverages other state funds (5).

Scientific Merit and Performance Measures

11. How well does the project demonstrate a plan for achieving expected project outputs and objectives, including a plan for measuring, monitoring, tracking, and reporting progress toward achieving these results. Projects should demonstrate the plan and approach for reporting project results or methods to state or local government agencies within and beyond their own organization (10).
12. The extent to which the scientific basis of the proposed project is clearly described and the degree to which best available science and adaptive management practices have been adopted and will be implemented. If scientific basis and adaptive management

June 2015 DRAFT For Final Board Approval

are not relevant for this project (e.g., a sustainable agriculture project), the extent to which best industry practices are used (10).

13. How well does the project employ new or innovative technology or practices, including decision support tools. If an agricultural sustainability proposal, how well does the project vet the relevancy and applicability of new or innovative technology or practices (5).

**E. Federal and Local Cost Share and State-Leveraged Funds**

The Conservancy will provide points to proposals with a federal, local, or private cost share component (other state funds may not count toward the cost share). Cost sharing is the portion of the project not borne by the Conservancy grant monies. Cost sharing encourages collaboration and cooperation beyond in-kind and written support. Applicants are encouraged to develop a cost share program to support their project. Projects with a cost share component—depending on the degree of the cost share—could be ranked higher (see Table 1 below) with a maximum of a 50 percent cost share. Only cost share commitments made explicitly for the project may count toward the cost percentage for grant proposal and ranking purposes.

Up to 50 percent of a cost share may be in-kind. For example, if the cost share is \$50,000, \$25,000 of that may be from in-kind sources.

Applicants stating that they have a cost share component must have commitment letters from cost share partners at the time the full proposal is submitted and include letters of commitment as part of the proposal requirements.

**Table 1**

<b>Cost Share Percentage</b>	<b>Total Points</b>
Minimum of 25 percent	5
Minimum of 50 percent	10

The Conservancy will also provide points (see evaluation criteria) for proposals that leverage state funds for multi-benefit projects. These projects must support multiple objectives as identified in various planning documents (see Appendix B). State funds may not count toward the cost share. Applicants stating that they are leveraging other state funds must have commitment letters from leverage partners at the time of the full proposal.

June 2015 DRAFT For Final Board Approval

**F. Consultation and Cooperation with State and Local Agencies and Demonstration of Local Support**

In compliance with the Conservancy's governing statute (Public Resources Code Section 32363) and Prop. 1, local government agencies—such as counties, cities, and local districts—will be notified by the Conservancy about eligible grant projects being considered for funding in their area. The Conservancy shall coordinate and consult with the city or county in which a grant is proposed to be implemented or an interest in real property is proposed to be acquired and with the Delta Protection Commission. The Conservancy will also coordinate with the appropriate departments in state government that are doing work in the Sacramento-San Joaquin Delta, including the Central Valley Flood Protection Board.

For all applications under consideration, Conservancy staff will also notify the applicable public water agency, levee, flood control, or drainage agency (when appropriate), and request comments within 15 business days following notification. The Conservancy will work with the grantee to make all reasonable efforts to address concerns raised by local governments. The individual Conservancy Board members representing each of the five Delta counties will also be notified at this time and may wish to communicate with the affected entities as well.

Please note that it is also the applicant's responsibility to contact, seek support from, and coordinate with applicable state agencies, cities, counties, and local districts. If an applicant has a project-specific resolution of support from the affected city or county and local district, it should be included in the application package in order to facilitate the overall assessment process.

June 2015 DRAFT For Final Board Approval

## Appendices

### Appendix A: Glossary of Terms

Adaptive Management - a framework and flexible decision making process for ongoing knowledge acquisition, monitoring, and evaluation leading to continuous improvements in management planning and implementation of a project to achieve specified objectives.

Administrative Costs – Administrative costs include any expense which does not relate directly to project implementation. Similar to the traditional definition of “overhead,” administrative costs include such items as rent, utilities, per diem, office equipment and supplies, services such as internet and phone, etc.

Application – The individual application form and its required attachments for grants pursuant to the Conservancy’s Ecosystem Restoration and Water Quality Grant Program.

Best Available Science - Science with the following elements: (a) well-stated objectives; (b) a clear conceptual or mathematical model; (c) a good experimental design with standardized methods for data collection; (d) statistical rigor and sound logic for analysis and interpretation; and (e) clear documentation of methods, results, and conclusions.

Best Industry Practices - A best practice is a method or technique that has consistently shown results superior to those achieved with other means, used as a benchmark or standardizes, the most efficient and effective way to accomplish a desired outcome. A best practice is used to describe the process of developing and following a standard way of doing things that multiple organizations can use.

June 2015 DRAFT For Final Board Approval

CEQA – The California Environmental Quality Act as set forth in the Public Resources Code Section 21000 et seq. CEQA is a law establishing policies and procedures that require agencies to identify, disclose to decision makers and the public, and attempt to lessen significant impacts to environmental and historical resources that may occur as a result of a proposed project to be undertaken, funded, or approved by a local or state agency. For more information, refer to <http://ceres.ca.gov/ceqa>.

Conservancy – See Sacramento-San Joaquin Delta Conservancy.

Cost Share – The portion of the project not borne by the Conservancy's Prop. 1 funding.

Eligible Costs – Approved expenses incurred by the grantee during the performance period of the grant agreement.

Encroachment Permits - An encroachment permit is a contract between the Department of Transportation and an encroachment permit holder, (permittee), that describes the terms and conditions under which the permit holder is granted permissive authority to enter onto state right-of-way to perform the activity. An encroachment permit grants permission to the permittee or their agent (a contractor) to perform the within the state's right-of-way, and assignment to another party is prohibited.

Grant – Funds made available to a grantee for eligible costs during an agreement performance period.

Grant Agreement – An agreement between the Conservancy and the grantee specifying the payment of funds by the Conservancy for the performance of the project scope within the specific performance period.

Impaired Waterbody – A waterbody listed on Federal Clean Water Act Sec. 303(d). A waterbody (i.e., stream reaches, lakes, waterbody segments) with chronic or recurring monitored violations of the applicable numeric and/or narrative water quality criteria.

In-kind Contributions – Non-monetary donations that are used on the project, including materials and services. These donations shall be eligible as “other sources of funds” when providing budgetary information on grant applications.

Monitoring Activities – The collection and analysis of observations or data repeated over time and in relation to a conservation or management objective.

Natural System Functions - Features of wetlands, waterways, riparian areas and other vegetation that enable them to function as a natural system. Good practices can help in restoring natural system functions such as reducing surface run-off; filter sediments, nutrients and chemicals; provide habitat for fish and animals, native plants and create suitable habitat for nesting sites on wetlands



June 2015 DRAFT For Final Board Approval

Nonprofit Organization – A private, nonprofit organization that qualifies for exempt status under Section 501(c)(3) of Title 26 of the United States Code, and whose charitable purposes are consistent with those of the Conservancy as set forth in Public Resources Code Section 32320 et seq.

Performance Measure – A quantitative measure agreed upon by the Conservancy and grantee to track progress toward project goals and desired outcomes.

Planning Activities – Initial project development work, including but not limited to permits, mapping, partner coordination, and planning exercises. Planning activities must have a direct link and provide a direct path to future on-the-ground activities.

Pollutant – As defined in Clean Water Act Sec. 502(6), a pollutant means dredged spoil, solid waste, incinerator residue, sewage, garbage, sewage sludge, munitions, chemical wastes, biological materials, radioactive materials, heat, wrecked or discarded equipment, rock, sand, cellar dirt, and industrial, municipal, and agricultural waste discharged into water.

Pollution – The man-made or man-induced alteration of the chemical, physical or radiological integrity of water.

Protection - Action taken, often by securing a conservation easement, to ensure that habitat or conservation values are maintained.

Public Agencies – Any city, county, district, or joint powers authority; state agency; public university; or federal agency.

Reasonable Costs – Costs that are consistent with what a reasonable person would pay in the same or similar circumstances.

Restoration - Habitat is considered restored when actions have been taken that re-establish or substantially rehabilitate that habitat with the goal of returning natural or historic functions and characteristics.

Sacramento-San Joaquin Delta – The confluence of the Sacramento River and San Joaquin River basins, forming an inland delta.

Sacramento-San Joaquin Delta Conservancy - As defined in Public Resources Code Section 32320, the Conservancy acts as a primary state agency to implement ecosystem restoration in the Delta and support efforts that advance environmental protection and the economic well-being of Delta residents. The Conservancy's service area is the statutory Delta (see Water Code Section 12220) and Suisun Marsh.

Statutory Delta – As defined in Water Code Section 12220. The legal definition can be found at <http://www.leginfo.ca.gov/cgi-bin/displaycode?section=wat&group=12001-13000&file=12220>. A map

June 2015 DRAFT For Final Board Approval

of the statutory Delta can be found at <http://mavensnotebook.com/the-bdcp-road-map/environmental-impacts-of-alternative-4/bdcp-eir-ch-13-fig-13-1-statutory-delta/>.

Suisun Marsh – The largest contiguous brackish water marsh remaining on the west coast of North America and a critical part of the San Francisco Bay and Sacramento-San Joaquin River Delta estuary ecosystem. The Suisun Marsh Preservation Act—further defining the Marsh—can be found at [http://www.bcdc.ca.gov/laws\\_plans/suisun\\_marsh\\_preservation\\_act.shtml](http://www.bcdc.ca.gov/laws_plans/suisun_marsh_preservation_act.shtml).

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June 2015 DRAFT For Final Board Approval

## Appendix B: Key State, Federal, and Local Plans and Tools

### Plans

Proposition 1: <http://vig.cdn.sos.ca.gov/2014/general/en/pdf/text-of-proposed-law-prop1.pdf>

California Water Action Plan:

[http://resources.ca.gov/california\\_water\\_action\\_plan/Final\\_California\\_Water\\_Action\\_Plan.pdf](http://resources.ca.gov/california_water_action_plan/Final_California_Water_Action_Plan.pdf)

Delta Conservancy's Enabling Legislation: <http://deltaconservancy.ca.gov/about-delta-conservancy>.

Delta Plan. Delta Stewardship Council (2013): <http://deltacouncil.ca.gov/delta-plan-0>

2012 Strategic Plan. Sacramento-San Joaquin Delta Conservancy (2012):

[http://www.deltaconservancy.ca.gov/sites/default/files/docs/Delta\\_Conservancy\\_Strategic\\_Plan\\_Designed\\_20June2012.pdf](http://www.deltaconservancy.ca.gov/sites/default/files/docs/Delta_Conservancy_Strategic_Plan_Designed_20June2012.pdf)

Department of Water Resources Agricultural Land Stewardship Strategies:

<https://agriculturallandstewardship.water.ca.gov/>

Central Valley Flood Protection Plan:

[http://www.water.ca.gov/floodsafe/fessro/docs/flood\\_tab\\_cvfpp.pdf](http://www.water.ca.gov/floodsafe/fessro/docs/flood_tab_cvfpp.pdf)

Land Use and Resource Management Plan. Delta Protection Commission:

<http://www.delta.ca.gov/plan.htm>

2006 Implementation Plan. Central Valley Joint Venture (2006):

<http://www.centralvalleyjointventure.org/science>

Delta Science Plan. <http://deltacouncil.ca.gov/sites/default/files/documents/files/Delta-Science-Plan-12-30-2013.pdf>.

Economic Sustainability Plan for the Sacramento-San Joaquin Delta. Delta Protection Commission (2012): [http://www.delta.ca.gov/res/docs/ESP/ESP\\_P2\\_FINAL.pdf](http://www.delta.ca.gov/res/docs/ESP/ESP_P2_FINAL.pdf)

Recreation Proposal for the Sacramento-San Joaquin Delta and Suisun Marsh. California State Parks (2011): [http://www.parks.ca.gov/pages/795/files/delta%20rec%20proposal\\_08\\_02\\_11.pdf](http://www.parks.ca.gov/pages/795/files/delta%20rec%20proposal_08_02_11.pdf)

Suisun Marsh Habitat Management, Preservation, and Restoration Plan. Bureau of Reclamation (2013):

[http://www.usbr.gov/mp/nepa/nepa\\_projdetails.cfm?Project\\_ID=781](http://www.usbr.gov/mp/nepa/nepa_projdetails.cfm?Project_ID=781)

Yolo County Agricultural Economic Development Fund. Consero Solutions (2014):

<http://www.yolocounty.org/home/showdocument?id=26874>

June 2015 DRAFT For Final Board Approval

*National Oceanic and Atmospheric Administration's Recovery Plans:*

[http://www.westcoast.fisheries.noaa.gov/protected\\_species/salmon\\_steelhead/recovery\\_planning\\_and\\_implementation/](http://www.westcoast.fisheries.noaa.gov/protected_species/salmon_steelhead/recovery_planning_and_implementation/)

**Tools**

*California Aquatic Resources Inventory:* [www.sfei.org/it/gis/cari](http://www.sfei.org/it/gis/cari)

*California Environmental Data Exchange Network:* <http://www.ceden.org>

*California Rapid Assessment Method:* [www.cramwetlands.org](http://www.cramwetlands.org)

*California Wetlands Monitoring Workgroup:*

[http://www.mywaterquality.ca.gov/monitoring\\_council/wetland\\_workgroup/](http://www.mywaterquality.ca.gov/monitoring_council/wetland_workgroup/)

*Delta Stewardship Council Covered Actions:* <http://deltacouncil.ca.gov/covered-actions>

*EcoAtlas:* [www.ecoatlas.org](http://www.ecoatlas.org)

*Surface Water Ambient Monitoring Program:*

[http://www.waterboards.ca.gov/water\\_issues/programs/quality\\_assurance/comparability.shtml](http://www.waterboards.ca.gov/water_issues/programs/quality_assurance/comparability.shtml)