



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

Newly inserted section that summarizes information in the body of the document.

A. What Types of Projects Does the Conservancy Fund?

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 protect and restore rivers, lake, streams and watersheds within the Delta while addressing 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 Can Projects be Located?

The Conservancy will fund projects within the statutory Delta and Suisun Marsh and projects outside the Delta and Suisun Marsh if the project provides significant benefits to the Delta and meets the specific requirements of Water Code Section 32360.5.

C. Who is Eligible to Receive Funding?

- California public agencies
- Nonprofit organizations
- Public utilities
- Federally recognized Indian tribes
- State Indian tribes listed on the Native American Heritage Commission's California Tribal Consultation List
- Mutual water companies, including local and regional companies

D. How Much Funding is Available?

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

E. When Are Grant Proposals Due?

- Concept Proposal Due: August 2017
- Full Proposal Due: November 2017
- Board Approval of Awards: Spring 2018

F. Who Should I Contact with Questions?

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

Introduction

A. Background

Language has been streamlined to focus on the Conservancy's mission and Prop 1 requirements.

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, the Delta Plan, the Conservancy's 2017 Strategic Plan, as well as applicable recovery plans. Links to Proposition 1 and the other plans and documents can be found in Appendix B.

B. Purpose of Grant Guidelines

The Grant Guidelines (Guidelines) establish the process and criteria that the Conservancy will use to administer competitive grants for multibenefit ecosystem and watershed protection and restoration projects. These Guidelines provide instructions for completing the required concept and full proposals for the Conservancy's Grant Program. Prior to their initial adoption in 2015, the Conservancy posted draft Guidelines on its web site for 30 days and hosted three public meetings (Sec. 79706(b)). The Guidelines have been subsequently revised and reposted on the Conservancy's web site for 30 days, and comment was invited at another public meeting.

Grant Program Overview

This is a new high-level section that includes some new information and some old information, as indicated below. Sub-sections have been moved around to improve the flow of the document.

A. Program Description

This is a newly added section that explains programmatic focal areas and refines examples of fundable projects.

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 protect and restore rivers, lake, streams and watersheds within the Delta while addressing 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 ecological 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.¹

Water Quality

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:

- Reduce polluted runoff and restore impaired waterbodies, prevent pollution, improve water management, increase water conservation, and contribute to flood management.
- Address invasive, exotic species resulting in enhancement of water quality.
- Protect, restore, or enhance sensitive watershed lands through easement/fee title acquisitions or other means to avoid or reduce water quality impacts from encroaching land uses.
- Augment stormwater retention and increase dry season flow.

Water-related Agricultural Sustainability

Alternative language has been proposed for this section and is included as an attachment.

The objective of this focal area is to promote water-related agricultural sustainability projects that also improve ecosystem or watershed condition, functions, and resiliency. Examples include projects that:

- Improve water management to support agriculture and water quality and/or ecosystems.
- Minimize detrimental impacts to water quality, including:
 - Conservation on agricultural lands that will result in pollution runoff reduction.
 - Modification of planting, harvesting, irrigating, or other practices on productive fields to improve water quality.
- Minimize the detrimental ecological impacts of water diversions for agriculture.
- Sustain agricultural productivity and enhance the habitat value of agricultural lands, including:
 - Planting hedgerows and native vegetation to increase support for native terrestrial wildlife.
 - Modifying planting, harvesting, irrigating, or other practices on productive fields to improve habitat value.
 - Implementing flexible and responsible management in agricultural areas to support diverse and dynamic wildlife habitats.

¹ 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.

- Managing agricultural fields in a way that mimics seasonal wetland or floodplain habitat.
- Minimize the distance from wildlife-friendly agriculture to nearby wildland areas that benefit similar species.
- Acquire an interest in real property to protect agricultural and ecosystem 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

This section has been edited to better define what types of activities we will fund.

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 criteria. Please note that receiving a Category 1 grant for a project does not guarantee that a Category 2 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 implement the Grant Program's programmatic focal areas. The Conservancy encourages the use of Category 1 grants to develop projects using 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, CEQA activities, Delta Plan consistency
- Science: development of 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 project implementation (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 ~65% level of development; see Appendix A for a complete definition of project engineering design terms). Implementation projects may include final design and permitting as project activities.

California Environmental Quality Act (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. If funds are reserved, environmental review is anticipated to be completed within six months of the reservation of funds. Once complete, the Board will review the environmental document and 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: development of 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

This section has been shortened to convey only the information relevant to the applicant.

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

All per-project and per-category funding caps have been removed. See italicized alternatives below for additional options.

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

Recommendation: Do not add any additional text here, thereby removing all funding caps.

Alternative 1 (increase per-project caps and money available for planning):

For the 2017-2018 grant cycle, up to \$3 million total will be available for all Category 1 projects. At least \$6.3 million total will be available for all Category 2 projects. Each Category 1 project may receive up to \$500,000. Each Category 2 proposals may receive up to \$4,000,000.

Alternative 2 (same as last year):

Up to \$1,000,000 total is available during each funding cycle for all Category 1 projects. Each Category 1 project may range from \$20,000 to \$200,000. A minimum total of \$9,000,000 is available during each funding cycle for all Category 2 projects. Each Category 2 project may range from \$25,000 to \$3,000,000.

E. Grant Term

This is a newly added section.

The Conservancy's grant funding term lasts for three years. All grantees should expect 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, as required by the [State General Obligation Bond Law](#). For Category 2 projects, grantees will submit their final report and invoice at the end of the three-year 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

Eligible grant applicants are:

- California public agencies (any city, county, district, or joint powers authority; state agency; or public university). To be eligible, public utilities that are regulated by the Public Utilities Commission must have a clear and definite public purpose and shall benefit the customers and not the investors.
- 501(c)(3) nonprofit organizations. "Nonprofit Organization" means an organization that is qualified to do business in California and qualified under Section 501(c)(3) of Title 26 of the United States Code 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.
- 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 shall adopt and submit an urban water management plan in accordance with the Urban Water Management Planning Act.
 - An agricultural water supplier shall adopt and submit an agricultural water management plan in accordance with the Agricultural Water Management Planning Act.
 - An agricultural water supplier or an urban water supplier 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 mitigation obligations of any party.
- Projects that do not comply with all legal requirements of Proposition 1 and other applicable laws.

D. Eligible Costs

Direct costs which can be specifically and easily identified to the project, and which are for work performed within the specified terms and conditions of the grant agreement, will be eligible for reimbursement. Eligible expenses must be incurred within 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, up to twenty (20) percent of the project implementation cost. 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 twenty percent cap. 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, IT, 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. Personnel rates may only include salary and wages, fringe benefits (e.g., medical and dental benefits, vacation and sick pay), and payroll taxes. Indirect rates are strictly enforced for all applicants.

E. Ineligible Costs

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.
- Purchase construction equipment solely for purposes of implementing a single project.
- 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 costs 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 costs. In that event, the Conservancy will contact the applicant after the award has been approved to confirm that the project is still viable. Applicants should avoid including ineligible costs in the application and should contact Conservancy staff with questions.

Grant Cycle Overview

New section that highlights old information about the grant cycle process.

The Delta Conservancy runs a two-part proposal process which consists of a concept proposal and a full proposal. Applicants are encouraged to contact Conservancy staff at any time during the grant proposal process. 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 cycle 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 are:

- Concept Proposal Submission Period – August 1-31, 2017
- Concept Proposal Review and Consultation Period – September 1-29, 2017
- Full Proposal Submission Period – October 2-November 30, 2017
- Full Proposal Review Period – December 1, 2017 – March 27, 2018
- Board Decision Regarding Funding for Full Proposals – March 28, 2018
- Grant Negotiation and Execution – April 1-September 30, 2018

B. Concept Proposal Solicitation Process

This section has been updated to reflect the changes to the concept proposal solicitation that were discussed at the March 27th Board meeting.

The first step in the application process is submittal of a short concept proposal that describes the project that will be brought to the full proposal solicitation. Concept proposals are required. Submitting a concept proposal allows the Conservancy to provide applicants with early feedback on their projects in order for applicants to assemble a complete, responsive, and competitive full proposal.

Concept proposals are invited from any eligible applicant. Conservancy staff will review concept proposals and provide feedback to all applicants. 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 proposal. Once a concept proposal has been submitted, Conservancy staff will only be able to provide status updates.

C. Full Proposal Solicitation Process

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. The Board will consider and take action on the recommendations at a public meeting. Only applications 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. After Board action, proposals and scoring information will be made available upon request.

If a grant proposal is approved, Conservancy staff will work with the applicant to complete a grant agreement that outlines reporting requirements, specific performance measures, invoice protocols, and funding disbursement. This typically takes three to six months from the date funding is awarded.

D. Scoring Threshold and Funding Decisions

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 the scores received and the reasonableness of the 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. When funding requested for projects receiving at least 75 points exceeds the funds available for the grant cycle, the Conservancy may choose to not fund some of the eligible projects and/or to award partial funding. If a project scores 75 points or more during the full proposal stage but cannot 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 compliance actions (e.g., CEQA).

Proposal Instructions

Reordered section so that all concept proposal information is together and all full proposal information is together.

A. Concept Proposal Instructions

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; or
- (2) via USB or CD and mailed or hand delivered to 1450 Halyard Drive, Suite 6, West Sacramento, CA 95691.

The concept proposal project 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. In addition to the six-page project narrative, applicants must include:

1. Cover page with the following information:
 - 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)
 - Organization/agency name and type (California public agency, nonprofit, public utility, or mutual water company, tribe) 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
3. Budget table (template will be provided)
4. Performance measures table (category 2 projects only; template will be provided)

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

Project Description and Organizational Capacity

Provide a clear, detailed 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.

Funding Request and Budget

Provide a completed budget table using the concept proposal budget table template provided on the Conservancy's website. Budget tables should 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.) and include these in their budgets where applicable.

In addition to the budget table, provide a narrative that explains how budget items in the budget table align with project tasks described in the project description. 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 that align with state priorities by describing how the project is consistent with:

- Proposition 1
- California Water Action Plan
- The Conservancy's [enabling legislation](#)
- The Conservancy's 2017 strategic plan
- The Delta Plan
- Applicable recovery plans and other related efforts

Category 1 projects should describe consistency 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 that will need to be done 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 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, including how the project is applying or considering the Delta Plan's adaptive management framework. 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 Conservancy's website.

B. Concept Proposal Review

Modified concept proposal criteria to align with full proposal criteria, and removed points.

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.
1. Will the project produce ecosystem protection, restoration, and enhancement and/or water quality and/or water-related agricultural sustainability benefits?
2. Is the project consistent with Proposition 1, the California Water Action Plan, the Conservancy's enabling legislation and 2017 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 Strategic Plan, the Delta Plan, and applicable 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 is the applicant demonstrating the use of best available science, including the application of the Delta Plan’s adaptive management framework? Are climate change considerations being taken into account? For Category 2 projects, how well is performance assessment and monitoring described?

C. Full Proposal Instructions

Revised this section for clarity.

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 its website on or before the full proposal application period opens. 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, see the Full Proposal Evaluation and Proposal Requirements sections, below.

Attachments

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

- Schedule and List of Deliverables
- Budget Breakdown by Task

- Line Item Budget
- Funding by Source Table
- Financial Management System Questionnaire and Cost Allocation Plan

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

- Subcontractor Line Item Budget
- Performance measures table
- California Conservation Corps Consultation
- Acquisition Table

Supplementary Materials

Applicants must also 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 Public Utility

Public utilities regulated by the Public Utilities Commission must demonstrate that it has a clear and definite public purpose and that it benefits the customers and not the investors.

Documents Required of Native American Tribe

Native American 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

Mutual water companies must submit a document that demonstrates a clear and definite public purpose and that it benefits the customers of the water system and not the investors.

Urban water suppliers must submit their urban water management plan in accordance with the Urban Water Management Planning Act (Part 2.6 (commenting with Section 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 Section 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

Maps, Photos, and Site Plans

- **Project Location Map** – All full proposals must include a map identifying the project site(s). The map should provide sufficient detail 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) that is 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 showing the area(s) to be restored, protected, or acquired. Photos should be appropriately captioned.
- **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 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. 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, and 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 sent to the applicant and submitted to the Conservancy with the application materials.

Resolutions of Support from Applicable Local Government Agencies

Applicants have expressed frustration about their inability to get on Board agendas.

Recommendation: Award a point for a letter of support from the applicable County Supervisor instead of for a Board resolution of support.

A resolution of support from the Board of Supervisors of the county in which the project is located is strongly encouraged and will make an application more competitive.

Consultation with the Delta Protection Commission

Applicants have expressed confusion about the necessity and value of this requirement.

Recommendation: Remove from full proposal requirements given that DPC will serve as a reviewer during the full proposal evaluation process.

Alternative: Better explain how to contact DPC (what information to provide and in what format) and what to expect in return.

Provide proof that the Delta Protection Commission has been consulted about the proposed project.

D. Evaluation Criteria for Full Proposal

Criteria have been combined or split apart and reworded for clarity and ease of evaluation. Points have been reassigned to reflect value of each proposal component.

Eligibility Review

Conservancy staff will review your proposal for eligibility based on the following eligibility questions. Projects will be deemed eligible only all three 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 project? A capital asset is tangible physical property that has a useful life of at least fifteen years.
2. Will the project produce ecosystem protection, restoration, and enhancement and/or water quality and/or water-related agricultural sustainability benefits?
3. Is the project consistent with Proposition 1, the California Water Action Plan, the Conservancy's 2017 Strategic Plan and enabling legislation, 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 will need to score a total of 75 points or more to be recommended for funding.

Project Description, Budget, and Organizational Capacity

This category has been revised to include 2 new criteria that specifically focus on the project's budget and the team's organizational capacity (previously lumped in one criterion). The overall point value for this category has been increased from 10 points to 20 points because of the bulk of information being evaluated.

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 it 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 demonstrate the appropriate qualifications of affiliated staff and the organizational capacity of committed partners? (5 points)

Funding: Cost Share and Leveraging

Revised point allocation to award points at a lower cost share percentage.

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 0% (0 points)
5. To what extent does the project leverage other state funds? (3 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 0% (zero points)

State Priorities

The evaluation of climate change and adaptive management has been moved from this section to the Scientific Merit section. The overall point value for this category has been decreased from 25 points to 20 points as a result of moving these components.

6. How well does the proposal demonstrate consistency between a specific, on-the-ground project and State priorities, including Proposition 1, the California Water Action Plan, the Conservancy's enabling legislation and Strategic Plan, the Delta Plan, and applicable recovery plans? Where relevant, proposals should discuss a project's consistency 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

The point value for this category has been decreased from 15 points to 12 points to accommodate changes elsewhere.

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

This category has been revised to combine two criteria into one, and to move one criterion to another section: local support and working with stakeholders has been combined into one criterion, and partnerships are now addressed in the Organizational Capacity criterion (#3). The overall point value for this category has been increased from 17 points to 20 points so that local support and science are weighted equally.

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

This category has been revised to combine three criteria (scientific merit, performance measures, and innovative technology) into one, and to add climate change and adaptive management. The new structure reflects the inextricably interconnected nature of all of these scientific components. The overall point value for this category has been decreased from 25 points to 20 points so that science and local support are weighted equally.

Recommendation: Remove the component of this criterion related to innovative technology/practices because, in some instances, using tried and true technology/practices is the best approach.

10. How well does the proposal explain the scientific basis of the proposed project and the degree to which best available science is being considered and adopted, including:
 - a. the extent to which the project is applying or considering the Delta Plan's adaptive management framework;
 - b. the extent to which the proposal discusses 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;
 - c. the extent to which the project employs new or innovative technology or practices, including decision support tools; and
 - d. for Category 2 projects, the clarity of the project's performance monitoring and assessment approach. (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.

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

- Contract directly with the Conservancy.
- Are providing services as a subcontractor to an individual or organization contracting directly with the Conservancy.
- Employ an individual, on an ongoing basis, who is performing work for the Conservancy under a contract whether as a contractor or as a subcontractor.

If you have a contract with the Conservancy and are contemplating applying for a grant, please consult with Conservancy staff to determine eligibility. Failure to comply with the conflict of interest laws, including business and financial disclosure provisions, will result in the proposal being rejected and any subsequent grant agreement being declared void. Other legal actions may also be taken. Applicable statutes include, but are not limited to, California Government Code Section 1090 and Public Contract Code Sections 10365.5, 10410 and 10411.

B. Confidentiality

Once 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

Prior to submitting a full proposal, all applicants for ecosystem restoration and protection projects shall first consult with the California Conservation Corps (CCC) and the Certified Community Conservation Corps (as represented by the California Association of Local Conservation Corps [CALCC]), collectively referred to as the Corps, as to the feasibility of using their services to implement projects (CWC §79734). The CCC is a State agency with local operations throughout the State. CALCC is the representative for the certified local conservation corps defined in Section 14507.5 of the Public Resources Code.

The Conservancy will provide on its website 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 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 in, and include estimated costs for those services in the Budget. 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. Applicants that fail to engage in such consultation will not be eligible to receive funding through the Conservancy's grant program.

D. Environmental Compliance

This section has been revised to include requirements for contacting the Conservancy if we are to serve as lead agency, and to clarify what is required of applicants.

Activities funded under this Grant Program must be in compliance with applicable state and federal laws and regulations, including the California Environmental Quality Act (CEQA), National Environmental Policy Act (NEPA), Delta Plan, and other environmental permitting requirements. The applicant is solely responsible for project compliance. The applicant will be required to certify that it understands that it is its responsibility to comply with all federal, state and local laws that apply to the Project. All applicants will be asked to 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.

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, however, is also 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 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 California Water Code (CWC) Section 85057.5, the applicant is responsible for ensuring consistency with the Delta Plan. The Conservancy encourages all applicants to reach out to the Delta Stewardship Council to better understand whether or not their projects 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 the approach through which 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 Delta Stewardship Council must certify the project is consistent with the Delta Plan before construction funds can be

disbursed. 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 grants that address stream flows and water use shall comply with the California Water Code (CWC), as well as any applicable state or federal laws or regulations. Any 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 State Water Resources Control Board (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 this process, but the SWRCB must approval must be received 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, narrative 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 the applicant is not the water right holder and the landowner is the water rights holder, the applicant will be asked to submit, as a condition of the grant agreement, a landowner access agreement that includes a clause that specifically grants the applicant 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 here on the Conservancy's Grant Program website, includes the water rights cause referenced here). If neither the applicant nor the landowner is the water right holder, as a condition of the grant agreement, the applicant will be asked to submit a written statement from the water right holder that verifies that the water rights 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

This section has been added to better explain best available science requirements for all proposals, and to encourage applicants to refer to/use SFEI's A Delta Renewed. This section will be discussed with the Delta Science Program before it is finalized.

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 literature, studies, or expert opinion that they have consulted. To be in compliance with the Delta Plan, 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 C of the Delta Plan](#).

In using best available science, 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.

G. Adaptive Management

This section has been revised to better explain adaptive management requirements for all proposals. This section will be discussed with the Delta Science Program before it is finalized.

Adaptive management is the framework for taking actions to achieve desired outcomes through an iterative learning process that advances scientific understanding and helps adjust operations. Adaptive management acknowledges uncertainty, and it 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 on-going 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. A complete adaptive management plan will include the following nine steps found in the Plan-Do-Evaluate and Respond framework set forth in the Delta Plan:

1. **What is the defined/redefined problem?** The problem/need for the project should be stated in the project description portion of the proposal.
2. **What are the established goals and objectives?** Goals and objectives should be discussed in the project description.
3. **What mathematical or conceptual models are being used to link goals and objectives to proposed actions?** Linking goals and objectives to conceptual and other models is a critical component of establishing the project's scientific merit. It can also build the case for the project as part of the project description.
4. **How are actions selected and what performance measures are put in place?** 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. **How will selected actions be designed and implemented?** The project description should describe how selected actions will be implemented.
6. **How will designed and implemented actions be monitored?** For Category 2 projects, the performance monitoring and assessment plan should describe how actions will be monitored.
7. **How will results of the selected actions be analyzed, synthesized, and evaluated?** For Category 2 projects, the performance monitoring and assessment plan should describe how results will be evaluated.
8. **How will results be communicated, and to whom?** For Category 2 projects, the performance monitoring and assessment plan should describe how results will be communicated.
9. **What steps are needed to adapt to challenges, redefine the problem(s), and to move forward with the project?** All projects should address how institutional support, decision-making mechanisms, and governance structures will allow adaptive management to be carried out.

Adaptive management should be embedded in a project from the outset, and should be reflected throughout a proposal, as described in the steps above. Applicants will be asked to summarize their approach to adaptive management in the Scientific Merit section of the full proposal. 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 to ecosystem restoration and enhancement, water quality improvement, and/or water-related agricultural sustainability. All Category 2 projects that include an action that is likely to be deemed a covered action, pursuant to California Water Code (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 reach out to the Delta Stewardship Council to learn more about adaptive management and to better understand whether or not their projects 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 the approach through which 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 Delta Stewardship Council must certify consistency with the Delta Plan before construction funds can be disbursed.

A. Performance Monitoring and Assessment

Combined performance measures and monitoring and assessment section. Added standard performance measures. Revised language for clarity and for consistency w/ Delta Plan. Condensed data collection and management information.

All Category 2 project proposals (including proposals for acquisition projects) must describe a monitoring and assessment plan 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 monitoring and assessment plan will vary depending on the scope and nature of the project. A performance monitoring and assessment plan 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.

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 have been identified, and to assist with consistency of nomenclature, units, and measurements. Applicants may include finalizing their monitoring and assessment plan as an expense reimbursable by the grant.

Performance Measures

A key attribute of the monitoring and assessment plan will be the 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 are required to prepare and submit a performance measures table, specific to their proposed project, as part of the full proposal. A template for the performance measures table will be provided on the Conservancy's website. The focus is on metrics 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 Delta 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 outcomes and outputs. 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 measures 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 for its three programmatic focal areas. 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 open consultation periods. 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.

Performance Measures for Ecosystem Protection, Restoration, and Enhancement Projects

- **Outputs:**
 - Acres or linear feet of habitat protected, restored, or enhanced
 - Acres or linear feet of invasive species treated
 - Acre-feet of water protected or conserved per year
 - Metric tons of carbon sequestered per year
 - Acres with best management practices implemented for wildlife benefit or carbon sequestration
- **Outcomes:**
 - Increased use/occurrence of native animal species at restored/enhanced project site
 - Maintained use/occurrence of native animal species at protected project site
 - Ratio of native to nonnative plant species at restored/enhanced project site
 - Increased abundance of desirable aquatic macro-invertebrates at project site
 - Increased desirable primary productivity at project site
 - Increased water supply to associated waterbody or for groundwater recharge

All ecosystem restoration and enhancement projects – and other projects as applicable – will be required to define their outputs in terms of the ecosystem/land types included in Appendix C.

Performance Measures for Water Quality Improvement Projects

- Outputs:
 - Decreased loading of pesticides, fertilizers (including ammonium, nitrate, and phosphate), and other chemicals into associated waterbody or into offsite discharge
 - Decreased loading of non-point source pollutants into associated waterbody or into offsite discharge
- Outcomes:
 - Increased abundance of desirable aquatic macro-invertebrates in associated waterbody
 - Increased use/occurrence of native fish species in associated waterbody
 - Improved water quality conditions (such as changes in dissolved oxygen and toxicity) for aquatic life in associated waterbody

Performance Measures for Water-Related Agricultural Sustainability Projects

- Outputs:
 - Acres of agricultural land protected
 - Acre-feet of water protected or conserved per year
 - Acres impacted by best management practices
 - Decreased loading of pesticides, fertilizers (including ammonium, nitrate, and phosphate), and other chemicals into associated waterbody or into offsite discharge
 - Decreased loading of non-point source pollutants into associated waterbody or into offsite discharge
- Outcomes:
 - Maintained use/occurrence of native animal species at protected project site
 - Increased abundance of desirable aquatic macro-invertebrates in associated waterbody
 - Increased use/occurrence of native fish species in associated waterbody
 - Improved water quality conditions (such as changes in dissolved oxygen and toxicity) for aquatic life in associated waterbody
 - Increased water supply to associated waterbody or for groundwater recharge

Monitoring and Assessment Framework

In addition to identifying performance measures, applicants must describe their approach to monitoring and assessing performance. This is a fundamental part of adaptive management, and should be consistent with the [Delta Plan's adaptive management framework](#), described in the Adaptive Management section above.

The monitoring and assessment plan should answer the following questions:

- **Why is monitoring being done? What is being monitored?** Provide linkage to performance measure 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 any 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 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?**
- **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 be 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.

Data Management

Applicants should incorporate standardized approaches, where applicable, into their monitoring plans 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

Applicants 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 these grant programs must be made visible, accessible, and independently understandable to general users in a timely manner, except where limited by law, regulation, policy, or security requirements. Unless otherwise

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

B. Long-Term Management

This section has been revised for clarity.

The goal of long-term management is to foster the long-term success of the project and long-term viability of the site's natural resources, ensuring that the benefits arising from the project endure beyond the end of the three-year 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 this risk, 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 plan. 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 governance and accountability described in a long term management plan should be consistent with the final three steps of the adaptive management framework, and 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 language to clarify expectations of projects on land owned by landowner, and to give Board flexibility to waive requirement to record.

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 applicant 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 sample landowner access agreement template can be found on the Conservancy's website. 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

Language has been added to highlight the mineral rights assessment and to stress that all Category 2 requirements apply to acquisition projects.

The Conservancy may recommend awards for a land acquisition project. Acquisition costs may include personnel time, appraisal and appraisal review, due diligence costs, closing costs, and the purchase 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, and closing costs 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 acquisition of property, for which funds will be transferred into escrow once all requirements have been met.

Acquisition projects will also be 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 D. 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 of mining and the related consequences for intended conservation purposes is acceptable. 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.

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 agencies² 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 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.
- DGS must review and approve all appraisals of real property. Appraisals must be in compliance with section 5096.510 of the Public Resources Code.

² Government Code, Chapter 16, Section 7260 et seq.

Acquisition projects must address all other requirements of Category 2 projects, including the development of scientific outcomes and a performance monitoring and assessment plan. 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 website)
- 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 they will provide payments 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 use the Natural Heritage Preservation Tax Credit Act of 2000 (Division 28 (commencing with Section 37000) of the Public Resources Code) (Section 79711[h]).

E. Cost Share and State-Leveraged Funds

Defined term for spending cost share, defined in-kind cost share, and revised scoring guidance to match CDFW's.

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. Cost share funds must be spent between the time that the full proposal is submitted to the Conservancy and the end of the three-year grant funding term.

In-kind cost share is defined as all non-cash contributions 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 total qualifying in-kind cost share is \$25,000. Any in-kind cost share that exceeds \$25,000 would not count towards the project's cost share points. For projects without any cash match, in-kind cost share will not be calculated

into the project's cost share score. Points awarded for cost share will be 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 multi-benefit projects. These projects must support multiple objectives as identified in various planning documents (see Appendix B). State funds may not count toward the cost share. Applicants stating that they are leveraging other state funds must have commitment letters from leverage partners at the time of the full proposal, and cost share funds must be spent between the time that proposals are submitted to the Conservancy and the end of the three-year grant funding term. The same cash to in-kind ratio applies.

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

Added language to clarify how we work with CDFW on jointly-funded projects.

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, and will be awarded one point as part of the Local Support criteria.

In compliance with the Conservancy's governing statute (Public Resources Code Section 32363) and Proposition 1, the Conservancy will also notify local government agencies – such as counties, cities, and local districts – about eligible grant projects being considered for funding in their area. For all applications under consideration, 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.

G. Disadvantaged Communities

This is a new section.

Proposition 1 does not require that the Conservancy direct a specific portion of funding to projects that benefit disadvantaged communities. However, a large majority of the communities found within the legal Delta are considered disadvantaged communities according to the U.S. Census, as are many of the communities immediately outside of the legal 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.

Requirements if Funded

This is a new section comprised of information that was in last year's General Program Requirements section.

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 website. 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.
- Grant eligible costs may be incurred by the grantee only after the grantee has entered into a fully executed agreement with the Conservancy; only these costs will be eligible for reimbursement.
- Grant eligible costs will only be paid in arrears on a reimbursement basis, require supporting documentation upon request, and may be subject to audit (see Appendix H).
- 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 paid if any of the following conditions occur:
 - the applicant has been non-responsive or does not meet the conditions outlined in the grant proposal and grant agreement;
 - the project has received alternative funding from other sources that duplicates the portion or work or costs funded by a Conservancy grant;
 - the project description has changed and is no longer eligible for funding; or
 - the applicant requests to end the project.

B. Labor Code Compliance

Grants awarded through the Conservancy's Ecosystem Restoration and Water Quality Grant Program may be subject to prevailing wage provisions of Part 7 of Division 2 of the California Labor Code (CLC), commencing with Section 1720. Typically, the types of projects that are subject to the prevailing wage requirements are public works projects. Existing law defines "public works" as, among other things, construction, alteration, demolition, installation, or repair work done under contract and paid for in whole or in part out of public funds. Assembly Bill 2690 (Hancock, Chapter 330, Statutes of 2004) amended California Labor Code (CLC) Section 1720.4 to exclude most work performed by volunteers from the prevailing wage requirements until January 1, 2017.

The grantee shall pay prevailing wage to all persons employed in the performance of any part of the project if required by law to do so. Any questions of interpretation regarding the CLC should be directed to the Director of the Department of Industrial Relations (DIR), the state department having jurisdiction in these matters. For more details, please refer to the DIR website at <http://www.dir.ca.gov>.

C. Reporting

All projects will be required to provide periodic progress reports during implementation of the project and a final report prior to the formal close-out of the grant agreement. 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.

D. 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

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.

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

Best Available Science – Science with the following elements: (a) well-stated objectives; (b) a clear conceptual or mathematical model; (c) a good experimental design with standardized methods for data collection; (d) statistical rigor and sound logic for analysis and interpretation; and (e) clear documentation of methods, results, and conclusions. For more information, refer to http://deltacouncil.ca.gov/sites/default/files/documents/files/AppC_Adaptive%20Management_2013.pdf.

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

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>.

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>.

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.

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

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.

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

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

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>).

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

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

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 – The benefits or long-term changes that are sought from undertaking the project. 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. Targeted outcomes will have a measurable benefit and will be used to gauge the success of the project. At the end of the project the measures will help answer such questions as ‘what have we achieved?’ and ‘how do we know?’.

Outputs – Products/deliverables expected to be achieved within the funding term of a grant agreement, and through the completion of the proposed project, to meet the identified outcomes.

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

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

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

Pollution – The presence in, or introduction into, the environment of a substance or thing that has harmful or poisonous effects.

Project Engineering Design – Project engineering design is 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 in this Glossary.

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.

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

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

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

Statutory Delta – As defined in Water Code Section 12220. The legal definition can be found at <http://codes.findlaw.com/ca/water-code/wat-sect-12220.html>. A map of the statutory Delta can be found at <https://mavensnotebook.com/resource-pages/maps-and-diagrams/#010>.

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.

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

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

California Water Quality Monitoring Council

California Wetlands Monitoring

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

California Aquatic Resources Inventory: www.sfei.org/it/gis/cari

California Rapid Assessment Method: www.cramwetlands.org

EcoAtlas: 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

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

Department of Water Resources

Department of Water Resources Agricultural Land Stewardship Strategies: <https://agriculturallandstewardship.water.ca.gov/>

Central Valley Flood Protection

Plan: http://www.water.ca.gov/floodsafe/fessro/docs/flood_tab_cvfpp.pdf

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/

Delta Protection Commission – Economic Sustainability Plan for the Sacramento-San Joaquin Delta.
(2012): 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/

Natural Resources Agency

Proposition

1: <http://bondaccountability.resources.ca.gov/p1.aspx>; http://bondaccountability.resources.ca.gov/PDF/Prop1/PROPOSITION_1_text.pdf

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/about-delta-conservancy>.

2012 Strategic Plan. Sacramento-San Joaquin Delta Conservancy

(2012): http://deltaconservancy.ca.gov/docs/Delta_Conservancy_Strategic_Plan_Designed_20June2012.pdf

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://web.stanford.edu/group/west/cgi-bin/projects/delta/map/index.html>

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.

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: Ecosystem Types

Newly added appendix.

All ecosystem restoration and enhancement projects – and other projects as applicable – will be required to define their outputs in terms of the ecosystem/land types in the table below. 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 Delta (pages vi, vii, and 25).

Primary Ecosystem Types	Units	Ecosystem Type Definition
Upland / terrestrial	acres	
Grassland	acres	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.
Oak woodland/savanna	acres	Oak dominated communities with sparse to dense cover (10-65% cover) and an herbaceous understory.
Stabilized interior dune vegetation	acres	Vegetation dominated by shrub species with some locations also supporting live oaks on the more stabilized dunes with more well-developed soil profiles.
Agriculture - high intensity	acres	Active agricultural lands in high intensity crops such as fruit or nut orchards and/or vineyards
Agriculture - low intensity	acres	Active agricultural lands in low intensity crops such as row crops, rice fields, alfalfa or pasture
Ruderal / non-native	acres	Areas dominated by disturbed ground or non-native vegetation
Riparian	acres	
Valley foothill riparian	acres	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.
Willow riparian scrub-shrub	acres	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.
Willow thicket	acres	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.
Perennial Wetland	acres	

Primary Ecosystem Types	Units	Ecosystem Type Definition
Freshwater emergent marsh/wetland - tidal	acres	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).
Freshwater emergent wetland/marsh - non-tidal	acres	Temporarily to permanently flooded, permanently saturated, freshwater non-tidal wetlands dominated by emergent vegetation. In the Delta, occupy upstream floodplain positions above tidal influence.
Saline emergent wetland	acres	Herbaceous-Dominated: > 2% total cover by herbaceous species and < 10% total cover by tree or shrub species; Limited to tidally-influenced portion of coastal regions. SEW; cross-walk to CalVeg pickleweed-cordgrass and tule-cattail
Seasonal Wetland	acres	
Vernal pool complex	acres	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.
Alkali seasonal wetland complex	acres	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.
Wet meadow and seasonal wetland	acres	Temporarily or seasonally flooded, herbaceous communities characterized by poorly-drained, clay-rich soils. These often comprise the upland edge of perennial wetlands.
Managed wetland	acres	Areas that are intentionally flooded and managed during specific seasonal periods, often for recreational uses such as duck clubs.
Open water	acres/ linear feet	
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

Primary Ecosystem Types	Units	Ecosystem Type Definition
		Palustrine vegetation. These occupy the lowest-elevation positions within wetlands.
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	linear feet	Rivers, major creeks, or major sloughs forming Delta islands where water is understood to have ebb and flow in the channel at times of low river flow. These delineate the islands of the Delta.
Tidal low order channel	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.

Overlapping Ecosystem Features

There are several ecosystem features that may overlap multiple primary ecosystem types described above, including floodplains and shaded riverine aquatic. 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.

Floodplain

- These 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).
- Note quarters of the year during which flooding is predicted (Dec-Feb, Mar-May, June-Aug, Sept-Nov)

Shaded Riverine Aquatic

- The 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).

OVERLAPPING ECOSYSTEM FEATURES	Definitions
Floodplain	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.
Floodplain – Seasonal, Short-Term	Short-term fluvial inundation <ul style="list-style-type: none"> • intermediate recurrence (~10 events per year) • low duration (days to weeks per event) • generally shallower than seasonal long-duration flooding
Floodplain - Seasonal, Long Duration	Prolonged inundation from river over flow into flood basins <ul style="list-style-type: none"> • low recurrence (~1 event per year) • high duration (persists up to 6 month) • generally deeper than seasonal short-term flooding
Floodplain - Tidal Inundation	Diurnal over flow of tidal sloughs into marshes <ul style="list-style-type: none"> • high recurrence (twice daily) • low duration (<6 hrs per event) • low depth (“wetted” up to 0.5 m)
Floodplain - Ponds, Lakes, Channels, & Flooded Islands	Perennial open water features (with the exception of historical intermittent ponds and streams) <ul style="list-style-type: none"> • recurrence not applicable (generally perennial features) • high duration (generally perennial features) • variable depth
Transitional Zones	
Shaded riverine aquatic	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: <ul style="list-style-type: none"> • Live or dead woody vegetation protruding into the water • Leaves, twigs, or other dying or dead plant material accumulation • Naturally eroding banks Seasonally and tidally inundated areas are not included as open water in this evaluation.

Appendix D: 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 E: State Auditing Requirements

The list below details the documents or records that State Auditors may need to review in the event of a grant agreement being audited. Grant recipients should ensure that such records are maintained for each State funded project. For additional details 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/).

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.