



SACRAMENTO - SAN JOAQUIN

**DELTA** CONSERVANCY

*A California State Agency*

## **GRANT GUIDELINES**

**Fiscal Year 2017-18**

### **PROPOSITION 1**

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

**FUNDED BY THE**

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



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## Quick Facts

*Made language consistent with that later in the document.*

### A. Types of Projects the Conservancy Funds

The Conservancy's Proposition 1 Ecosystem Restoration and Water Quality Grant Program funds competitive grants for multibenefit ecosystem and watershed protection and restoration projects in accordance with statewide priorities. The Conservancy will fund projects that address at least one of the following programmatic focal areas:

- Ecosystem Protection, Restoration, and Enhancement
- Water Quality
- Water-related Agricultural Sustainability

The Conservancy will grant funds for two project categories:

- Category 1 planning projects that advance pre-project activities necessary for a specific, on-the-ground project.
- Category 2 implementation projects that advance on-the-ground implementation projects and land acquisition projects. Category 2 projects must have an expected useful life of at least fifteen years.

### B. Where Projects Can be Located

The Conservancy will fund projects within or benefitting the Delta and Suisun Marsh as defined in Public Resources Code Section 85058 (a map can be found at this link: <http://deltacouncil.ca.gov/docs/dsc-tabloid-size-map-legal-delta>).

### C. Entities Eligible to Receive Funding

- California public agencies
- Nonprofit organizations
- Tribal organizations
- Public utilities
- Mutual water companies, including local and regional companies

### D. Available Funding

The Conservancy will award up to \$9.3 million during the 2017-2018 grant cycle.

### E. Timeline

- Concept Proposal Due: August 31, 2017
- Full Proposal Due: November 30, 2017
- Board Consideration of Awards: March 28, 2018
- Grant Agreements Executed: Fall 2018

## **F. Contact Information**

Please contact the Delta Conservancy at [prop1grants@deltaconservancy.ca.gov](mailto:prop1grants@deltaconservancy.ca.gov). More information can be found at: <http://deltaconservancy.ca.gov/prop-1/>.

## Introduction

### A. Background

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 works collaboratively and in coordination with local communities, leading efforts to protect, enhance, and restore the Delta's economy, agriculture and working landscapes, and environment, for the benefit of the Delta region, its local communities, and the citizens of California.

Voters approved the Water Quality, Supply, and Infrastructure Improvement Act of 2014 (Proposition 1) in November 2014. Proposition 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. Proposition 1 identifies \$50 million 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 Proposition 1 and the Conservancy's enabling legislation, the Conservancy's Grant Program will emphasize projects using public lands and private lands purchased with public funds, and those that maximize 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). All proposed projects must be consistent with statewide priorities as identified in Proposition 1, the California Water Action Plan, the Conservancy's enabling legislation and Conservancy's 2017-2022 Strategic Plan, the Delta Plan, and applicable species recovery plans. Links to Proposition 1 and the other plans and documents can be found in Appendix B: Key State, Federal, and Local Plans and Tools.

### B. Purpose of Grant Guidelines

*Removed redundant text.*

The Grant Guidelines (Guidelines) establish the process and criteria that the Conservancy will use to administer its Proposition 1 Ecosystem Restoration and Water Quality Grant Program. These Guidelines provide instructions for completing the required concept and full proposals. Prior to their initial adoption in 2015, the Conservancy posted draft Guidelines on its website for 30 days and hosted three public meetings as required by Section 79706(b) of Proposition 1. The Guidelines have been subsequently revised and reposted on the Conservancy's website for 30 days, and comment was invited at another public meeting.

# Grant Program Overview

## A. Program Description and Focal Areas

The Conservancy's Proposition 1 Ecosystem Restoration and Water Quality Grant Program funds competitive grants for multibenefit ecosystem and watershed protection and restoration projects in accordance with statewide priorities. The Conservancy will fund projects that address at least one of the following programmatic focal areas:

- Ecosystem Protection, Restoration, and Enhancement
- Water Quality
- Water-related Agricultural Sustainability

### **Ecosystem Protection, Restoration, and Enhancement**

The objective of this programmatic focal area is to protect, restore, and enhance ecosystem functions to improve the health and resiliency of native wildlife species in the Delta. This will require restoring greater extent, diversity, and connectivity of habitats as linked mosaics throughout the Delta landscape, as well as the underlying physical processes that create and maintain ecosystem function. The Conservancy is seeking to fund projects that are consistent with State priorities, including those that:

- Protect, restore, and/or enhance open water, wetland, riparian, and upland ecosystems, including:
  - Creating or improving fish and wildlife corridors.
  - Enhancing habitat value along levees.
  - Creating or enhancing habitat value of managed wetlands.
  - Improving watershed health, restoring inland wetlands, or implementing natural community conservation plans and/or habitat conservation plans to benefit endangered, threatened, or migratory species.
  - Acquiring land or conservation easements.
- Recover anadromous fish populations and their habitats, including fish passage barrier removal projects.
- Enhance habitat values on agricultural lands.
- Reduce or eliminate invasive species.
- Adapt watersheds to reduce the impacts of climate change, including developing wetlands for carbon management.

The Conservancy will not fund projects associated with regulatory compliance responsibilities.<sup>1</sup>

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<sup>1</sup> Proposition 1 funds cannot be used to meet the existing obligations for habitat restoration established through the biological opinions for the State Water Project (SWP) and Central Valley Project operations (USFWS 2008, NMFS 2009), the CDFW Longfin Smelt Incidental Take Permit for SWP Delta operations, or any other mitigation obligation of any party.



## **Water Quality**

*Revised project examples based on expert feedback.*

The objective of this focal area is to implement projects that contribute to the improvement of water quality in the Delta, and that will improve ecosystem or watershed condition, function, and resiliency, including projects that provide multiple public benefits and improve drinking and agricultural water quality or water supplies. Examples of water quality projects include those that:

- Improve management practices to reduce the use, availability, and/or runoff of chemicals (such as nutrients or bio-stimulatory substances, pesticides, or other contaminants) into waterbodies.
- Reduce erosion or runoff of sediment into waterbodies.
- Improve water management practices to improve water quality in waterways.
- Improve water quality by addressing impacts of non-native, invasive vegetation.
- Protect sensitive watershed lands to avoid or reduce water quality impacts from encroaching land uses.
- Increase flow in periods of limited water supply.

## **Water-related Agricultural Sustainability**

*Revised language and project examples based feedback from the PPS meeting.*

The objective of this focal area is to promote water-related agricultural sustainability projects that also provide ecosystem and/or watershed protection and/or restoration benefits. Examples of water-related agricultural sustainability projects include those that:

- Improve water management to support agriculture and provide ecosystem and/or watershed protection and/or restoration benefits.
- Develop infrastructure or implement other improvements that enhance agricultural productivity and provide ecosystem and/or watershed protection and/or restoration benefits.
- Minimize the detrimental impacts of water diversions for agriculture, including by consolidating existing intakes and screening new intakes.
- Sustain agricultural productivity and enhance the ecosystem and/or watershed protection and/or restoration benefits of agricultural lands, including:
  - Planting hedgerows and native vegetation to increase support for native terrestrial wildlife (e.g., native pollinators beneficial to agricultural productivity).
  - Modifying planting, harvesting, irrigating, or other practices on productive fields.
  - Implementing flexible management in agricultural areas to support diverse and dynamic ecosystems and watersheds.
  - Installing livestock exclusion fencing along drainage canals and other sensitive waterways to improve water quality and/or reduce habitat disturbance.
- Support continued farming and minimize detrimental impacts to water quality, including:

- Assisting with the exclusion or drainage of seepage water to reduce salinity intrusion affecting agricultural lands and improve the quality of agricultural discharges.
- Developing and implementing best management practices to improve the quality of agricultural discharges.
- Acquire an interest in real property to protect agriculture and to provide ecosystem and/or watershed protection and/or restoration benefits.

The examples provided above are offered as guidance for potential applicants and are not exhaustive nor a guarantee of individual project eligibility or funding. Eligibility and funding determinations will be made on a project-by-project basis. Projects must comply with all legal requirements, including the [State General Obligation Bond Law](#), to be eligible.

## B. Grant Categories

The Conservancy will grant funds for two project categories:

### **Category 1: Planning**

Planning projects advance pre-project activities necessary for a specific on-the-ground project that meets the Conservancy’s Grant Program eligibility criteria. Please note that receiving a Category 1 grant for a project does not guarantee that a Category 2 implementation grant will be awarded for the same project.

The Conservancy seeks to fund planning projects that will lead to eligible implementation projects, and is committed to promoting the development of projects in the Delta that will address at least one of the Grant Program’s focal areas. The Conservancy encourages the use of Category 1 grants to develop projects that are based on best available science.

Examples of Category 1 project activities include:

- Project management/administration
- Project scoping: partnership development, outreach to impacted parties, stakeholder coordination, negotiation of site access and land tenure
- Planning and design: engineering design, planting plans, identifying appropriate best management practices
- Environmental compliance: permitting, California Environmental Quality Act (CEQA) activities, Delta Plan consistency
- Science: developing adaptive management and monitoring plans, baseline monitoring, biological surveys, and studies that will inform and aid in implementation of an on-the-ground project
- Grant development for Proposition 1 project implementation funds (as part of a larger planning grant; cannot be a stand-alone proposal for grant development).

### **Category 2: Implementation**

Implementation projects advance on-the-ground implementation and land acquisition projects. Implementation projects must result in the construction, improvement, or acquisition of a capital asset that will be maintained for a minimum of 15 years.

Category 2 projects are "shovel ready" projects that have advanced to the stage where planning and engineering design plans are near completion. Applicants must, at a minimum, have completed intermediate plans (i.e., design plans at least 65% level of development; see Appendix A: Glossary of Terms for a complete definition of project engineering design terms). Implementation projects may include final design and permitting as project activities.

CEQA and National Environmental Policy Act (NEPA) compliance must be completed prior to grant award. The Board may, however, elect to reserve funds for projects that have not yet completed CEQA/NEPA. A reservation of funds does not guarantee that the grant will be awarded. For the Board to consider reserving funds, the applicant must anticipate completing environmental review within six months of the date the Board considers awards. Once complete, the Board will review the environmental document(s), determine whether to make the necessary CEQA findings, and approve the project.

Examples of Category 2 project activities include:

- Final planning and design
- Environmental compliance: permitting, Delta Plan consistency
- Science: developing adaptive management and monitoring plans, baseline monitoring, pre- and post-project monitoring
- Construction activities: dredging, earthmoving, construction of infrastructure
- Habitat restoration and enhancement: planting and revegetation, invasive vegetation removal, implementation of Best Management Practices
- Acquisition of real property: appraisals (including water rights appraisals), negotiation, due diligence, surveys, escrow fees, title insurance, closing costs
- Post-project maintenance within the three-year funding term
- Project management/administration

### **C. Geographic Area of Focus**

The Conservancy will fund projects within or benefitting the Delta and Suisun Marsh as defined in Public Resources Code Section 85058 (a map can be found at this link: <http://deltacouncil.ca.gov/docs/dsc-tabloid-size-map-legal-delta>).

The Conservancy may take or fund an action outside the Delta and Suisun Marsh if the Board makes all of the findings described in the Sacramento-San Joaquin Delta Reform Act of 2009, Sec. 32360.5. Applicants applying for funds for projects outside of the Delta and Suisun Marsh must be prepared to address the following:

- How the project implements the ecosystem goals of the Delta Plan.
- How the project is consistent with the requirements of any applicable State and federal permits.
- How the project will provide significant benefits to the Delta.

### **D. Funding Available**

The Conservancy will award up to \$9.3 million during the 2017-2018 grant cycle to eligible entities pursuant to these Guidelines.

## E. Grant Terms

### *Added definitions.*

Grant Funding Term: The time period, not to exceed three years, during which grantees may incur and be reimbursed for grant-related expenses.

Grant Term: The 15-year time period during which Category 2 projects must be maintained to comply with the State General Obligation Bond Law.

All grantees should be able to spend Conservancy-awarded funding within the three-year Grant Funding Term. For grants for Category 2 projects, the Grant Term extends for an additional 12 years beyond the Grant Funding Term, for a total of 15 years, to comply with the [State General Obligation Bond Law](#). For Category 2 projects, grantees must submit their final report and invoice at the end of the Grant Funding Term, but will be held to the terms of the grant agreement until the end of the 15-year Grant Term.

## Eligibility Requirements

### A. Bond Eligibility Requirements

The Conservancy's Grant Program funds competitive grants for multibenefit ecosystem and watershed protection and restoration projects that benefit the Delta and align with statewide priorities. Grants are available for the planning and implementation of specific, on-the-ground projects that comply with all legal requirements, including the [State General Obligation Bond Law](#). The State General Obligation Bond Law limits the use of bond funds to the construction, acquisition, and long-term improvement of capital assets that have an expected useful life of at least fifteen years (section 16727(a)).

### B. Eligible Applicants

*Rearranged for consistency with later parts of the document.*

Eligible grant applicants are:

- **California public agencies.** Any city, county, district, or joint powers authority; State agency; or public university.
- **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 and that has among its principal charitable purposes preservation of land for scientific, recreational, scenic, or open-space opportunities, protection of the natural environment, preservation or enhancement of wildlife, preservation of cultural and historical resources, or efforts to provide for the enjoyment of public lands.
- **Tribal organizations.** Eligible tribal organizations include 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.
- **Public utilities.** To be eligible for funding, projects proposed by 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.
- **Mutual water companies, including local and regional companies.** Additionally, in order to be eligible:
  - Projects proposed by 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 must have adopted and submitted an urban water management plan in accordance with the Urban Water Management Planning Act.
  - An agricultural water supplier must have adopted and submitted an agricultural water management plan in accordance with the Agricultural Water Management Planning Act.
  - An agricultural water supplier or an urban water supplier must comply with the requirements of Part 2.55 of their respective water management planning acts.

## C. Ineligible Projects

The following projects are ineligible for the Conservancy's Grant Program:

- Implementation projects that will not result in the construction, acquisition, or long-term enhancement of a capital asset.
- Planning projects that do not relate to an eligible implementation project.
- Projects consisting solely of education, outreach, or events activities; however, these types of activities may be included as part of the overall implementation of a project eligible for Conservancy grant funds to the extent they contribute to project implementation.
- Projects to design, construct, operate, mitigate, or maintain Delta conveyance facilities.
- Projects dictated by a legal settlement or mandated to address a violation of, or an order (citation) to comply with, a law or regulation.
- Projects that subsidize or decrease the pre-existing mitigation obligations of any party.
- Projects that do not comply with all legal requirements of Proposition 1 and other applicable laws.

## D. Eligible Expenses

*Moved information about calculating indirect expenses to the newly-created Budget Tables subsection.*

Eligible expenses incurred upon the start date listed in the grant agreement and prior to the end of the Grant Funding Term may be directly reimbursed. Direct costs which can be specifically and easily identified as generated by and in accordance with the provisions or activity requirements of the project, and which are for work performed within the specified terms and conditions of the grant agreement, are eligible for reimbursement. Cost share may be used between the time that the full proposal is submitted to the Conservancy and the end of the Grant Funding Term.

Indirect costs that do not have a specific direct relationship to the project but are a requirement for the completion of the project may be eligible for reimbursement, at a rate of up to twenty (20) percent of the project implementation costs associated with personnel services and general operating expenses. See the Budget Tables section below for more information.

## E. Ineligible Expenses

Grant funding may not be used to:

- Establish or increase an endowment or legal defense fund.
- Make a monetary donation to other organizations.
- Pay for food or refreshments.
- Pay for tours.
- Pay for eminent domain processes.
- Subsidize or decrease the mitigation obligations of any party.

- Pay for the completion of environmental review pursuant to CEQA/NEPA for a Category 2 project (environmental review must be complete prior to the award of funds for a Category 2 project).

If ineligible expenses are included in the project budget, the Conservancy may deem the project to be ineligible. In some cases, the Conservancy may approve a project for funding with the total amount of the award reduced by the amount of the ineligible expenses. In that event, the Conservancy will contact the applicant to confirm that the project is still viable. Applicants should avoid including ineligible expenses in the application and should contact Conservancy staff with questions.

## Grant Cycle Overview

The application process consists of two steps, a concept proposal and a full proposal. Applicants are encouraged to contact Conservancy staff at any time during the grant proposal process. Because of the competitive nature of the grant cycle, staff may be constrained in the type and amount of feedback that it can provide during the full proposal submission period. The Conservancy will post any questions of universal relevance on the Proposition 1 Grant Program web page to assist others with similar questions. The Conservancy will post public workshop opportunities to the training page on its website: <http://deltaconservancy.ca.gov/prop-1-trainings/>.

### A. 2017-2018 Grant Cycle Important Dates

The Conservancy's grant application process is approximately eight months long. Concept proposals are solicited in the summer, full proposals are solicited in the fall, and funding is awarded the following spring. Following grant awards, negotiating and executing a grant agreement takes an additional three to six months. An applicant should not expect to begin work prior to six months after Board approval of full proposals. All dates for the Conservancy's 2017-2018 grant cycle are subject to change. Please check the [Proposition 1 Grant Program](#) web page for the most up-to-date information.

Important dates for the 2017-18 grant cycle:

- Concept Proposal Submission Period – August 1–31, 2017
- Concept Proposal Review and Consultation Period – September 1–30, 2017
- Full Proposal Submission Period – October 2–November 30, 2017
- Full Proposal Review Period – December 1, 2017–March 27, 2018
- Board Consideration of Awards – March 28, 2018
- Grant Negotiation and Execution – April 1–September 30, 2018

### B. Concept Proposal Solicitation Process

The first step in the application process is submittal of a short concept proposal that describes the project that will be submitted for consideration during the full proposal solicitation. **Concept proposals are required.**

Concept proposals are encouraged from any eligible applicant. Conservancy staff will review concept proposals and provide feedback to all applicants to aid them in assembling a complete, clear, and responsive full proposal. Concept proposals will not be scored. All applicants will be provided with written comments on their concept proposals, as well as an opportunity to meet with Conservancy staff to discuss feedback. Only proposals submitted prior to the submission deadline (currently expected to be August 31, 2017) will be reviewed.

Applicants may, and are encouraged to, consult with the Conservancy during the drafting of their concept proposal. Once a concept proposal has been submitted, Conservancy staff will only be able to provide status updates until the proposal has been reviewed and a feedback meeting is scheduled.



## C. Full Proposal Solicitation Process

*Revised to explain the process for contesting denied projects as discussed at the PPS meeting.*

The second step in the application process is submittal of a full proposal. Each applicant is responsible for deciding whether or not to submit a full proposal based on feedback received at the concept proposal stage. A full proposal will only be accepted if a concept proposal was submitted. Only full proposals submitted prior to the submission deadline (currently expected to be November 30, 2017) will be considered.

After the full proposal application period ends, the Conservancy will conduct an administrative review of full proposals. Projects that fail to meet the administrative review requirements may not be moved on for full scoring. Administrative review includes:

- Review for eligibility, consistency with program requirements, and completeness
- Review for conflicts of interest
- Review of financial systems
- Legal review
- Notification of State and local agencies
- Site visits with all eligible applicants

Full proposals will also be evaluated and scored by Conservancy staff and an independent professional review panel made up of State and federal agency technical experts. The professional review panel will provide an additional independent review. Final scores will be based on internal and external reviews.

Final scores and staff recommendations for funding will be posted on the Conservancy's website and shared with all applicants in advance of the Board's consideration of projects for funding. Submitted proposals will be available to the public upon request. The Board will consider and take action on staff recommendations at a public meeting. Only projects approved by the Board will be awarded funding. All applicants and members of the public will have the opportunity to appear before the Board at this time. Any applicant not recommended for approval may contest the funding recommendations by notifying Conservancy staff in writing by 5:00 p.m. at least three business days prior to the Board meeting at which funding recommendations will be considered. The notification must describe the specific issues the applicant wishes to contest.

If funding for 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 protocols, and funding disbursement. This typically takes three to six months from the date funding is awarded.

## D. Scoring Threshold and Funding Decisions

*Added language to specify that the Board can prioritize for approval should funding become available any project that has not been recommended but scored above 75 points.*

All full proposals will be scored. Only proposals scoring 75 points or more are eligible to be recommended to the Board for funding. A score of 75 points during the full proposal stage does

not guarantee that a grant award will be made or that a project will receive all of the requested funding. Funding recommendations and decisions will be based upon scores and the reasonableness of costs, as well as the diversity of the types of projects and their locations, which together will create the maximum benefit within the Delta as a whole. If funding requested by proposals that receive at least 75 points exceeds the funds available for the grant cycle, the Conservancy may choose to award partial funding. The Board may also choose to prioritize for approval any unfunded projects that scored more than 75 points, should subsequent funding become available. If a project scores at least 75 points but does not demonstrate strong local support or a lack of significant conflict from local interests, the Conservancy reserves the right to not fund the project or require that the conflict is satisfactorily resolved before awarding funding. The Board may, within its discretion, approve a conditional award of funds or reserve funds to accommodate pending actions (e.g., completion of CEQA).

# Proposal Instructions

## A. Concept Proposal Instructions

*Added additional information to explain what is required for the maps that applicants must submit. Rearranged Funding Request and Budget text.*

Please read the instructions below to submit a complete, clear, and responsive concept proposal. All files should be submitted electronically one of two ways:

- (1) via email to [prop1grants@deltaconservancy.ca.gov](mailto:prop1grants@deltaconservancy.ca.gov); or
- (2) via a removable storage device (such as a flash drive) or CD and mailed or hand delivered (between 8:00 am and 4:30 pm) to 1450 Halyard Drive, Suite 6, West Sacramento, CA 95691.

The concept proposal narrative should not exceed six pages (not including the required supplementary materials, listed below). Applicants must use at least 11-point standard font, single line spacing with one-inch page margins.

### **Concept Proposal Narrative**

The following concept proposal requirements align with the required components of the full proposal. The Conservancy expects concept proposals to provide a concise overview of the requested information; full details are required in the full proposal.

#### *Project Description and Organizational Capacity*

Provide a clear description of the project proposed for Conservancy funding. The project description must include:

- The need for the project.
- The project's goals and objectives.
- General tasks that will be undertaken and work products or deliverables.
- Experience and qualifications of parties working on the project.
- For acquisition projects only, address the status of meeting the specific requirements for acquisitions (see the Land Acquisitions section for more information).

#### *Funding Request and Budget*

In addition to the Budget Table (part of the supplementary materials), provide a description that explains how budget items in the Budget Table align with project tasks described in the project description. Along with other expenses, the description should explain how grant management and reporting costs will be funded, either by the Conservancy's Grant Program or using cost share or State leveraged funds. Applicants are encouraged to review other Grant Program requirements that may be eligible for Conservancy grant funding (e.g., Delta Plan consistency, developing a landowner access agreement, etc.; see Appendix C: Proposal Requirements Checklist for more information) and include these in their budgets where applicable. Describe the status of cost share efforts, including the leveraging of State funds.

#### *State Priorities/Project Benefits*

Demonstrate that the project will yield multiple benefits aligned with State priorities as described in:

- Proposition 1
- California Water Action Plan
- The Conservancy's [enabling legislation](#)
- The Conservancy's 2017-2022 Strategic Plan
- The Delta Plan
- Applicable species recovery plans and other related efforts, including the Sustainable Groundwater Management Act (SGMA)

Category 1 projects should describe alignment with the above for the specific, on-the-ground project for which planning is being conducted.

#### *Readiness*

Describe the readiness to proceed with the project, indicating any work that has already been done and any additional work to be completed before beginning the work being proposed for Conservancy funding. Describe permits and landowner agreements that will be required, if applicable. Discuss the status of CEQA compliance, identify the CEQA lead agency, and specify whether or not the Delta Conservancy is the expected lead agency at this stage. For Category 1 planning projects, describe how the proposed planning activities will advance the project toward implementation.

#### *Local Support*

Describe support for the project, including individuals who and organizations that will be participating in the project, cooperating on the project (providing guidance, etc.), and supporting the project (not actively engaged, but aware of the project and supportive). Describe the project's approach to informing and consulting affected parties. At the full proposal stage, applicants should be prepared to submit letters of support.

#### *Scientific Merit*

Describe the scientific basis of the proposed project and how best available science has been or will be integrated into the project. In addition, describe how the project is applying the Delta Plan's adaptive management framework, as appropriate to the scope of the project. Describe how climate change considerations are being taken into account. For Category 2 projects, include a general description of the project's approach to performance monitoring and assessment, and include a Performance Measures Table using the Performance Measures Table template provided on the Grant Program web page.

#### **Concept Proposal Supplementary Materials**

In addition to the six-page narrative, applicants must include:

1. Cover page listing the following information (one page maximum):
  - Project name
  - Project location (county, city/community, and any information that is more specific to the project site)
  - Project category (Category 1 or Category 2)
  - Programmatic focal area (ecosystem protection, restoration, and enhancement, water quality, and/or water-related agricultural sustainability)

- Proposed start/end date for the Grant Funding Term (note: start date may be no earlier than six months after Board approval of the full proposal and end date may be no later than three years after the start date)
  - Organization/agency name and type (California public agency, nonprofit, tribe, public utility, or mutual water company) and mailing address
  - Primary contact's name and contact information (mailing address, telephone number, and email)
  - Organization's federal tax ID number
2. Map of project site. The map should provide detail sufficient to allow a person unfamiliar with the area to locate the project, and must include a legend, scale, and polygon indicating the footprint(s) of the project, and appropriately-labeled identifying factors such roads, waterways, towns, and county boundaries.
  3. Budget Table (template will be provided on the Grant Program web page).
  4. Performance Measures Table (category 2 projects only; template will be provided on the Grant Program web page).

## B. Concept Proposal Review

*Added an additional eligibility criterion. Changed the language in the fourth eligibility criterion. Changed the language of the Scientific Merit and Performance Measures evaluation question.*

### **Eligibility Review**

Conservancy staff will review your proposal for eligibility and provide feedback based on the following eligibility questions. Eligibility will be reassessed during the full proposal review process.

#### *Eligibility Questions*

1. Will the project result in the construction, acquisition or long-term improvement of a capital asset or is the project a planning effort that will lead to such project? A capital asset is tangible physical property that has a useful life of at least fifteen years.
2. Is the project a multibenefit ecosystem or watershed protection or restoration project?
3. Is the project an ecosystem protection, restoration, or enhancement project; a water quality project; or a water-related agricultural sustainability project that has ecosystem or watershed benefits?
4. Is the project aligned with State priorities as described in Proposition 1, the California Water Action Plan, the Conservancy's enabling legislation and 2017-2022 Strategic Plan, and the Delta Plan?

### **Evaluation**

Staff will review proposals and provide feedback based on the evaluation questions below. All concept proposal applicants will be provided with feedback regarding the soundness of the concept and the readiness of a project to submit a full proposal, and to indicate what additional information is recommended for inclusion in a proposal.

#### *Project Description and Organizational Capacity*

1. Does the project description explain the need, goals and objectives, tasks and deliverables, and the related experience and qualifications of all parties working on the

project? For acquisition projects, what is the status of the project in addressing requirements specific to acquisition projects? Is the budget reasonable?

*Funding: Cost Share and Leveraging*

2. Are cost share and leveraging addressed?

*State Priorities*

3. Does the project further Proposition 1 and State priorities, including implementation of the California Water Action Plan, the Conservancy's enabling legislation and 2017-2022 Strategic Plan, the Delta Plan, and applicable species recovery plans?

*Readiness*

4. For a Category 1 project, does the proposal demonstrate how the proposed planning activities will advance the project toward implementation in a timely manner? For a Category 2 project, what is the status of planning and permitting, and is the project ready to begin?

*Local Support*

5. Does the project have local support and does it demonstrate an approach to informing and consulting potentially affected parties?

*Scientific Merit and Performance Measures*

6. Is the scientific basis of the proposed project described, and does it demonstrate the use of best available science? Is the applicant applying the Delta Plan's adaptive management framework, as appropriate to the scope of the project? Are climate change considerations being taken into account? For Category 2 projects, how well is performance monitoring and assessment described?

## **C. Full Proposal Instructions**

*Revised the language about Resolutions of Support from Applicable Local Government Agencies to be consistent with that later in the document.*

Applicants may choose to submit a full proposal after submitting and receiving feedback on a concept proposal. Concept proposals are required before a full proposal will be accepted. Additional information about the content of the full proposal is included in the Proposal Requirements section, below. The Conservancy will post full proposal application materials on the Grant Program web page. For a checklist of all of the information required for the full proposal, see Appendix C: Program Requirements Checklist. The full proposal includes the following components:

1. Application form
2. Attachments
3. Supplementary materials

### **Application Form**

The Conservancy will provide the application form, which is designed to collect information about the project and the applicant and will serve as the basis of the project narrative on which

the proposal is evaluated. For more information about what is required on the application form, please carefully read the Full Proposal Evaluation and Proposal Requirements sections below.

### **Attachments**

Each application must include the required attachments, in the specified file type (Word or Excel) and using the templates that the Conservancy provides. Required attachments include:

- Financial Management System Questionnaire and Cost Allocation Plan
- Schedule and List of Deliverables
- Line Item Budget by Task
- Funding by Source

The following attachments are required if relevant to the proposed project:

- California Conservation Corps Consultation
- Acquisition Table
- Performance Measures Table
- Ecosystem and Land Use Types

### **Supplementary Materials**

Applicants must submit the following supplementary materials if they are relevant to the proposed project.

#### *Authorization or Resolution to Apply*

Provide documentation of authorization to submit an application for grant funding to the Conservancy.

- **Nonprofit organizations, tribes, and local government agencies** - A project-specific governing board resolution is required. However, if the organization's governing board has delegated authority to a specific officer to act on behalf of that organization, that officer may, in lieu of a resolution, submit a letter of authorization along with documentation of the delegated authority. The documentation of delegated authority must include language granting such authority and the date of delegation.
- **State agencies** - In lieu of a resolution, State agencies may submit a letter authorizing the application. The letter must be on the agency's letterhead, and must identify the position (job title) of the authorized representative.

For both letters and resolutions, the authorized representative may be a particular person (or persons) or a position (or positions). The advantage of having a position named as the authorized representative is that a new letter or resolution will not be required should the person currently holding the position change.

#### *Documents Required of Nonprofit Applicants*

Nonprofit applicants must submit Articles of Incorporation, IRS letters, and signed bylaws. Nonprofits incorporated outside of California must submit documentation from the California Secretary of State showing that they are permitted to do business in the State of California.

*Documents Required of Tribal Organizations* Tribes must show proof of its inclusion on the National Heritage Commission's California Tribal List, or proof of federal recognition.

### *Documents Required of Mutual Water Company*

Urban water suppliers must submit their urban water management plan in accordance with the Urban Water Management Planning Act (Part 2.6 (commencing with Sec. 10610) of Division 6).

Agricultural water suppliers must submit their agricultural water management plan in accordance with the Agricultural Water Management Planning Act (Part 2.8 (commencing with Sec. 10800) of Division 6).

Urban water suppliers and agricultural water suppliers must show proof of how they comply with the requirements of Part 2.55 (commencing with Section 10608) of Division 6.

### *Information Required for Acquisition Projects*

For acquisition projects, the following supplementary materials are required at the time of application:

- Copy of the Purchase and Sale Agreement, Option Agreement, or Willing Seller Letter(s)
- Appraisal or Estimation of Fair Market Value
- Parcel Map with County Assessor's Parcel Number(s)

### *Maps, Photos, and Site Plans*

- **Project Location Map** – All full proposals must include a map identifying the project site(s). The map should provide detail sufficient to allow a person unfamiliar with the area to locate the project, and must include a legend, scale, and polygon indicating the footprint(s) of the project, and appropriately-labeled identifying factors such roads, waterways, towns, and county boundaries. Applicants are encouraged to provide a satellite image or aerial photograph as the background of the map, if available. Maps may not be hand drawn.
- **Project Location Electronic File (kmz or Shapefile)** – Required of all projects.
- **Parcel Map with County Assessor's Parcel Number(s)** – For all acquisition projects (required), and as applicable for other projects, provide an Assessor's Parcel Map of the project area with the parcel(s) identified by parcel number.
- **Topographic Map** – If applicable, submit a topographic map (preferred 1:24,000 scale) detailed enough to identify the project area and elements as described in the proposal.
- **Photos of the Project Site** – If applicable, submit no more than 10 photos of the project.
- **Site Plan** – If applicable, provide a drawing or depiction indicating scale, project orientation (e.g., north-south), what work the grantee will accomplish, where the work will be done and the approximate square footage or acreage of any improvements that are part of the grant scope. The plan should also indicate access points to the site.

### *Environmental Compliance*

For all Category 2 projects for which CEQA requirements are complete, the applicant must include all final CEQA documents. All Category 2 projects must submit a covered action checklist with the full proposal. For more information on environmental compliance requirements, please see the Proposal Requirements section, below.



#### *Letters of Support and Cost Share Commitment Letters*

Applicants must provide cost share commitment letters from all partners that are providing a cost share. These letters must specifically confirm the dollar amount committed. Applicants must provide a letter of support from the landowner of the project site if the applicant is not the landowner. If applicable, applicants are strongly encouraged to provide a letter of support from the entity providing water for a Category 2 implementation project. Applicants are encouraged to provide letters of support for the project from project partners and stakeholders. Letters of support should be submitted to the Conservancy with the full application materials.

#### *Resolutions of Support from Applicable Local Government Agencies*

A resolution of support from the Board of Supervisors from the county in which the project is located is a component of the full proposal. If an applicant has another project-specific resolution of support from the affected city, county, or local district, it should be included with the full proposal in order to facilitate the overall assessment process.

## **D. Evaluation Criteria for Full Proposal**

*Added an additional eligibility criterion. Changed the language in the fourth eligibility criterion. Changed the language of the Consistency with State Priorities and Scientific Merit and Performance Measures evaluation criteria.*

### **Eligibility Review**

Conservancy staff will review your proposal for eligibility based on the following questions. Projects will be deemed eligible only all four eligibility questions can be answered affirmatively.

#### *Eligibility Questions (Yes/No)*

1. Will the project result in the construction, acquisition or long-term improvement of a capital asset or is the project a planning effort that will lead to such a project? A capital asset is tangible physical property that has a useful life of at least fifteen years.
2. Is the project a multibenefit ecosystem or watershed protection or restoration project?
3. Is the project an ecosystem protection, restoration, or enhancement project; a water quality project; or a water-related agricultural sustainability project that has ecosystem or watershed benefits?
4. Is the project aligned with State priorities as described in with Proposition 1, the California Water Action Plan, the Conservancy's enabling legislation and 2017-2022 Strategic Plan, and the Delta Plan?

### **Evaluation and Scoring**

Full proposals will be evaluated using the following criteria (for a maximum of 100 points). The number of total possible points is indicated for each criterion. Projects must score a total of 75 points or more to be recommended for funding.

#### *Project Description, Budget, and Organizational Capacity*

1. How well does the proposal provide a clear description of the project, including:
  - the need for the project, and project goals and objectives;

- the project’s tasks and deliverables (deliverables should be recorded on the Schedule and List of Deliverables attachment); and
  - for acquisition projects, how well does the proposal address the specific requirements of the Conservancy’s enabling legislation and Grant Guidelines that apply to acquisitions? (10 points)
2. How clear, reasonable, and justified is the project’s budget, including all budget tables? (5 points)
  3. To what extent does the proposal describe appropriate partnerships and organizational capacity, and demonstrate the appropriate qualifications of affiliated staff and committed partners? (5 points)

*Funding: Cost Share and Leveraging*

4. To what extent does the project have a cost share with private, federal, or local funding to maximize benefits? (5 points)
  - Cost share of >40% (5 points)
  - Cost share of 31-40% (4 points)
  - Cost share of 21-30% (3 points)
  - Cost share of 11-20% (2 points)
  - Cost share of 1-10% (1 point)
  - Cost share of < 1% (0 points)
5. To what extent does the project leverage other State funds? (3 points)
  - Cost share of >20% (3 points)
  - Cost share of 11-20% (2 points)
  - Cost share of 1-10% (1 point)
  - Cost share of <1% (0 points)

*State Priorities*

6. How well does the proposal demonstrate alignment between a specific, on-the-ground project and State priorities as described in Proposition 1, the California Water Action Plan, the Conservancy’s enabling legislation and 2017-2022 Strategic Plan, the Delta Plan, and applicable species recovery plans? Where relevant, proposals should discuss a project’s alignment with regional plans. (15 points)
7. (a). For Category 1 projects, how well does the proposal explain how the planning effort will contribute to a specific, on-the-ground project? (5 points)
7. (b). For Category 2 projects, how well does the proposal demonstrate plans for long-term management and sustainability of the project for the required minimum of 15 years? (5 points)

*Readiness*

8. (a). For Category 1 projects, how well does the proposal demonstrate how the proposed planning activities will advance the project toward implementation in a timely manner, and how previous and subsequent phases will ensure that environmental compliance and all data gaps are addressed? (12 points)
8. (b). For Category 2 projects, how complete is project planning including the status of CEQA and permitting efforts, when will the project be ready to begin implementation, and what is the status of land tenure (where applicable)? (12 points)

*Local support*

9. How well does the proposal demonstrate that the project has local support? How well does the proposal demonstrate an approach to informing and consulting potentially affected parties, and to avoiding, reducing, or mitigating conflicts with existing and adjacent land uses? (20 points)

*Scientific Merit*

10. How well does the proposal explain the scientific basis of the proposed project including the application of best available science? Does the proposal demonstrate the application of the Delta Plan's adaptive management framework, appropriate to the scope of the proposed project? How well does the proposal address potential vulnerabilities of the project site to climate change effects, and how the project will account for and provide adaptation and/or resiliency to potential climate change effects? For Category 2 projects, how well is performance assessment and monitoring described? (20 points)

## Proposal 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.

If an applicant has a contract with the Conservancy and is contemplating applying for a grant, the applicant should consult with Conservancy staff to determine eligibility. Failure to comply with the conflict of interest laws, including business and financial disclosure provisions, will result in the proposal being rejected and any 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 an applicant has submitted a proposal to the Conservancy, any privacy rights, as well as other confidentiality protections afforded by law with respect to the application package, will be waived. All proposals are public records under the California Government Code Sections 6250-6276.48, and will be provided to the public upon request.

### C. California Conservation Corps

*Rearranged the language.*

The California Conservation Corps (CCC) is a State agency with local operations throughout the State. The Certified Community Conservation Corps (as represented by the California Association of Local Conservation Corps [CALCC]), is the representative for the certified local conservation corps defined in Section 14507.5 of the Public Resources Code. Collectively, these entities are referred to as the Corps. Prior to submitting a full proposal, all applicants shall first consult with the Corps as to the feasibility of using their services to implement projects [California Water Code (CWC) §79734] unless noted exceptions apply (Category 1 projects and Category 2 acquisition projects are generally exempt). Applicants that fail to engage in such consultation are not eligible to receive funding through the Conservancy's grant program. The Conservancy will provide on its Grant Program web page a form with additional guidance on the steps necessary to ensure compliance, as well as sections to be completed by the applicant, the CCC, and the CALCC.

If an applicant submits a proposal to the Conservancy for a project for which it has been determined that Corps services can be used, the applicant must identify in the proposal the appropriate Corps and the component(s) of the project in which they will be involved, and include estimated costs for those services in the Budget Tables. Further, applicants awarded funding must thereafter work with either the CCC or CALCC to develop a statement of work and enter into a contract with the appropriate Corps.

## 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), the Delta Plan, and other environmental permitting requirements. The applicant is solely responsible for project compliance. All applicants must list and describe existing and additional permits required for the project. Applicants should be prepared to submit, upon request, any permits, surveys, or reports that support the status of their environmental compliance. As part of the grant agreement, the grantee is required to certify that it understands that it is the grantee's responsible for complying with all federal, State and local laws that apply to the project.

Applicants may include in their budgets the funding necessary for compliance related tasks; however, awards for Category 2 projects cannot be finally approved until the required CEQA documents have been completed and the necessary findings made. The Board may, within its discretion, reserve funds for projects that have not yet completed their environmental review as required by CEQA. However, a reservation of funds is not a guarantee of grant award. A Category 1 grant may be proposed in order for an applicant to complete the CEQA process in advance of submitting an application for a Category 2 project. Approval of grant funding for a Category 1 project is not a guarantee of any future funding and the Conservancy retains full discretion to approve or reject an associated Category 2 project application.

Proposals for projects that are subject to CEQA must identify the lead agency and explain how the project will comply with CEQA. If the lead agency has not completed its CEQA process at the time of application, the applicant shall indicate when it anticipates completing the CEQA process. For most projects subject to CEQA, the Conservancy will serve as a responsible agency, unless there is no other public agency responsible for carrying out or approving the project for which the applicant seeks funding, in which case the Conservancy will serve as the lead agency. The applicant must coordinate with the Conservancy prior to full proposal submission if the Conservancy is anticipated to act as the lead agency for the project.

For proposed projects that include an action that is likely to be deemed a covered action, pursuant to CWC Section 85057.5, the applicant is responsible for ensuring consistency with the Delta Plan. The Conservancy encourages all applicants to communicate with the Delta Stewardship Council to better understand whether or not their projects will need to certify their consistency with the Delta Plan. For all Category 2 projects, a covered action checklist must be submitted with the full proposal (see Appendix B: Key Local, State and Federal Plans and Tools for more information) For those projects that will need to certify consistency, the proposal shall include a description of how consistency will be achieved, and may include in its budget the funding necessary to complete related tasks, including the development of an Adaptive Management Plan. The project must be certified as consistent with the Delta Plan before funds are disbursed for construction or the physical implementation of the project. The applicant must coordinate with the Conservancy prior to proposal submission if the Conservancy is anticipated to act as the covered action lead agency for the project.

## E. Water Rights

Funded projects that address stream flows and water use shall comply with the CWC, as well as any applicable State or federal laws or regulations. Any project 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 in their grant proposal an understanding of the 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 funding term of a grant. In addition, any project 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. Projects that propose to acquire a permanent dedication of water must be in accordance with Section 1707 of the CWC; specifically the SWRCB must specify that the water proposed for acquisition is in addition to the water that is needed to meet regulatory requirements (Section 79709(a)). Applicants may apply for funding from the Conservancy to complete the Section 1707 petition process, but SWRCB must approve the petition prior to the dispersal of funds for any other project tasks. 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.

It is the responsibility of the applicant to comply with SWRCB regulations regarding the diversion and use of water, including ensuring that the applicant has adequate water rights to complete the project and that the project will not reduce or otherwise affect the rights of other water rights holders (Section 79711(d)). For Category 2 projects that require water application (e.g., restoration, working lands enhancements, etc.), applicants must submit a statement or application number for the water right they propose to use, as well as a short statement demonstrating that the project's water use has been considered, is reasonable, and that there is sufficient water to implement and maintain the project without causing adverse impacts to downstream users or surrounding landowners. Conservancy staff will consult with the office of the Delta Watermaster regarding projects that propose to use water. The Delta Watermaster will review the water rights affiliated with the proposed projects and will provide an informal opinion as to whether or not these water rights appear to be subject to challenge. When considering if a project should be recommended for funding, Conservancy staff will consider the Watermaster's input and any issues identified during internal review.

If applicable, applicants are strongly encouraged to provide a letter of support from the entity providing water for a Category 2 implementation project. As a condition of the grant agreement, if a grantee is not the water right holder and the landowner is the water rights holder, the grantee must submit a landowner access agreement that includes a clause that specifically grants the grantee the right to use water for the purposes of implementing the proposed project (see Land Tenure section, below, for more information about the landowner access agreement: page 3, paragraph 4 of the landowner access agreement template, found on the Conservancy's Grant Program web page, includes the water rights clause referenced here). If neither the grantee nor the landowner is the water right holder, as a condition of the grant agreement, the grantee must submit a written statement from the water right holder that verifies that the water right holder has the right to deliver water to the property on which the proposed project will be implemented, and that the water rights holder recognizes its obligation to provide water to that property for the purposes of implementing the proposed project. The Conservancy may at any time request that an applicant or grantee provide additional proof that it has a legal right to divert water and sufficient documentation regarding actual water availability and use.

## F. Best Available Science

*Added language about climate change plans and tools.*

All proposals will be evaluated on the scientific basis of their project. Applicants must provide a description of the scientific foundation of their project, including scientific literature, studies, or expert opinion that they have consulted. Applicants must use the best available science when planning and implementing their proposed projects. By using the best available science, applicants maximize the chances of success for their project. Best available science should be:

- Relevant
- Inclusive
- Objective
- Transparent and Open
- Timely
- Peer reviewed

A more complete review of best available science can be found in [Appendix 1A of the Delta Plan](#).

Applicants proposing ecosystem restoration and enhancement projects are encouraged to take into account the landscape considerations and guidelines discussed in *A Delta Renewed: A Guide to Science-Based Ecological Restoration in the Sacramento-San Joaquin Delta* (A Delta Renewed, SFEI-ASC, 2016) when determining appropriate habitat restoration or enhancement actions. All applicants are encouraged to consult recent resources on climate change in California, which include the following: [California Natural Resources Agency's Safeguarding California Plan: 2017 Update](#) (particularly the Biodiversity and Habitat Section), [Cal-Adapt](#) (includes climate tools, data, and resources), the [California Climate Commons](#), Point Blue Conservation Science's [Climate-Smart Restoration Toolkit](#), and the Ocean Protection Council's [2017 Rising Seas in California: An Update on Sea-Level Rise Science](#).

## G. Adaptive Management

*Modified to accommodate feedback provided by the Delta Stewardship Council.*

Adaptive management is 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. Adaptive management provides for taking actions designed to achieve desired outcomes through an iterative learning process that advances scientific understanding and increases the likelihood for a project to achieve desired goals and objectives. Adaptive management acknowledges uncertainty and promotes flexible decision making that can be adjusted in the face of uncertainties as outcomes from management actions and other events, such as climate change, become better understood. Long-term management is related to adaptive management, and the two terms are frequently conflated. Adaptive management describes the scientific process in which the entire project is embedded, whereas long-term management deals with the ongoing stewardship and maintenance of the site. All applicants are required to develop and utilize science-based adaptive management that is consistent with the Delta Plan's adaptive management framework, found

here: [http://deltacouncil.ca.gov/sites/default/files/documents/files/AppC\\_Adaptive%20Management\\_2013.pdf](http://deltacouncil.ca.gov/sites/default/files/documents/files/AppC_Adaptive%20Management_2013.pdf).

Since the adaptive management approach should be integrated throughout the project, it will be incorporated across many sections of the proposal. Applicants will be asked to summarize their approach to adaptive management in the Scientific Merit section of the full proposal.

1. **Define/redefine problem.** The problem/need for the project should be stated in the project description.
2. **Establish goals and objectives.** Goals and objectives should be discussed in the project description, and be included in the Performance Measures Table for Category 2 projects.
3. **Model linkages between objectives and proposed actions.** Linking goals and objectives to conceptual and other models is a critical component of establishing the project's scientific merit. Models link the objectives to the proposed action and clarify why an intended action is expected to result in meeting its objectives. This should be described in the section on scientific basis.
4. **Select action(s) and develop performance measures.** The project description describes the actions that will be completed, and, for Category 2 projects, the Performance Measures Table captures the project's performance measures.
5. **Design and implement action(s).** The project description should describe how selected actions will be designed and implemented.
6. **Design and implement monitoring plan.** For Category 2 projects, the performance monitoring and assessment framework should describe how actions will be monitored.
7. **Analyze, synthesize, and evaluate.** For Category 2 projects, the performance monitoring and assessment framework should describe how results will be analyzed, synthesized, and evaluated.
8. **Communicate current understanding.** For Category 2 projects, the performance monitoring and assessment framework should describe how results will be communicated to decision-makers, and more broadly.
9. **Adapt.** All projects, when explaining their adaptive management approach, should address how institutional support, decision-making mechanisms, and governance structures will allow adaptive management to be carried out by making changes to the project or extracting and applying learning from the project to future projects.

Depending on the status and type of project being proposed, adaptive management expectations will vary. Category 1 projects may not have all nine steps fully fleshed out, but are expected to describe how they will be considered and incorporated as the project progresses. Conservation easement projects must describe the application of an adaptive management framework, but may not have much leeway to alter easement terms. Projects that employ well-established best management practices do not carry the same burden of proof as those attempting new, untested approaches.

All Category 2 projects that include an action that is likely to be deemed a covered action, pursuant to CWC Section 85057.5, are responsible for ensuring consistency with the Delta Plan, which includes developing a formal Adaptive Management Plan. The Conservancy encourages all applicants to communicate with the Delta Stewardship Council to learn more about adaptive management and to better understand whether or not their projects are potential covered actions and will need to certify their consistency with the Delta Plan. For those projects that will



need to certify consistency, the proposal shall include a description of how consistency will be achieved, and may include in its budget the funding necessary to complete related tasks, including the development of an Adaptive Management Plan. Grantees must complete the self-certification process and demonstrate consistency with the Delta Plan before funds are disbursed for construction or the physical implementation of the project.

## A. Performance Monitoring and Assessment

*Modified to accommodate feedback provided with the Delta Stewardship Council. Text regarding standard performance measures has been updated per discussions with subject-matter experts.*

All Category 2 project proposals (including those for acquisition projects) must describe a performance monitoring and assessment framework that identifies the performance measures that will be used to demonstrate the ecosystem and/or watershed benefits of the project, how they will be monitored and assessed, and how monitoring data will be reported. The performance monitoring and assessment framework will vary depending on the scope and nature of the project. A performance monitoring and assessment framework is not required for Category 1 projects. Performance of Category 1 projects will be evaluated based on completion of project deliverables per the grant agreement. For projects deemed covered actions under the Delta Plan, performance monitoring and assessment will be a component of the Adaptive Management Plan required as part of the process of certifying consistency with the Delta Plan.

The Conservancy reserves the right to negotiate specific terms and conditions for performance monitoring and assessment prior to grant execution to ensure appropriate methods and measures are identified, and to assist with consistency of nomenclature, units, and measurements. Applicants may include finalizing a performance monitoring and assessment plan as an expense reimbursable by the grant.

### **Performance Measures**

A key attribute of the performance monitoring and assessment framework is the development of project-specific performance measures. Performance measures must be designed so the Conservancy can ensure that projects achieve outputs, are on-track to meet their intended objectives, and provide value to the State of California.

Applicants for Category 2 projects must prepare and submit a Performance Measures Table, specific to their proposed project, as part of the full proposal. A template for will be available on the Conservancy's Grant Program web page. The focus should be on performance measures that demonstrate ecosystem and watershed benefits. Administrative tasks (such as completion of progress reports, invoices, or other financial or contractual tasks) should not be included. Developing a Performance Measures Table can be a challenging process. Draft tables are required as a component of the concept proposal so that the Conservancy can guide applicants in preparing their final Performance Measures Table for the full proposal. Applicants are encouraged to contact Conservancy staff to discuss performance measures prior to submitting a concept proposal.

The Performance Measures Table requires applicants to align their project objectives with measurable outputs and outcomes. For the purposes of this Grant Program, goals, objectives, outputs, and outcomes are defined using the Delta Plan's definitions included in [Appendix C: Adaptive Management and the Delta Plan](#) (see page 9 for more information about developing

performance measures). The italicized text below provides explanation beyond the Delta Plan definitions.

- **Goals** - Broad statements that propose general solutions.
- **Objectives** - More specific than goals, and often quantitative, specific, narrative statements of desired outcomes, allowing evaluation of how well the objectives are being achieved.
- **Outputs** - Performance measures that evaluate factors that may be influencing outcomes and include on-the-ground implementation and management actions. *Output performance measures track whether on-the-ground activities were completed successfully and evaluate factors that may be influencing ecosystem outcomes (e.g., acres of ecosystem restored or preserved, number of trees planted, and number of barriers to fish migration removed). Project outputs are the things that will be produced as a result of working toward your objective.*
- **Outcomes** - Performance measures that evaluate ecosystem responses to management actions or natural outputs. *These are the benefits or long-term changes that are sought from undertaking the project. Outcome performance measures evaluate direct ecosystem responses to project activities (e.g., responses by target wildlife populations, and responses in ecosystem function). They are achieved from the utilization of the project's outputs. Outcomes are linked with objectives, in that if the outcomes are achieved then the project's objective(s) have been met. At the end of the project, the outcomes will help answer questions such as, 'what have we achieved?' and 'how do we know?'.*

The Delta Conservancy has identified a suite of standard performance measures intended to measure the ecosystem and/or watershed benefits of a project. Applicants are required to utilize these performance measures to the extent that they are reasonably applicable to the project proposed, and are encouraged to discuss selection with Conservancy staff during the preparation of concept proposals. The list of standard performance measures is not exhaustive. Additional project-specific outputs and outcomes may be required to meet the project objectives. If a project is likely to be deemed a covered action under the Delta Plan, the applicant should also consider the applicability of incorporating Delta Plan performance measures. All projects as applicable will be required to define their outputs in terms of the ecosystem/land use types included in Appendix D: Ecosystem and Land Use Types.

**Outputs:**

1. Increased acres or linear feet of ecosystem/land use type protected, restored, or enhanced
2. Increased acres or linear feet with a best management practice implemented (identify by type of best management practice)
3. Increased acres or linear feet of invasive species treated
4. Increased acre-feet of water protected or conserved per year to increase flow in periods of limited water supply
5. Increased metric tons of carbon sequestered per year
6. Increased acre-feet of contaminated runoff treated or retained on-site
7. Reduced concentrations and/or loading of point source pollutants (such as from municipal stormwater) into associated waterbody or into offsite discharge

8. Reduced concentrations and/or loading of non-point source pollutants such as sediment, pesticides, bio-stimulatory substances (inorganic nutrients such as including ammonium, nitrate, and phosphate) or other pollutants into associated waterbody or into offsite discharge

Outcomes:

1. Increased use/occurrence of native animal species at restored/enhanced project site
2. Maintained use/occurrence of native animal species at protected project site
3. Increased ratio of native to nonnative plant species at restored/enhanced project site
4. Increased abundance of desirable aquatic macro-invertebrates at project site
5. Increased desirable primary productivity at project site
6. Increased water supply to associated waterbody or for groundwater recharge
7. Increased use/occurrence of native fish species in associated waterbody
8. Increase in dissolved oxygen concentrations in associated waterbody
9. Reduced toxicity<sup>2</sup> of water or sediment in associated waterbody
10. Improvement in other water quality conditions (such as decreased water temperature) in associated waterbody

### **Monitoring and Assessment Framework**

In addition to identifying performance measures, applicants must describe their approach to monitoring and assessing performance.

The monitoring and assessment framework should answer the following questions:

- **Why is monitoring being done? What is being monitored?** Provide linkage to outcomes and outputs and relevant conceptual models.
- **Who will be conducting the monitoring?** Provide linkage to project team experience.
- **How will monitoring be conducted?** Describe the methods that will be used and how they relate to existing methods, particularly standardized State monitoring programs, existing monitoring at similar sites, and requirements based on relevant permits. Describe quality assurance/quality control procedures.
- **When will monitoring occur?** Describe the timing, frequency, and duration of monitoring. For example, will monitoring occur prior to and at a certain frequency after activities occur? Are there constraints on when particular monitoring/surveys need to occur (e.g., relative to particular tasks or seasons)? Describe opportunities to extend monitoring beyond the Grant Funding Term (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).
- **Where will monitoring occur?** Will monitoring occur at multiple sites within the footprint of the activity as well as similar or adjacent sites outside?
- **Who will manage the data?** Provide linkage to project team experience.
- **What types of data will be created?**

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<sup>2</sup> Evaluated with toxicity testing using standard methods approved by the USEPA for fish, invertebrates, or algae and/or SWRCB for sediment and benthic invertebrates (as appropriate).

- **How will data be analyzed, synthesized, and evaluated?**
- **How will data be accessed and shared?**
- **When will data be available?** At what point will the data be provided to statewide data systems and how often will it be updated? How long will the data be saved?
- **Where will the data be stored and shared?** Ecosystem and watershed project data shall be uploaded to EcoAtlas Project Tracker; see below for additional sites for standardized data reporting.
- **How will results be communicated?**

### **Standardized Methods and Centralized Data Management**

Applicants should incorporate standardized monitoring approaches, where applicable, into their monitoring and assessment frameworks and evaluate opportunities to coordinate with existing monitoring efforts or produce information that can readily be integrated into such efforts. If an applicant determines that the use of standardized approaches is not appropriate, the proposal must provide a clear justification and a description of the proposed approach. Types of standardized methods and related data portals include:

- **Water quality, toxicity, and bioassessment data:** [Surface Water Ambient Monitoring Program](#) (SWAMP) for standardized methods and data collection, [California Environmental Data Exchange Network](#) (CEDEN) for data reporting
- **Coastal salmonids:** [California Coastal Monitoring Program](#) for both methods and reporting
- **Wetland and riparian restoration:** [Wetland and Riparian Area Monitoring Program](#) (WRAMP) framework for data collection, [EcoAtlas](#) for data reporting

Grantees will be required to add their project into EcoAtlas Project Tracker and provide periodic updates. For the purpose of this requirement, examples of project information include project proponent, project name, location (e.g., latitude/longitude, project boundary), pertinent dates (e.g., site construction), activity type (e.g., restoration), and ecosystem type and amount. For additional information, refer to the "[Project Tracker](#)" online tool on the EcoAtlas website.

Environmental data and information collected under the Conservancy's Proposition 1 Grant Program must be made visible, accessible, and independently understandable to general users in a timely manner, except where limited by law, regulation, policy, or security requirements. Unless otherwise stipulated, all data collected and created is a required deliverable and will become the property of the Conservancy.

## **B. Long-Term Management**

The goal of long-term management is to foster the ongoing success of the project and viability of the site's natural resources, ensuring that the benefits arising from the project endure beyond the end of the Grant Funding Term. Applicants submitting full proposals for Category 2 projects must describe future land management activities beyond the three-year Grant Funding Term, explaining how the project will be stewarded for at least 15 years per the requirement for capital outlay projects as specified in the [State General Obligation Bond Law](#). Applicants must identify possible risks to the project's benefits, and describe long-term management activities designed to abate these risks, including who will manage the project, how the project will be maintained, how management and maintenance will be funded, and how long-term

management will be integrated into the project's adaptive management. Long-term management deals with the on-going stewardship and maintenance of the site, whereas adaptive management describes the scientific process in which the entire project is embedded. The process for collecting and analyzing science-based information – a critical component of adaptive management – should be a factor in long-term management planning and decisions. Properties restored, enhanced, or protected, and facilities constructed or enhanced with funds provided by the Conservancy shall be operated, used, and maintained consistent with the purposes of the grant.

## C. Land Tenure

*Added information to explain what is required at the time of application.*

For all projects conducted on land that is not owned by the grantee, the grantee must demonstrate that they have adequate site control prior to the disbursement of grant funds. At the time of application, all projects that require site access must describe the current status of site control. Once funds are awarded, Category 2 projects must submit documentation showing that they have adequate tenure to, and site control of, the properties to be improved or restored, including adequate control for maintenance of the project for a minimum of 15 years. Grantees may assign without novation the responsibility to implement, monitor, and maintain a project. If the grantee owns the land on which the project is being implemented, the grant agreement will be recorded against the deed of the property. If the grantee does not own the land on which the project will be implemented, a landowner access agreement will be required as a condition of the grant agreement and must be executed and recorded before funds are disbursed. The landowner access agreement must be signed by the grantee and the landowner, and must include a legal description of the land on which the project is being implemented; the Conservancy will approve as to form. A landowner access agreement template can be found on the Conservancy's Grant Program web page. Grantees opting not to use the template must submit an alternate agreement that conforms to the terms of the template. Costs associated with the development of the land tenure agreement can be included in the project budget, but cannot be reimbursed until the landowner access agreement is approved as to form by the Conservancy. For lands being acquired with Conservancy funds, the Land Acquisitions section, below, describes land tenure requirements.

## D. Land Acquisitions

*Rearranged the language.*

The Conservancy may award funds for a land acquisition project. Acquisition projects must adhere to the following requirements:

- Property must be acquired from a willing seller and in compliance with current laws governing acquisition of real property by public agencies<sup>3</sup> in an amount not to exceed fair market value, as approved by the State.
- If a signed purchase and sale or option agreement is unavailable to be submitted with the application, a Willing Seller Letter is required from each landowner indicating they

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<sup>3</sup> Government Code, Chapter 16, Section 7260 et seq.

are a willing participant in the proposed real estate transaction. The letter should clearly identify the parcels to be purchased and state that “if grant funds are awarded, the seller is willing to enter into negotiations for sale of the property at a purchase price not to exceed fair market value.”

- Once funds are awarded and an agreement is signed with the Conservancy, another property cannot be substituted for the property specified in the application. Therefore it is imperative that the applicant demonstrate that the seller is negotiating in good faith, and that discussions have proceeded to a point of confidence.
- Department of General Services must review and approve all appraisals of real property. Appraisals must be in compliance with section 5096.510 of the Public Resources Code.

Acquisition projects are also subject to a specific set of additional requirements that must be met prior to and immediately after closing escrow. For more information, please refer to the checklist provided in Appendix E: Land Acquisition Checklist. Note that the Conservancy will do an assessment of mineral rights based on information provided by the applicant. Based on its assessment, the Conservancy will determine whether the risk posed by exercising existing mineral rights and the related consequences for intended conservation purposes is acceptable to the Conservancy. If the Conservancy determines that the risk is not acceptable and the risk cannot be reduced to an acceptable level within a reasonable amount of time, then the Conservancy may rescind the grant award.

In addition to the purchase of real property, acquisition projects may seek reimbursement for costs associated with personnel time, appraisal and appraisal review, due diligence costs, closing costs, and other costs related to the acquisition of real property. The Conservancy will not directly pay the Department of General Services (DGS) to review and approve the required appraisal; the grantee must pay DGS directly for this expense and seek reimbursement from the Conservancy. In total, appraisal and appraisal review, personnel time, due diligence costs, closing costs, and other costs related to the acquisition of real property may not exceed ten percent of the land acquisition cost that is being requested from the Conservancy. Note that the land acquisition cost may not be factored into the indirect cost calculation. Funding will be dispersed quarterly in arrears for all costs save for the land acquisition cost, for which funds will be transferred into escrow once all requirements have been met as specified in Appendix E: Land Acquisition Checklist.

Acquisition projects must address all other requirements of Category 2 projects, including the development of scientific outputs and outcomes and a performance monitoring and assessment framework. The following additional information is required at the time of application:

- A table including: parcel numbers, acreage, willing seller name and address, breakdown of how the funds will be budgeted, and an acquisition schedule (the Conservancy will provide an Acquisition Table template on its Grant Program web page)
- Copy of the Purchase and Sale or Option Agreement, or Willing Seller Letter(s)
- Appraisal or Estimation of Fair Market Value
- Map showing lands that will be acquired, including parcel lines and numbers

Proposals for acquisition of real property must also address the following, as required by section 32364.5(b) of the Conservancy’s enabling legislation:

- The intended use of the property.
- The manner in which the land will be managed.
- How the cost of ongoing operations, maintenance, and management will be provided, including an analysis of the maintaining entity's financial capacity to support those ongoing costs.
- How payments will be provided in lieu of taxes, assessments, or charges otherwise due to local government, if applicable.

**NOTE:** Any grantee acquiring land with Proposition 1 grant funding may be eligible to use the Natural Heritage Preservation Tax Credit Act of 2000 (Division 28 (commencing with Section 37000) of the Public Resources Code) (Section 79711[h]). Interested applicants should consult a tax advisor.

## E. Budget Tables

*Newly added subsection.*

Using the Budget Tables provided with the full proposal application materials, all applicants must identify all project expenses for which Conservancy funds are being requested. Budget Tables include the concept proposal Budget Table template and the following full proposal attachments: Line Item Budget by Task and Funding by Source. All expenses must be eligible, and must conform to the following cost categories in the Conservancy's line item budget:

- **Personnel Services.** Personnel rates may only include salary and wages, fringe benefits, and payroll taxes. Compensation for personnel services includes all compensation paid by the organization for services of employees working directly on the project during the Grant Funding Term. The expenditures are allowable to the extent that the total compensation for individual employees is reasonable for the services rendered and supported. Fringe benefit expenses may include holidays, vacation, sick leave, actual employer contributions or expenses for social security, employee insurance, workmen's compensation insurance, and pension plan costs. During invoicing, grantees must provide timesheets to the Conservancy to verify the staff time charged is authorized under the grant agreement.
- **Operating Expenses (General).** General Operating Expenses include all materials, supplies, such as field supplies, office supplies, permits and fees, equipment rental, travel expenses, and other general expenses required to directly implement the project. All costs should be allocated according to the most equitable basis practical. During invoicing, all expenses must be supported by receipts.
- **Operating Expenses (Subcontractor).** Subcontractor expenditures are allowable if work to be completed or services to be provided are directly linked to the proposed project and are consistent with the tasks and schedule provided in the proposal. Grantees will be expected to provide copies of all contracts to the Conservancy for review. Note that subcontractor expenses may not be factored into the indirect cost calculation.
- **Operating Expenses (Equipment).** Equipment includes nonexpendable, tangible personal property having a useful life of more than one year and a cost which equals or exceeds the lesser of the capitalization level established for a financial statement purpose or \$5,000. Equipment purchases are allowable if specified as a requirement for the completion of the project. Justification for the purchase of equipment must be

provided. Grantees must keep an inventory record including the date acquired, total cost, serial number, model identification, and any other information or description necessary to identify said equipment must be maintained for the duration of the Grant Funding Term. Note that equipment expenses may not be factored into the indirect cost calculation.

- **Acquisition Cost.** The acquisition cost includes only the purchase of real property. In total, appraisal and appraisal review, personnel time, due diligence costs, closing costs, and other costs related to the acquisition of real property may not exceed ten percent of the acquisition cost that is being requested from the Conservancy. Note that the acquisition cost may not be factored into the indirect cost calculation.
- **Indirect Costs.** Indirect costs that do not have a specific direct relationship to the project but are a requirement for the completion of the project may be eligible for reimbursement. Indirect costs are capped at a rate of 20 percent of the Personnel Services and Operating Expenses (General) line items. To determine the amount of eligible indirect costs, the applicant must first determine the cost of implementing the project, not including any indirect costs. Once the project implementation cost has been determined, the applicant may calculate indirect costs and include them in the total grant request up to the allowable 20 percent cap on the specified line items. Indirect costs may not be applied to subcontractor or equipment line items, nor to land acquisition costs. Indirect costs must be reasonable, allocable, and applicable and may include administrative support (e.g., personnel time for accounting, legal, executive, information technology, or other staff who support the implementation of the proposed project but who are not directly billing their time to the project), and office-related expenses (e.g., insurance, rent, utilities, printing/copying equipment, computer equipment, and janitorial expenses). These costs are subject to audit and must be documented by the grantee. Indirect costs may not be included in the hourly rate for personnel billing directly to the grant. Indirect rates are strictly enforced for all applicants.

Budget Tables should include costs for the tasks described in the full proposal and must demonstrate how grant management and reporting costs will be funded, either by the Conservancy's Grant Program or using cost share or State leveraged funds. Applicants are encouraged to review other Conservancy Grant Program requirements that may be eligible for Conservancy grant funding (e.g., Delta Plan consistency, developing a landowner access agreement, etc.; see Appendix C: Proposal Requirements Checklist for more information) and include these in their budgets where applicable.

Applicants must also identify cost share contributions if receiving funding for the project from a source other than the Conservancy.

## F. Cost Share and State-Leveraged Funds

The Conservancy's grant program does not have a formal match requirement; however, applicants are encouraged to develop a cost share program to support their project. Cost sharing is the portion of the project expense not borne by the Conservancy's grant monies. Cost sharing encourages collaboration and cooperation. 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). Only cost share commitments made explicitly for the project may count toward the cost percentage for purposes of evaluation and scoring of proposals.



Applicants stating that they have a cost share component must include commitment letters from cost share partners at the time the full proposal is submitted; these letters must specifically confirm the dollar amount committed. Cost share funds must be spent between the time that the full proposal is submitted to the Conservancy and the end of the Grant Funding Term.

In-kind cost share is defined as all non-cash contributions to the project with an assigned value, and may include volunteer time, supplies, and equipment. Up to 50 percent of a cost share may be in-kind, meaning all in-kind cost share must be matched with cash at a one-to-one ratio. For example, if a project has \$25,000 of cash cost share, the maximum qualifying in-kind cost share is \$25,000. Points would not be awarded for any in-kind cost share that exceeds \$25,000. For projects without any cash match, in-kind cost share will not be calculated into the project's cost share score. Points are awarded based on cost share percent (see Evaluation Criteria for Full Proposal for more information) which is calculated by dividing the total eligible cost share (only that from federal, local, or private sources, with all in-kind matched one-to-one with cash) by the total dollar amount requested from the Conservancy.

The Conservancy will also provide up to three points for proposals that leverage State funds for multibenefit projects. These projects must support multiple objectives as identified in various planning documents (see Appendix B: Key State, Federal, and Local Plans and Tools). State funds may not count toward the cost share. Applicants stating that they are leveraging other State funds must include commitment letters from leverage partners when submitting the full proposal, and cost share funds must be spent between the time that proposals are submitted to the Conservancy and the end of the Grant Funding Term. The same cash to in-kind ratio applies, and points are calculated as noted above.

## **G. Financial Management Systems Questionnaire and Cost Allocation Plan**

*Newly added subsection.*

A Financial Management Systems Questionnaire and Cost Allocation Plan form is required from all applicants at the time of full proposal (a template will be provided on the Grant Program web page). The information provided will be used to assess the applicant's financial capacity for managing the proposed grant. The Financial Management Systems Questionnaire must be signed and dated and requires the applicant to provide the following information:

- Organizational Data
- Financial Audit Data
- Financial Statement
- Accounting System Data
- Timekeeping System Data
- Purchasing System

The Cost Allocation Plan should be tailored to fit the specific policies of the applicant. The plan requires information about how the applicant allocates costs to ensure an equitable distribution of costs to programs. Recipients must have a system in place to equitably charge costs.

## H. Consultation and Cooperation with State and Local Agencies and Demonstration of Local Support

*Added language regarding projects that are applying for Prop 1 funds from other agencies.*

It is the applicant's responsibility to contact, seek support from, and coordinate with applicable State agencies, cities, counties, and local districts, as well as other private stakeholders and surrounding landowners. Letters of support can be included with the full proposal. If an applicant has a project-specific resolution of support from the affected city, county, or local district, it should be included with the full proposal in order to facilitate the overall assessment process. A resolution of support from the Board of Supervisors from the county in which the project is located is a component of the full proposal.

In compliance with the Conservancy's governing statute (Public Resources Code Section 32363) and Proposition 1, the Conservancy will notify local government agencies – such as counties, cities, and local districts – about eligible grant projects being considered for funding in their area. Conservancy staff will also notify the applicable public water agency, levee, flood control, or drainage agency (when appropriate). 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. The Conservancy will request comments from all entities within 15 business days following notification. For acquisition projects, the Conservancy shall coordinate and consult with the Delta Protection Commission and the city or county in which a grant is proposed to be implemented or an interest in real property is proposed to be acquired. The Conservancy will work with the grantee to make all reasonable efforts to address concerns raised by local governments.

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. In particular, the Conservancy will work with California Department of Fish and Wildlife (CDFW) Proposition 1 program staff to coordinate funding requests. If the Conservancy and CDFW are co-funding a project, the agencies will work to ensure that each funder has a discreet scope of work, and that the project is managed as two distinct grant agreements. Each agency will be required to report on the specific metrics of the project it is funding in order to ensure that funds are being managed in the best interest of the State. The Conservancy strongly encourages applicants to reach out to both agencies prior to applying for funding to discuss options for funding projects. It is the responsibility of the applicant to ensure that proposals submitted to both the Conservancy and to CDFW clearly describe the work that will be funded by each agency. The proposed scope of each proposal should be distinct and without overlap. Applicants must describe the overall project and how the proposals relate.

## I. Disadvantaged Communities

Proposition 1 does not require that the Conservancy direct a specific portion of funding to projects that benefit disadvantaged communities (less than 80 percent of the State's median household income based on U.S. Census). However, a large majority of the communities found within the Delta are considered disadvantaged communities according to the U.S. Census, as are many of the communities immediately outside of the Delta. Any Proposition 1 funds spent on improving aspects of the Delta will very likely have some benefit to one or more disadvantaged communities. Applicants must identify any disadvantaged communities that overlap with the

footprint of the proposed project, which disadvantaged communities occur within one mile of the footprint, and which disadvantaged communities occur within five miles of the project footprint. Refer to the Disadvantaged Communities Mapping Tool found at: [http://www.water.ca.gov/irwm/grants/resources\\_dac.cfm](http://www.water.ca.gov/irwm/grants/resources_dac.cfm).

## Requirements if Funded

### A. Grant Provisions

For each awarded grant, the Conservancy will develop an individual grant agreement with detailed provisions and requirements specific to that project. A draft grant agreement template is provided on the Conservancy's Grant Program web page. Please be aware that if you receive a grant from the Conservancy, the provisions listed below will apply:

- Actual awards are conditional upon funds being available from the State (see Loss of Funding section, below).
- Eligible expenses incurred upon the start date listed in the grant agreement and prior to the end of the Grant Funding Term may be directly reimbursed. Grant eligible costs will only be paid in arrears on a reimbursement basis, require supporting documentation, and may be subject to audit (see Appendix F: State Auditing Requirements).
- For all Category 2 projects, adequate proof of land tenure allowing the grantee to access property to construct and maintain the proposed project must be in place prior to the disbursement of funds.
- For Category 2 projects, funds for construction will not be disbursed until all of the required environmental compliance and permitting documents have been received by the Conservancy, including certification of consistency with the Delta Plan.
- Grantees will not be reimbursed 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.

### B. Loss of Funding

*Newly added subsection.*

Work performed under the grant agreement is subject to availability of funds through the State's budget process. If funding for the grant agreement is reduced, eliminated, or delayed by the Budget Act or through other budget control actions, the Conservancy shall have the option to cancel the grant agreement, offer to the Grantee a grant agreement amendment reflecting a reduced amount, or suspend work. In the event of cancellation of the grant agreement or suspension of work, the Conservancy shall provide written notice to the grantee and be liable only for payment for any work completed pursuant to the grant agreement up to the date of the written notice. The Conservancy shall have no liability for payment for work carried out or undertaken after the date of written notice of cancellation or suspension. In the event of a suspension of work, the Conservancy may remove the suspension of work by written notice to the Grantee. The Conservancy shall be liable for payment for work completed from the date of written notice of the removal of the suspension of work, consistent with other terms of the grant agreement. In no event shall the Conservancy be liable to the grantee for any costs or damages associated with any period of suspension, nor shall the Conservancy 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 actions.

### **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. Any work performed by volunteers is not subject to prevailing wage provisions per California Labor Code (CLC) Section 1720.4, which shall remain in effect until January 1, 2024.

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. Reporting**

All projects will be required to provide quarterly progress reports during the Grant Funding Term and a final report prior to the formal close-out of the Grant Funding Term. Specific reporting requirements will be included in the grant agreement. Among other requirements, all 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.

### **E. Signage and Recognition**

To the extent practicable, grantees shall inform the public that the project received funds through the Delta Conservancy and from the Water Quality, Supply, and Infrastructure Improvement Act of 2014 (CWC §79707[g]). Grantees shall recognize the Conservancy on signs, websites, press or promotional materials, advertisements, publications, or exhibits that they prepare or approve and that reference funding of a project. For Category 2 projects, grantees shall post signs at the project site acknowledging the source of the funds. Size, location and number of signs shall be approved by the Conservancy. Required signage must be in place prior to final distribution of grant funds.

## Appendices

### Appendix A: Glossary of Terms

#### *Updated definitions.*

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. For more information, refer to [http://deltacouncil.ca.gov/sites/default/files/documents/files/AppC\\_Adaptive%20Management\\_2013.pdf](http://deltacouncil.ca.gov/sites/default/files/documents/files/AppC_Adaptive%20Management_2013.pdf).

Application – The individual application form and its required attachments and supplementary materials for grants pursuant to the Delta Conservancy’s Proposition 1 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. For more information, refer to [http://deltacouncil.ca.gov/sites/default/files/documents/files/AppC\\_Adaptive%20Management\\_2013.pdf](http://deltacouncil.ca.gov/sites/default/files/documents/files/AppC_Adaptive%20Management_2013.pdf).

Best Practices – A best practice is a method or technique that has consistently shown results superior to those achieved with other means, can be used as a benchmark or standard, and is widely recognized as 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.

CEQA – The California Environmental Quality Act (CEQA) is 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://resources.ca.gov/ceqa>.

Conservancy – See Sacramento-San Joaquin Delta Conservancy.

Cost Share – The portion of the project borne by private, federal, or local funds that will supplement the Conservancy’s Proposition 1 funding.

Disadvantaged Community – Community with less than 80 percent of the State’s median household income based on U.S. Census. See Disadvantaged Communities Mapping Tool at: [http://www.water.ca.gov/irwm/grants/resources\\_dac.cfm](http://www.water.ca.gov/irwm/grants/resources_dac.cfm).

Ecosystem Function - An intrinsic ecosystem characteristic whereby an ecosystem maintains its integrity. Ecosystem processes include decomposition, production, nutrient cycling, and fluxes of nutrients and energy.

Eligible Expenses – Approved expenses incurred by the grantee between the time that the full proposal is submitted to the Conservancy and the end of the Grant Funding Term.

Enhancement - Actions that improve existing ecosystems with the goal of returning natural or historic functions and characteristics.

Grant – Funds made available to a grantee for eligible costs during a Grant Funding Term.

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.

Grant Funding Term - The time period, not to exceed three years, during which grantees may incur and be reimbursed for grant-related expenses.

Grant Term - The 15-year time period during which Category 2 projects must be maintained to comply with the State General Obligation Bond Law.

Indirect Costs – Indirect costs include expenses which do not relate directly to project implementation, but are a requirement for the completion of the project. Indirect costs must be reasonable, allocable, and applicable and may include administrative support (e.g., personnel time for accounting, legal, executive, information technology, or other staff who support the implementation of the proposed project but who are not directly billing their time to the project), and office-related expenses (e.g., insurance, rent, utilities, printing/copying equipment, computer equipment, and janitorial expenses).

In-kind Contributions – Non-cash contributions to the project with an assigned value, and may include volunteer time, supplies, and equipment.

Lead Agency – The public agency which has the principal responsibility for carrying out or approving a project under CEQA (see <http://resources.ca.gov/ceqa/guidelines/art20.html>).

Long-term Management – The ongoing stewardship of a project site that fosters the success of the project and viability of the site’s natural resources, ensuring that the benefits arising from the project endure for at least 15 years per the requirement for capital outlay projects as specified in the State General Obligation Bond Law.

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

NEPA – The National Environmental Policy Act (NEPA) requires federal agencies to assess the environmental effects of their proposed actions prior to making decisions. Using the NEPA process, agencies evaluate the environmental and related social and economic effects of their proposed actions. Agencies also provide opportunities for public review and comment on those evaluations. For more information, refer to: <https://www.epa.gov/nepa/what-national-environmental-policy-act>.

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.

Outcomes – Performance measures that evaluate ecosystem responses to management actions or natural outputs. These are the benefits or long-term changes that are sought from undertaking the

project. Outcome performance measures evaluate direct ecosystem responses to project activities (e.g., responses by target wildlife populations, and responses in ecosystem function). They are achieved from the utilization of the project's outputs. Outcomes are linked with objectives, in that if the outcomes are achieved then the project's objective(s) have been met. At the end of the project, the outcomes will help answer questions such as, 'what have we achieved?' and 'how do we know?'

Outputs - Performance measures that evaluate factors that may be influencing outcomes and include on-the-ground implementation and management actions. Output performance measures track whether on-the-ground activities were completed successfully and evaluate factors that may be influencing ecosystem outcomes (e.g., acres of ecosystem restored or preserved, number of trees planted, and number of barriers to fish migration removed). Project outputs are the things that will be produced as a result of working toward your objective.

Performance Measure – Metrics used to ensure that projects are on-track to meet their intended objectives and provide value to the State of California.

Planning Activities – Pre-project activities necessary for a specific on-the-ground project that meets the Conservancy's Grant Program eligibility criteria.

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.

Project Engineering Design – A process of creating the design for a project. The process consists of several phases that relate to the percentage of development of the design plans. The naming convention for these phases may vary, depending on the agency or locality, but generally the process includes components similar to what is described below.

Project Engineering Design: Conceptual Plans – Conceptual plans, along with the Basis of Design Report, should indicate the general location of any activities and project elements, show overall layout of the project location, and identify any constraints. Conceptual plans are insufficient for submittal for Category 2 project funding.

Project Engineering Design: The Basis of Design Report – The Basis of Design Report, along with the Conceptual Plans, should demonstrate that the project is feasible and reflect a preferred alternative. Alternatives analysis often compares a number of concept level plans. Basis of Design Reports are insufficient for submittal for Category 2 project funding.

Project Engineering Design: Intermediate Plans (or 65% plans) – The Intermediate Plans should show detailed plan views and profiles of any improvements and standard details. Individuals reviewing Intermediate Plans should be able to interpret exactly where the project will be built and where project impacts will occur. A Basis of Design Report should be included. Intermediate Plans (65%) is the minimum level of planning required to apply for Category 2 funds.

Project Engineering Design: Draft Plans (or 90% plans) – These plans should incorporate revisions to the Intermediate Plans (65% plans) and add details that are required for construction, such as survey notes, instructions for erosion and sediment control, staging areas, access, and the like.



Project Engineering Design: Final Plans (or 100% plans) – These plans should incorporate any revisions to the Draft Plans (90% plans) and should represent the final set of design documents. These are the plans used for construction bids.

Protection – Action taken, often by securing a conservation easement or purchasing fee title to a piece of land, to ensure that ecosystems or conservation values are maintained.

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

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

Responsible Agency – Includes all public agencies other than the Lead Agency which have discretionary approval power over the project under CEQA (see <http://resources.ca.gov/ceqa/guidelines/art20.html>).

Restoration – Actions that re-establish or substantially rehabilitate ecosystems 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. The Conservancy's service area is the statutory Delta (as defined by California Water Code, CWC Section 12220) and Suisun Marsh.

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 CWC Section 12220) and Suisun Marsh.

Statutory Delta – The Delta as defined in CWC Section 12220.

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

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

Links to potentially relevant resources are provided below under the primary authoring agency (in alphabetical order).

### **Bureau of Reclamation**

*Bureau of Reclamation – Suisun Marsh Habitat Management, Preservation, and Restoration Plan* (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)

### **California State Parks**

*California State Parks – Recreation Proposal for the Sacramento-San Joaquin Delta and Suisun Marsh* (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)

### **California Water Quality Monitoring Council**

*California Wetlands Monitoring Workgroup:*  
[http://www.mywaterquality.ca.gov/monitoring\\_council/wetland\\_workgroup/](http://www.mywaterquality.ca.gov/monitoring_council/wetland_workgroup/)

*Wetland and Riparian Area Monitoring Plan (WRAMP):* [http://www.mywaterquality.ca.gov/monitoring\\_council/wetland\\_workgroup/index.html#frame](http://www.mywaterquality.ca.gov/monitoring_council/wetland_workgroup/index.html#frame)

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

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

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

### **Central Valley Joint Venture**

*Central Valley Joint Venture – 2006 Implementation Plan* (2006): <http://www.centralvalleyjointventure.org/science>

### **Delta Stewardship Council**

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

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

*Delta Plan – Best Available*

*Science:* [http://deltacouncil.ca.gov/sites/default/files/documents/files/AppC\\_Adaptive%20Management\\_2013.pdf](http://deltacouncil.ca.gov/sites/default/files/documents/files/AppC_Adaptive%20Management_2013.pdf)

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

### **Department of Water Resources**

*Department of Water Resources Agricultural Land Stewardship Strategies:* <https://agriculturalandstewardship.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)

Disadvantaged Communities Mapping Tool:

[http://www.water.ca.gov/irwm/grants/resources\\_dac.cfm](http://www.water.ca.gov/irwm/grants/resources_dac.cfm)

### **Delta Protection Commission**

<https://www.delta.ca.gov/>

Delta Protection Commission – Land Use and Resource Management

Plan: [https://www.delta.ca.gov/land\\_use/land\\_use\\_plan/](https://www.delta.ca.gov/land_use/land_use_plan/)

Delta Protection Commission – Economic Sustainability Plan for the Sacramento-San Joaquin Delta.

(2012): [http://www.delta.ca.gov/regional\\_economy/economic\\_sustainability/](http://www.delta.ca.gov/regional_economy/economic_sustainability/)

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

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/)

### **Natural Resources Agency**

Proposition

1: <http://bondaccountability.resources.ca.gov/p1.aspx>; [http://bondaccountability.resources.ca.gov/PDF/Prop1/PROPOSITION\\_1\\_text.pdf](http://bondaccountability.resources.ca.gov/PDF/Prop1/PROPOSITION_1_text.pdf)

California Water Action Plan: [http://resources.ca.gov/california\\_water\\_action\\_plan/](http://resources.ca.gov/california_water_action_plan/)

### **Sacramento-San Joaquin Delta Conservancy**

Delta Conservancy’s Enabling Legislation: <http://deltaconservancy.ca.gov/legislation/>.

Strategic Plan. Sacramento-San Joaquin Delta Conservancy (2017-

2022): <http://deltaconservancy.ca.gov/strategic-plan/>

### **San Francisco Estuary Institute**

Delta Landscapes Project: <http://www.sfei.org/projects/delta-landscapes-project#sthash.Ci0ssN4g.dpbs>

Sacramento-San Joaquin Delta Historical Ecology Investigation: Exploring Pattern and

Process: <http://www.sfei.org/documents/sacramento-san-joaquin-delta-historical-ecology-investigation-exploring-pattern-and-proces> Delta

Transformed: <http://ebooks.sfei.org/DeltaLandscapes/#page/1>

Delta Renewed: <http://www.sfei.org/documents/delta-renewed-guide-science-based-ecological-restoration-sacramento-san-joaquin-delta>

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

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).

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

**Yolo County**

Yolo County Agricultural Economic Development Fund. Consero Solutions  
(2014): <http://www.yolocounty.org/home/showdocument?id=26874>

## Appendix C: Program Requirements Checklist

*Newly added appendix.*

The checklist below is included to assist applicants in identifying and planning for the numerous requirements necessary for a successful proposal.

	Requirement	Required of	Expectation for Concept Proposal	Expectation for Full Proposal	Additional Expectation for Grant Agreement
<b>SUMMARY INFORMATION</b>					
<input type="checkbox"/>	Organizational Documents	Non-profits, tribes, or mutual water companies	None	Submit supplementary material required by organization type	None
<input type="checkbox"/>	Authorization to Apply	All applicants	None	Submit documentation (resolution or letter)	None
<input type="checkbox"/>	Verification of project's public benefit	Public utilities and mutual water companies	None	Verify project's clear and definite public purpose and benefits to customers (not the investors)	None
<input type="checkbox"/>	Financial Management Systems Questionnaire and Cost Allocation Plan	All applicants	None	Submit attachment and additional required documents	None
<input type="checkbox"/>	Additional requirements if outside the Delta or Suisun Marsh	Projects located outside the Legal Delta or Suisun Marsh	None	Describe how the project: <ul style="list-style-type: none"> <li>• Implements the ecosystem goals of the Delta Plan</li> <li>• Is consistent with the requirements of any applicable State and federal permits</li> <li>• Will provide significant benefits to the Delta</li> </ul>	None

	<b>Requirement</b>	<b>Required of</b>	<b>Expectation for Concept Proposal</b>	<b>Expectation for Full Proposal</b>	<b>Additional Expectation for Grant Agreement</b>
<input type="checkbox"/>	Disadvantaged Communities	All applicants	None	Identify disadvantaged communities within three distances from the project site	None
<input type="checkbox"/>	Special Districts	All applicants	None	Identify relevant districts	None
<input type="checkbox"/>	Water use for project	All Category 2 implementation projects (if water use required to implement)	None	Include: <ul style="list-style-type: none"> <li>• Water rights statement or application number</li> <li>• Identity of water rights holder</li> <li>• Narrative statement of water use and sufficiency</li> </ul>	Noted in land tenure agreement (if grantee is not landowner and landowner is water rights holder)  Submit a written statement from the water right holder verifying right and obligation to deliver water to the project (if neither the grantee nor the landowner is the water right holder)
<input type="checkbox"/>	Water rights for project	Any Category 2 implementation projects that requires change in water rights	None	<ul style="list-style-type: none"> <li>• Demonstrate understanding of SWRCB process requirements</li> <li>• Include in tasks and budget</li> </ul>	

	Requirement	Required of	Expectation for Concept Proposal	Expectation for Full Proposal	Additional Expectation for Grant Agreement
<input type="checkbox"/>	California Conservation Corps (CCC) consultation	All non-acquisition Category 2 implementation projects	None	<ul style="list-style-type: none"> <li>• Submit consultation form</li> <li>• Include CCC in tasks and budget (if CCC can be used)</li> </ul>	
<b>CONFLICT OF INTEREST</b>					
<input type="checkbox"/>	Conflict of interest	All applicants	<ul style="list-style-type: none"> <li>• Identify parties involved</li> <li>• Contact Conservancy staff if applicant has a current contract with the Conservancy</li> </ul>	Identify applicant team members, subcontractors, and others involved in proposal development	
<b>PROJECT DESCRIPTION AND ORGANIZATIONAL CAPACITY</b>					
<input type="checkbox"/>	Project description	All applicants	Describe: <ul style="list-style-type: none"> <li>• Need for project</li> <li>• Goals and objectives</li> <li>• General task list and work products or deliverables</li> </ul>	Describe: <ul style="list-style-type: none"> <li>• Need for project</li> <li>• Goals and objectives</li> <li>• Tasks and timeline</li> <li>• Submit Schedule &amp; List of Deliverables</li> </ul>	

	Requirement	Required of	Expectation for Concept Proposal	Expectation for Full Proposal	Additional Expectation for Grant Agreement
<input type="checkbox"/>	Organizational capacity	All applicants	Describe experience and qualifications of parties	Describe experience and qualifications of parties	
<input type="checkbox"/>	Map of project site	All applicants	Submit project map	Submit: <ul style="list-style-type: none"> <li>• Project map</li> <li>• Project location (kmz or shapefile)</li> <li>• Topographic map (optional)</li> <li>• Photos (optional)</li> <li>• Site plan (optional)</li> </ul>	Include polygon in EcoAtlas Project Tracker
<input type="checkbox"/>	Specific requirements for acquisitions	All acquisition Category 2 implementation projects	Describe how project will address factors in enabling legislation.	<ul style="list-style-type: none"> <li>• Describe how project will address factors in enabling legislation.</li> <li>• Acquisitions Table attachment</li> <li>• Copy of Purchase &amp; Sale/Option Agreement, or Willing Seller Letter(s)</li> <li>• Appraisal or Estimation of Fair Market Value</li> <li>• Map showing lands to be acquired, including parcel lines &amp; numbers</li> </ul> <p>Note:</p> <ul style="list-style-type: none"> <li>• All other line item costs cannot exceed 10% of total land acquisition cost requested from the Conservancy</li> </ul>	Submit materials required by acquisitions checklist



	Requirement	Required of	Expectation for Concept Proposal	Expectation for Full Proposal	Additional Expectation for Grant Agreement
<b>BUDGET DETAILS</b>					
<input type="checkbox"/>	Funding Request and Budget	All applicants	<ul style="list-style-type: none"> <li>Describe budget</li> <li>Submit Concept Proposal budget table</li> </ul>	<ul style="list-style-type: none"> <li>Budget narrative</li> </ul> Submit the following: <ul style="list-style-type: none"> <li>Budget Breakdown by Task</li> <li>Line Item Budget</li> <li>Subcontractor Line Item (if applicable)</li> <li>Funding by Source</li> </ul> Note: <ul style="list-style-type: none"> <li>Budget tables must demonstrate how grant management and reporting costs will be funded</li> </ul>	
<input type="checkbox"/>	Cost share	All applicants with cost share	Include in budget tables and description	<ul style="list-style-type: none"> <li>Include in budget tables and narrative</li> <li>Submit commitment letters with specific dollar amounts of secured funding to receive points.</li> </ul>	
<b>STATE PRIORITIES / PROJECT BENEFITS</b>					
<input type="checkbox"/>	Alignment with State Priorities	All applicants	Describe alignment with State priorities	Describe alignment with State priorities	None
<input type="checkbox"/>	Long-Term Management and Maintenance	Category 1 projects	None	<ul style="list-style-type: none"> <li>Describe efforts to develop approach</li> </ul>	
<input type="checkbox"/>	Long-Term Management and Maintenance	Category 2 projects	None	<ul style="list-style-type: none"> <li>Identify risks and describe long-term management and maintenance</li> </ul>	<ul style="list-style-type: none"> <li>Noted in land tenure agreement (if applicant is not landowner)</li> </ul>
<b>READINESS AND ENVIRONMENTAL COMPLIANCE</b>					
<input type="checkbox"/>	Readiness	All applicants	Describe readiness to proceed including status of CEQA and permitting	Describe in more detail the readiness to proceed including status of CEQA and permitting	

	Requirement	Required of	Expectation for Concept Proposal	Expectation for Full Proposal	Additional Expectation for Grant Agreement
<input type="checkbox"/>	CEQA	All Category 2 implementation projects that are "projects" under CEQA	<ul style="list-style-type: none"> <li>Identify CEQA lead agency</li> <li>Describe status of CEQA process</li> </ul>	Prior to awarding funds, submit: <ul style="list-style-type: none"> <li>CEQA documents</li> <li>Lead agency resolution</li> <li>CDFW filing fee receipt</li> </ul>	<ul style="list-style-type: none"> <li>Certification of grantee responsibility to comply with all federal, state, and local laws that apply to the project.</li> </ul>
<input type="checkbox"/>	Environmental compliance	All Category 2 implementation projects (as applicable)	Identify permits that will be required (as applicable) and their status	<ul style="list-style-type: none"> <li>Identify permits that will be required (as applicable) and their status.</li> <li>Submit copies of permits (as complete and applicable)</li> </ul>	<ul style="list-style-type: none"> <li>Prior to construction, submit copies of permits (as applicable)</li> <li>Certification of grantee responsibility to comply with all federal, state, and local laws that apply to the project.</li> </ul>
<input type="checkbox"/>	Delta Plan Covered Actions	All Category 2 implementation projects that are not covered actions	None	<ul style="list-style-type: none"> <li>Submit Delta Plan Consistency Covered Action Checklist</li> <li>Describe rationale</li> </ul>	
<input type="checkbox"/>	Delta Plan Consistency	All Category 2 implementation projects that are covered actions	None	<ul style="list-style-type: none"> <li>Submit Delta Plan Consistency Covered Action Checklist</li> <li>Describe status and approach to ensuring consistency</li> </ul>	Prior to construction, complete Delta Plan consistency certification
<input type="checkbox"/>	Site access to implement project	Category 1 planning projects (as applicable)	None	<ul style="list-style-type: none"> <li>Identify landowner type and need for site control</li> <li>Identify status of agreements</li> <li>Include in tasks and budget</li> </ul>	Site access agreement in place prior to funds being dispersed

	Requirement	Required of	Expectation for Concept Proposal	Expectation for Full Proposal	Additional Expectation for Grant Agreement
<input type="checkbox"/>	Site Control / Land Tenure (15 years)	All non-acquisition Category 2 implementation projects (if not landowner)	None	<ul style="list-style-type: none"> <li>Identify landowner type and need for site control</li> <li>Identify status of agreements</li> <li>Include in tasks and budget</li> </ul>	Prior to funds being dispersed, recorded land tenure agreement with legal description of the property
<b>LOCAL SUPPORT</b>					
<input type="checkbox"/>	Local support	All applicants	Describe support and approach towards affected parties	<ul style="list-style-type: none"> <li>Describe support and approach towards affected parties</li> <li>Submit letters of support</li> <li>Submit County Board of Supervisors resolution</li> </ul>	None
<b>SCIENTIFIC MERIT AND PERFORMANCE MEASURES</b>					
<input type="checkbox"/>	Scientific Merit	All applicants	Describe: <ul style="list-style-type: none"> <li>Scientific basis</li> <li>Use of best available science</li> <li>Application of adaptive management</li> <li>Climate change considerations</li> </ul>	Describe in more detail: <ul style="list-style-type: none"> <li>Scientific basis and use of best available science</li> <li>Application of adaptive management</li> <li>Climate change considerations</li> </ul>	None
<input type="checkbox"/>	Performance monitoring and assessment	All Category 2 implementation projects	<ul style="list-style-type: none"> <li>Describe performance monitoring and assessment approach</li> <li>Submit Performance Measures Table</li> </ul>	<ul style="list-style-type: none"> <li>More detailed description of monitoring and assessment approach</li> <li>Submit Performance Measures Table</li> <li>Submit Ecosystem and Land Use Types Table</li> </ul>	

	Requirement	Required of	Expectation for Concept Proposal	Expectation for Full Proposal	Additional Expectation for Grant Agreement
ADDITIONAL REQUIREMENTS NOT SPECIFICALLY NOTED IN FULL APPLICATION					
<input type="checkbox"/>	Signage	All Category 2 implementation projects	None	None	Signage required as condition of agreement

## Appendix D: Ecosystem and Land Use Types

*Revised based on expert feedback.*

All projects as applicable will be required to define their outputs in terms of the ecosystem and land use types in the table below.

Primary Ecosystem/Land Use Types	Units	Ecosystem/Land Use Type Definition <sup>4</sup>
<b>Upland / terrestrial</b>	<b>acres</b>	<b>Vegetated areas not adjacent to open water.</b>
<b>Grassland</b>	<b>acres</b>	Low herbaceous communities occupying well-drained soils and composed of native forbs and annual and perennial grasses and usually devoid of trees. Few to no vernal pools present.
<b>Oak woodland/savanna</b>	<b>acres</b>	Oak dominated communities with sparse to dense cover (10-65% cover) and an herbaceous understory.
<b>Stabilized interior dune vegetation</b>	<b>acres</b>	Vegetation dominated by shrub species with some locations also supporting live oaks on the more stabilized dunes with more well-developed soil profiles.
<b>Agriculture - high intensity</b>	<b>acres</b>	Active agricultural lands in crops such as fruit or nut orchards and/or vineyards.
<b>Agriculture - low intensity</b>	<b>acres</b>	Active agricultural lands in crops such as row crops, rice fields, alfalfa or pasture.
<b>Ruderal / non-native</b>	<b>acres</b>	Areas dominated by disturbed ground or non-native vegetation.
<b>Riparian</b>	<b>acres</b>	<b>Vegetated areas adjacent to tidal or fluvial channels.</b>
<b>Valley foothill riparian</b>	<b>acres</b>	Mature riparian forest usually associated with a dense understory and mixed canopy, including sycamore, oaks, willows, and other trees. Historically occupied the supratidal natural levees of larger rivers that were occasionally flooded.
<b>Willow riparian scrub-shrub</b>	<b>acres</b>	Riparian vegetation dominated by woody scrub or shrubs with few to no tall trees. This ecosystem type generally occupies long, relatively narrow corridors of lower natural levees along rivers and streams.
<b>Willow thicket</b>	<b>acres</b>	Perennially wet, dominated by woody vegetation (e.g., willows). Emergent vegetation may be a significant component. Generally located at the “sinks” of major creeks or rivers as they exit alluvial fans into the valley floor.

<sup>4</sup> These types are predominately from San Francisco Estuary Institute’s [Delta Transformed](#) (SFEI-ASC, 2014; page 18). The report includes representative photographs for most types (page 19) and includes a map of recent locations where these types occur in the primary Delta (pages vi, vii, and 25).

<b>Primary Ecosystem/Land Use Types</b>	<b>Units</b>	<b>Ecosystem/Land Use Type Definition<sup>5</sup></b>
<b>Perennial Wetland</b>	<b>acres</b>	<b>Areas dominated by emergent vegetation with perennial flooding and/or permanent saturation.</b>
<b>Freshwater emergent marsh/wetland - tidal</b>	<b>acres</b>	Perennially wet, high water table, dominated by emergent vegetation. Woody vegetation (e.g., willows) may be a significant component for some areas, particularly the western-central Delta. Wetted or inundated by spring tides at low river stages (approximating high tide levels).
<b>Freshwater emergent wetland/marsh - non-tidal</b>	<b>acres</b>	Temporarily to permanently flooded, permanently saturated, freshwater non-tidal wetlands dominated by emergent vegetation. In the Delta, occupy upstream floodplain positions above tidal influence.
<b>Saline emergent wetland<sup>6</sup></b>	<b>acres</b>	Salt or brackish marshes consisting mostly of perennial vegetation (such as pickleweed, cordgrass, and tules) along with algal mats <sup>7</sup> . Occurs in upper intertidal zone above intertidal sand and mud flats and below upland communities not subject to tidal action. Located along the margins of bays, lagoons, and estuaries sheltered from excessive wave action.
<b>Seasonal Wetland</b>	<b>acres</b>	<b>Areas dominated by emergent vegetation with seasonal flooding.</b>
<b>Vernal pool complex</b>	<b>acres</b>	Area of seasonally flooded depressions, characterized by a relatively impermeable subsurface soil layer and distinctive vernal pool flora. These often comprise the upland edge of perennial wetlands.
<b>Alkali seasonal wetland complex</b>	<b>acres</b>	Temporarily or seasonally flooded, herbaceous or scrub communities characterized by poorly-drained, clay-rich soils with a high residual salt content. These often comprise the upland edge of perennial wetlands.
<b>Wet meadow and seasonal wetland</b>	<b>acres</b>	Temporarily or seasonally flooded, herbaceous communities characterized by poorly-drained, clay-rich soils. These often comprise the upland edge of perennial wetlands.
<b>Managed wetland</b>	<b>acres</b>	Areas that are intentionally flooded and managed during specific seasonal periods, often for recreational uses (such as duck clubs) or to reverse subsidence.

<sup>5</sup> These types are predominately from San Francisco Estuary Institute's [Delta Transformed](#) (SFEI-ASC, 2014; page 18). The report includes representative photographs for most types (page 19) and includes a map of recent locations where these types occur in the primary Delta (pages vi, vii, and 25).

<sup>6</sup> Saline emergent wetland type was added to be comprehensive for projects occurring in Suisun Marsh.

<sup>7</sup> Definition derived from California Wildlife Habitat Relationships (CWHR, <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=67392&inline>). CWHR-CalVeg cross-walk (<https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=65861&inline>).

Primary Ecosystem/Land Use Types	Units	Ecosystem/Land Use Type Definition <sup>8</sup>
Open water	acres/linear feet	<b>Aquatic areas not dominated by emergent vegetation.</b>
Fluvial low order channel	linear feet	Distributaries, over flow channels, side channels, swales. No influence of tides. These occupy non-tidal floodplain environments or upland alluvial fans.
Fluvial mainstem channel	linear feet	Rivers or major creeks with no influence of tides.
Freshwater pond / lake	acres	Permanently flooded depressions, largely devoid of emergent Palustrine vegetation. These occupy the lowest-elevation positions within wetlands.
Flooded island	acres	Subsided islands with remnant levees that have been permanently flooded and are exposed to tidal action.
Freshwater intermittent pond or lake	acres	Seasonally or temporarily flooded depressions, largely devoid of emergent Palustrine vegetation. These are most frequently found in vernal pool complexes at the Delta margins and also in the non-tidal floodplain environments.
Tidal mainstem channel <sup>9</sup>	linear feet	Rivers, major creeks, or major sloughs where water is understood to have ebb and flow in the channel at times of low river flow. These channels are of high order with large contributing watersheds or are subtidal sloughs that delineate the islands of the Delta.
Tidal low order channel <sup>10</sup>	linear feet	Dendritic tidal channels (i.e., dead-end channels terminating within wetlands) where tides ebb and flow within the channel at times of low river flow. Tidal low order channels are usually first or second order channels and occur within tidal (freshwater or saline emergent) wetlands. Exceptions include the headward reaches of tidal channels that intersect non-tidal uplands.

<sup>8</sup> These types are predominately from San Francisco Estuary Institute's [Delta Transformed](#) (SFEI-ASC, 2014; page 18). The report includes representative photographs for most types (page 19) and includes a map of recent locations where these types occur in the primary Delta (pages vi, vii, and 25).

<sup>9</sup> Additional description of tidal mainstem channel included from SFEI's Historical Ecology Report (SFEI, 2012; page 34).

<sup>10</sup> Additional description of tidal low order channel included from SFEI's Historical Ecology Report (SFEI, 2012; page 34).

## Overlapping Ecosystem Features

There are several ecosystem features that may overlap multiple primary ecosystem and land use types described above, including floodplains, shaded riverine aquatic, and transition zones. As described in San Francisco Estuary Institute’s [Delta Renewed](#) (SFEI-ASC, 2016), these features are important in restoring the processes that will create dynamic, resilient ecosystems. Further details and definitions are included below. For seasonal floodplains, applicants will be asked to identify the quarters of the year during which flooding is predicted (December-February, March-May, June-August, September-November).

<b>OVERLAPPING ECOSYSTEM FEATURES</b>	<b>Units</b>	<b>Definitions</b>
<b>Floodplain<sup>11</sup></b>	<b>acres</b>	<b>The area at low to mid elevations adjacent to and transitioning between fluvial, or riverine, and tidal areas, that is subject to flooding during periods of high discharge.</b>
<b>Floodplain – Seasonal, Short-Term</b>	<b>acres</b>	Short-term fluvial inundation <ul style="list-style-type: none"> <li>• intermediate recurrence (~10 events per year)</li> <li>• low duration (days to weeks per event)</li> <li>• generally shallower than seasonal long-duration flooding</li> </ul>
<b>Floodplain - Seasonal, Long Duration</b>	<b>acres</b>	Prolonged inundation from river over flow into flood basins <ul style="list-style-type: none"> <li>• low recurrence (~1 event per year)</li> <li>• high duration (persists up to 6 month)</li> <li>• generally deeper than seasonal short-term flooding</li> </ul>
<b>Floodplain - Tidal Inundation</b>	<b>acres</b>	Diurnal over flow of tidal sloughs into marshes <ul style="list-style-type: none"> <li>• high recurrence (twice daily)</li> <li>• low duration (&lt;6 hrs per event)</li> <li>• low depth (“wetted” up to 0.5 m)</li> </ul>
<b>Floodplain - Ponds, Lakes, Channels, &amp; Flooded Islands</b>	<b>acres</b>	Perennial open water features (with the exception of historical intermittent ponds and streams) <ul style="list-style-type: none"> <li>• recurrence not applicable (generally perennial features)</li> <li>• high duration (generally perennial features)</li> <li>• variable depth</li> </ul>

<sup>11</sup> These floodplain types are from San Francisco Estuary Institute’s *Delta Transformed* (SFEI-ASC, 2014; pages 38-41). The report includes a map of recent locations where these types occur in the Delta (page 39).



OVERLAPPING ECOSYSTEM FEATURES	Units	Definitions
Transitional Zones	Linear feet	
Shaded riverine aquatic <sup>12</sup>	Linear feet	<p>This feature of open water ecosystem type is the unique, near-shore aquatic area occurring at the interconnection between river channels and levees/banks. The greatest characteristic, and the one most commonly measured, is the presence of woody shoreline vegetation overhanging the water and creating shade. Other characteristics, which may or may not be present, but which nearly always increase habitat values include the following:</p> <ul style="list-style-type: none"> <li>• Live or dead woody vegetation protruding into the water</li> <li>• Leaves, twigs, or other dying or dead plant material accumulation</li> <li>• Naturally eroding banks</li> </ul> <p>Seasonally and tidally inundated areas are not included as open water in this evaluation.</p>
Wetland-terrestrial transition zone <sup>13</sup>	Linear feet	<p>The area of interactions between adjacent wetland and terrestrial processes that result in mosaics of habitat types, assemblages of plant and animal species, and sets of ecosystem services that are distinct from those of the adjoining wetland or terrestrial ecosystems. “Wetland/marsh” includes both tidal and non-tidal freshwater emergent wetland. “Terrestrial” include oak woodlands, seasonal wetlands, and riparian types, among others (i.e. everything other than marsh, open water, urban/barren, agricultural, ruderal/non-native).</p>

<sup>12</sup> The shaded riverine aquatic definition is from Department of Water Resources’ Delta Levees Significant Habitat Types. This type is also referenced in the Delta Stewardship Council’s white paper on “Improving Habitats Along Delta Levees” (DSC, 2016).

<sup>13</sup> The wetland-terrestrial transition zone definition is from SFEI’s Delta Renewed (SFEI, 2016; page 66).

## Appendix E: Land Acquisition Checklist

### Checklist for Conservation Easement or Fee Title Proposals

- I. Information Submitted with Application**
  - A table including: parcel numbers, acreage, willing seller name and address, breakdown of how the funds will be budgeted, and an acquisition schedule
  - Copy of Purchase and Sale or Option Agreement, or Willing Seller Letter(s)
  - Appraisal or Estimation of Fair Market Value
  - Map showing lands that will be acquired, including parcel lines and numbers
- II. Information Required Prior to Execution of Grant Agreement**
  - Grantee Board resolution for Grant Authority that certifies:
    - i. Signatory has authority
    - ii. Acceptance of grant
    - iii. Acceptance of property interest
- III. Information Required as a Condition of the Grant Agreement**
  - Purchase and Sale or Option Agreement, if not provided at application stage
  - Appraisal that has been reviewed and approved by the Department of General Services (DGS)
    - [DGS APPRAISAL GUIDELINES](#)
  - Assessment of State Land Commission holdings, if applicable
  - Preliminary Title Report
  - Analysis of mineral rights issues, if applicable
  - Environmental documentation/hazardous materials assessment
  - Draft grant deed or conservation easement
  - Copies of any instruments that create a covenant, obligation, or restriction affecting the property to be acquired
  - Stewardship plan:
    - i. Management Plan for fee title
    - ii. Easement Monitoring Plan for conservation easements
  - Plan for signs
- IV. Information Required Prior to Transfer of Funds into Escrow**
  - Disbursement request with an original signature of Grantee's authorized signatory and the following information/attachments:
    - i. Name and address of grantee
    - ii. Agreement number
    - iii. Dollar amount requested
    - iv. Statement of other funds that have been or will be deposited into escrow prior to or at the time of deposit of Conservancy's grant funds
    - v. Anticipated date of escrow close
    - vi. This checklist, indicating that all prerequisites for transfer of funds into escrow have been met
    - vii. Buyer's closing statement
    - viii. Baseline conditions report
    - ix. Original, certified copy of the fully-executed grant deed of conservation easement certified by the escrow offer holding the document
    - x. Escrow instructions:

1. Title company (or escrow holder) name, address, and telephone number
2. Escrow officer
3. Escrow account number

- Payee Data Record (STD 204) for the title company (which completes and signs); must include address to send escrow payment

**V. Information Required After Close of Escrow**

- Final title policy
- Final recorded deed or conservation easement
- Notice of recorded grant agreement (unless expressly referenced in recorded deed or easement)

## Appendix F: 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. This list may not be inclusive. Grant recipients should ensure that such records are maintained for each State funded project. For additional details including specific audit tasks performed during a bond audit, see the California Department of Finance Bond Accountability and Audits Guide and the Bond Audit Bulletins ([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.

Indirect Costs:

1. Supporting documents showing the calculation of indirect costs.

Personnel:

2. List of all contractors and grant recipient staff that worked on the State funded project.
3. 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.