



SACRAMENTO - SAN JOAQUIN

**DELTA CONSERVANCY**

A California State Agency

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**Stu Townsley**  
U.S. Army Corps of  
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**Michael Villines**  
Central Valley Flood  
Protection Board

**Erik Vink**  
Delta Protection Commission

**AGENDA**

**Meeting of the  
Board of Directors and Liaison Advisors for the  
SACRAMENTO-SAN JOAQUIN DELTA CONSERVANCY**

**Monday, June 27, 2016**

**9:00 am – 1:00 pm**

**Delta Conservancy Conference Room  
1450 Halyard Drive, Suite 6, West Sacramento, CA**

1. **Call to Order and Pledge of Allegiance**
2. **Welcome and Introductions**
3. **Roll Call/Oath of Office**
4. **Public Comments (New Business)**
5. **Consent Calendar (Action Item)**
  - *May 25, 2016 Meeting Summary and Action Items (Attachment 1)*
6. **Executive Officer's Report, Campbell Ingram**
  - *Program Update (Attachment 1)*
  - *May 25, 2016 - Board Meeting Directives and Responses*
  - *FY 2015-16 Expenditure Report (Attachment 2)*
  - *Outreach-Delta Meeting Matrix (Attachment 3)*
  - *Correspondence(Attachment 4)*
7. **Program and Policy Subcommittee Update, Campbell Ingram (Attachment 1)**
8. **Request for approval of the Proposition 1 Grant Program proposal for Habitat Enhancement for Swainson's Hawk at Elliot Ranch, Campbell Ingram (Action Item) (Attachment 1)**
9. **Request for approval to post public draft of the revised Proposition 1 Grant Program Grant Guidelines, Campbell Ingram (Action Item) (Attachment 1)**
10. **Request for approval to initiate regional planning in the Cache Slough Region, Campbell Ingram (Action Item) (Attachment 1)**
11. **Request for approval to enter into an agreement for Strategic Planning consulting services, Campbell Ingram (Action Item) (Attachment 1)**
12. **California Water Fix Update, B.G. Heiland**
13. **Future Board Meeting Schedule and Format, Campbell Ingram**
14. **Potential Agenda Items July 27, 2016 (Attachment 1)**
15. **Public Comments**



**16. Board Closed Session for Executive Officer's Annual Performance Review pursuant to Government Code Section 11126(a)**

**17. ADJOURN**

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- Attachments and additional information can be found on the Delta Conservancy's website at: <http://www.deltaconservancy.ca.gov>.
- If you have any questions or need reasonable accommodation due to a disability, please contact Brandon Chapin, Delta Conservancy (916) 375-2091.
- Public comments are generally limited to three minutes or at the discretion of the Chair.
- The agenda items listed above may be considered in a different order at the Delta Conservancy Board meeting pursuant to the determination of the Board Chair. At the discretion of the Delta Conservancy Board, all items appearing on this agenda, whether or not expressly listed for action, may be deliberated upon and may be subject to action.

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1450 Halyard Drive, Suite 6  
West Sacramento, CA 95691  
www.deltaconservancy.ca.gov

**MEETING SUMMARY AND ACTION ITEMS**  
**Board Meeting – May 25, 2016**  
**1450 Halyard Dr., Suite 6, West Sacramento**

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**CALL TO ORDER**

Meeting called to order at 9:01 am by Vice Chair Darla Guenzler.

**ROLL CALL**

Roll call was taken and a quorum was established.

**Board Members Present:** Darla Guenzler, Karen Mitchoff, Don Thomas, Katherine Miller, Skip Thomson, Oscar Villegas, Todd Ferrara, Karen Finn, Dolly Sandoval, Dan Taylor  
**Ex Officio Members Present:** None  
**Liaison Advisors Present:** Daniel Welsh, Ryan Wulff, Sandra O’Roak, Steve Chappell, Robin Kulakov, Erik Vink

Prior to public comment Vice Chair Guenzler and Executive Officer Campbell Ingram expressed their thanks to Shakoora Azimi-Gaylon for her service to the Delta Conservancy as Deputy Executive Officer and presented her with a framed picture of the Delta and a plaque on behalf of the Board and Staff.

**PUBLIC COMMENT**

Mark Wilson with Wilson Vineyards expressed concern with the amount of staff turnover at the Conservancy and would like the Board to look into the cause.

**DISCUSSION AND ACTIONS TAKEN**

**1. Agenda Item 5 – Consent Calendar (*Action Item*)**

The Executive Office gave an overview of the items on the consent calendar.

**MOTION:** The Board unanimously approved the summary of the March 23, 2016 Board meeting, Draft Conservancy Proposition 1 Grant Program Agreement Template and Policy, and the determination that a Conservancy-specific conflict of interest policy is not needed.

**2. Agenda Item 6 – Executive Officer’s Report**

The Executive Officer presented updates on Conservancy programs, Board Meeting Directives and Responses, and the Deputy Executive Officer presented budget and staffing updates. The Executive Officer also presented an overview of correspondence received and introduced new staff members Beckye Stanton and Brian Keegan.

The Board asked for a status on the hiring process of a new Deputy Executive Officer and an overview of the upcoming process was given. The Board requested that, if schedules permit, that

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the outgoing Deputy Executive Officer and a Board Member sit on the interview panel. The Board also discussed the staffing situation while the search for a new Deputy Executive Officer is undertaken. Concern was raised regarding the “separation of duties” for contract and invoice processing. Board Member Ferrara suggested that the Conservancy determine if a conflict with the “separation of duties” exists for the signing of any Proposition 1 Grant Program grants agreements and to explore using the Natural Resources Agency to execute contracts, and invoices if necessary, while the Deputy Executive Officer position is vacant.

The Board discussed the Conservancy’s current FY 2015-2015 expenditure report and the encumbrance of remaining funds at the end of the 2015-2016 fiscal year. The Board suggested that staff explore the timeline for encumbering remaining funds for the end of the 2015-2016 fiscal year and that this issue be discussed at the next Program and Policy Subcommittee meeting.

The Executive Officer announced that a Board meeting will take place on Monday, June 27, 2016 in order to address the Cache Slough Regional Planning effort, any outstanding business for the Proposition 1 Grant Program, and end of year finances.

**3. Agenda Item 7 – Program and Policy Subcommittee Update**

The Deputy Executive Officer provided an overview of the April 27, 2016 PPS meeting. The Board Vice Chair invited Board members to attend the upcoming PPS meeting scheduled for June 15, 2016 from 2:00 p.m. to 4:00 p.m. at the Conservancy office.

The Board requested to review at the next PPS meeting:

- Draft Contract Manual
- Proposition 1 Grant Program Process Debrief, including an overview of denied projects
- Unencumbered funds in 2015/2016 Budget
- Future Board Meeting Schedule and Format

**4. Agenda Item 8 – Request for approval of proposals for the Proposition 1 Ecosystem Restoration and Water Quality Grant Program (*Action Item*)**

The Executive Officer presented the recommendations for the Proposition 1 Ecosystem Restoration and Water Quality Grant Program. In total staff recommended 9 projects to approve funding. Each of the recommendations are to either approve funding, approve funding conditional upon receipt of certain items, or to reserve funding for further board action upon the completion of the CEQA process. The Board suggested that the Program and Policy Subcommittee hold a “lessons learned” discussion on the 2015/2016 Proposition 1 Grant Program solicitation process and that updates be provided for any approved projects at future Board Meetings.

The Board agreed to take action on each of the proposals individually and in score order.

**Project #Prop 1-Y1-2015-016 – Wildlife Corridors for Flood Escape on the Yolo Bypass Wildlife Area**

The Executive Officer presented an overview of the project. The Yolo County Resource Conservation District proposes to provide wildlife flood escape cover and enhance year round

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habitat for a variety of migratory birds, pollinators, and other wildlife by creating a five mile floodway-compatible habitat and floodway escape corridor in the Yolo Bypass Wildlife area, and a .5 acre buffer patch of habitat. The proposal requested \$688,195.65 in funding. Staff recommended that the Board determine that the project is categorically exempt from CEQA and approve \$688,195.65 in funding conditional upon submission by the applicant of proof and verification of adequate water rights and a signed agreement with the landowner of the property. The Board discussed the proposal's permit status, lack of a landowner agreement and letters of support, and that the agreement will have a 15 year monitoring plan.

**MOTION:** *Board Member Thomson moved, seconded by Board Member Villegas, to make the determination that the project is categorically exempt from CEQA and approve \$688,195.65 in funding conditional upon submittal by the applicant, by September 2016, of proof and verification of adequate water rights and a signed agreement with the landowner of the property.*

*A roll call vote was taken with all Board members present voting to approve the motion and the action was approved.*

Board Member Mitchoff requested that Project #Prop 1-Y1-2015-019 be heard next as she had to leave the Board Meeting in order to attend another meeting. The Board agreed to do so.

Project #Prop 1-Y1-2015-019 – Lower Marsh Creek and Sand Creek Watershed Riparian Restoration Planning

The Executive Officer presented an overview of the project. American Rivers proposes to create a Programmatic CEQA document for future restoration activities in the Lower Marsh Creek and San Creek Watershed conducted by American Rivers and their partners, and to develop a stormwater management plan that will be used to guide future developments in the area. The proposal requested \$78,014 in funding. Staff recommended that the Board approve \$73,493 in funding and make the finding that all conditions for funding activities outside of the legal Delta have been met for the project, pursuant to Public Resources Code 32360.5. The Board discussed evaluation monitoring and the consistency of planning projects. Staff also reiterated that only a small portion of the project is outside the legal Delta.

**MOTION:** *Board Member Mitchoff moved, seconded by Board Member Sandoval, to approve \$73,493 in funding and make the finding that all conditions for funding activities outside the legal Delta have been met for the project, pursuant to Public Resources Code 32360.5.*

*A roll call vote was taken with all Board members present voting to approve the motion and the action was approved.*

Board Member Mitchoff left the meeting.

Project #Prop 1-Y1-2015-009 – Three Creeks Parkway Restoration Project

The Executive Officer presented an overview of the project. American Rivers proposes to restore native vegetation on 12.5 acres along nearly a mile of Marsh Creek, including its confluences in Sand Creek and Deer Creek, including floodplain and riparian habitat along 4,000 linear feet of the creek, within the City of Brentwood. The proposal requested \$839,485 in funding. Staff

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recommended that the Board reserve \$836,409 in funding conditional upon completion of the CEQA process and conditional upon the submission of proof and verification of adequate water rights and a signed agreement from the landowner. The Board discussed the proposal's CEQA status, goals and benchmarks, and endowment.

**MOTION:** Board Member Ferrara moved, seconded by Board Member Taylor, to reserve \$836,409 in funding conditional upon completion, by September 2016, of the CEQA process and conditional upon the submission of proof and verification of adequate water rights and a signed agreement from the landowner.

*A roll call vote was taken with all Board members present voting to approve the motion and the action was approved.*

Project #Prop 1-Y1-2015-012 – Paradise Cut Conservation and Flood Management Plan

The Executive Officer presented an overview of the project. The San Joaquin County Resource Conservation District proposes to advance environmental compliance and permitting for a new flood bypass that will reduce flood risk, improve habitat, and maintain agricultural land along the San Joaquin River south of Paradise Cut. The proposal requested \$99,924 in funding. Staff recommended that the Board approve \$99,924 in funding conditional upon the receipt, and staff approval, of a monitoring plan for the project. The Board discussed the proposals planning status and the proposed easement.

**MOTION:** Board Member Miller moved, seconded by Board Member Sandoval, to approve \$99,924 in funding conditional upon the receipt and staff approval, by July 2016, of a monitoring plan for the project.

*A roll call vote was taken with all Board members present voting to approve the motion and the action was approved.*

Project #Prop 1-Y1-2015-010 – Paradise Cut Flood and Conservation Easement Acquisition

The Executive Officer presented an overview of the project. The San Joaquin County Resource Conservation District proposes to acquire flood and conservation easements to protect habitat for Swainson's hawk, and to build a new flood bypass that will reduce flood risk, improve habitat, and maintain agricultural land in San Joaquin County, along the San Joaquin River south of Paradise Cut. The proposal requested \$2,000,000 in funding. Staff recommended that the Board reserve \$2,000,000 in funding conditional upon a completion of the CEQA process and conditional upon the submission of additional land transaction documents. The Board discussed, and expressed concern about, whether it was appropriate to award funding for the acquisition of an easement when there is no parcel number or appraisal identified.

**MOTION:** Board Member Sandoval motioned, seconded by Board Member Ferrara, to deny funding.

John Cain and Chris Unkle provided public comment on the proposal as representatives of the San Joaquin County Resource Conservation District. They explained that there are willing sellers with letters stating they are willing to negotiate for fair market value and that it is difficult to talk to landowners without funding already being made available.

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The Board expressed that it would like to see acquisition projects past the support letter stage in the future and that clear parcel numbers be provided. The Board suggested that a March 2017 timeframe be included for the reservation of funds in order to have the funding available for the next solicitation if a deal for the easement cannot be reached. The Board agreed that if such a motion was made, the earlier motion would be retracted.

**MOTION:** *Board Member Villegas moved, seconded by Board Member Thomson, to reserve \$2,000,000 in funding, through March 2017, conditional upon completion of the CEQA process and conditional upon the submission of the required land acquisition documents listed in the Conservancy's acquisition checklist, Section 1-3.*

*Board Member Sandoval retracted her earlier motion.*

*A roll call vote was taken with all Board members present voting to approve the motion and the action was approved.*

Project #Prop 1-Y1-2015-0014 – Habitat Enhancement for Swainson's Hawk at Elliot Ranch

The Executive Officer presented an overview of the project. The Environmental Defense Fund proposes to enhance and maintain 188 acres of Swainson's hawk habitat on agricultural land, and six acres of hedgerows to improve breeding and foraging habitat for Swainson's hawks on the Elliot Ranch in Yolo County. The proposal requested \$378,308 in funding. Staff recommended that the Board determine that the project is categorically exempt from CEQA and approve \$378,308 conditional upon extension of monitoring to 15 years, verification of adequate water rights, and receipt and approval of the landowner.

Mark Wilson, from Wilson Vineyards, provided public comment on the proposal stating that he is an adjoining landowner and was not made aware of the project. He also expressed concern that it does not appear that the local Reclamation District #999 has weighed in on the project and that the necessary water supply and potential drainage issues could be a concern for the project.

The Board discussed the outreach activities of the applicant. Staff clarified that outreach was a part of the scoring criteria for the proposals but is considered in relation to all other scoring criteria. Members of the Board suggested that the proposal be tabled to the next meeting in order to give adjacent landowners the ability to review the project and for the applicants to answer questions from the board and provide more information on the project's budget. Board Member Miller stated that she did not agree with tabling the proposal as staff have reviewed the project thoroughly and have taken the public outreach under consideration for their recommendation. The Board recommended that staff post all current and future Proposition 1 Grant Proposals online and be made available for public review.

**MOTION:** *Board Member Sandoval moved, seconded by Board Member Finn, to table the project to the June 27, 2016 Board Meeting in order to give local landowners the opportunity to review the project and for the applicant to present to the Board and provide more information on the project's budget and local outreach.*

*A roll call vote was taken with the Board voting 8-1 to approve the motion, with Board Member Miller voting "no".*

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The Board encouraged all applicants to attend future Board Meetings where their proposals are under consideration.

Project #Prop 1-Y1-2015-003 – Yolo Bypass Wildlife Area Habitat and Drainage Improvement Project

The Executive Officer presented an overview of the project. Ducks Unlimited proposes to create 220 acres of new wetlands to provide key water infrastructure improvements which will greatly improve the ability to manage draining and filling of wetlands and agricultural fields in the Yolo Basin Wildlife Area. The proposal requested \$2,000,000 in funding. Staff recommended that the Board reserve \$2,000,000 in funding pending the completion of CEQA review and that approval be conditional upon the submission of proof of water rights, the applicant's bylaws, and a signed land tenure agreement of the landowner. The Board discussed the funding sources for the project, the construction timeline, and that the agreement will have a 15 year monitoring plan.

**MOTION:** Board Member Villegas moved, seconded by Board Member Finn, to reserve \$2,000,000 in funding, until March 2017, conditional upon the completion of the CEQA process and conditional upon the submission of proof of water rights, the applicant's bylaws, and a signed agreement from the land owner.

*A roll call vote was taken with all Board members present voting to approve the motion and the action was approved.*

Project #Prop 1-Y1-2015-005 – Fish Friendly Farming Certification Program for the Sacramento-San Joaquin Delta

The Executive Officer presented an overview of the project. The California Land Stewardship Institute proposes to establish a Fish Friendly Farming Certification Program to invite voluntary participation of landowners who will help reduce nonpoint source pollution of Delta waterbodies by implementing Best Management Practices on their farms. The proposal requested \$89,450 in funding. Staff recommended that the Board approve \$89,450 in funding and make the finding that all conditions for funding activities outside of the legal Delta have been met for the project, pursuant to Public Resources Code 32360.5. The Board discussed the certification program and its success throughout other parts of the state. Staff also reiterated that only a small portion of the project is outside the legal Delta.

**MOTION:** Board Member Thomson moved, seconded by Board Member Miller, to approve funds and make the finding that all conditions for funding activities outside the legal Delta have been met for the project, pursuant to Public Resources Code 32360.5.

*A roll call vote was taken with all Board members present voting to approve the motion and the action was approved.*

Project #Prop 1-Y1-2015-008 – Sherman Island Wetland Restoration Project Phase III

The Executive Officer presented an overview of the project. Ducks Unlimited proposes to conduct planning and pre-project work necessary to restore up to 1,600 acres of palustrine emergent wetlands on Sherman Island that would reverse subsidence while sequestering carbon and providing habitat. The proposal requested \$100,000 in funding. Staff recommended that the Board

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approve \$100,000 in funding conditional upon the submission of a copy of the applicant's bylaws by July 2017.

***MOTION:** Board Member Villegas moved, seconded by Board Member Thomas, to approve funds conditional upon the submission of a copy of the applicant's bylaws by July 2017.*

*A roll call vote was taken with all Board members present voting to approve the motion and the action was approved.*

The Board discussed the denial of projects that were not recommended for funding by staff. The Board requested that the Program and Policy Subcommittee discuss the denied projects at the next meeting as part of their Prop 1 Grant Program debrief.

***MOTION:** Board Member Thomas moved, seconded by Board Member Sandoval, to acknowledge that all remaining Proposition 1 Grant Program 2015-2016 proposals were received and denied for not meeting the scoring threshold necessary for approval.*

*A roll call vote was taken with all Board members present voting to approve the motion and the action was approved.*

**5. Agenda Item 9 – Delta Stewardship Council Delta Plan Update**

**6. Agenda Item 10 – California Water Fix and Eco Restore Updates**

**7. Agenda Item 11 – Delta Protection Commission Update**

The Vice Chair recommended, and the Board approved, to forgo these agenda items for the next Board Meeting.

**8. Agenda Item 12 – Future Board Meeting Schedule and Format**

The Executive Officer provided a staff report on potential changes to the future Board Meeting schedule, locations, and format. The staff report will be discussed at the next Program and Policy Subcommittee meeting for recommendations to the full board.

**9. Agenda Item 15 – Potential Agenda Items for June 21, 2016**

The Board would like to discuss regional planning in the Cache Slough, an update on the Proposition 1 Grant Program proposal process, the Habitat Enhancement for Swainson's Hawk at Elliot Ranch project proposal, end of year budget encumbrances, and strategic planning at the next Board Meeting.

**10. Agenda Item 16 – Public Comments**

No public comments.

**BOARD DIRECTIVES TO STAFF**

- 1) Staff will determine if a conflict with the "separation of duties" exists for the signing of any Proposition 1 Grant Program grants agreements while the Deputy Executive Officer position is vacant and will explore using the Natural Resources Agency to execute contracts, and invoices if necessary (**Agenda Item 6**)

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- 2) Staff will explore the timeline for encumbering funds for the 2015-2016 fiscal year. **(Agenda Item 6)**
- 3) Staff will provide updates to the Board on all Proposition 1 Grant Program projects at each subsequent Board Meeting. **(Agenda Item 8)**

**MEETING ADJOURNED by Vice Chair Guenzler at 1:10 p.m.**

*Respectfully submitted on May 27, 2016*

Sacramento-San Joaquin Delta Conservancy

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**Contact Person:**

Brandon Chapin, Board Liaison

Sacramento-San Joaquin Delta Conservancy

Phone: (916) 375-2091

Audio files of Board meetings are available on the Board Meeting Materials section of the Delta Conservancy web page at [www.DeltaConservancy.ca.gov](http://www.DeltaConservancy.ca.gov). Board meetings are typically three hours in length; using the meeting agenda to help locate topics of interest within the audio file is recommended.

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West Sacramento, CA 95691  
www.deltaconservancy.ca.gov

## EXECUTIVE OFFICER'S REPORT June 27, 2016

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### ~ PROGRAM UPDATE ~

#### **Ecosystem Restoration**

Proposition 1 Grant Program: The Conservancy's Ecosystem Restoration and Water Quality Grant Program (Grant Program) focuses on the restoration of important species and habitat, on improving water quality, and on agricultural sustainability. The Grant Program identifies projects to protect and restore California rivers, lakes, streams, and watersheds that may be funded with Prop. 1 funding (Sec. 79732 et seq). The Conservancy has completed its first grant cycle, and has approved, conditionally approved, or reserved funding for 8 projects that advance ecosystem restoration, water quality, and agricultural sustainability in the Delta. These projects have requested approximately \$5.9 million in grant funding. Staff sent all applicants a letter regarding their funding status, and is tracking all active projects. Currently, no grant agreements have been fully executed. Staff has revised the Grant Guidelines and Proposal Solicitation Packet for the FY 16-17 grant cycle, in preparation for Board review and public comment.

Arundo Control and Restoration Project: The Arundo Control and Restoration Program permits for the Ulatis Creek site are still in progress. The US Army Corps of Engineers is currently insuring compliance with cultural resource guidelines for the 408 permit. This permit is required for completion of the US Army Corps of Engineers 404 permit. The rest of the 404 permit has been completed and staff is awaiting completion of the 408. Once issued, the combined 404 and 408 will be sent to the Central Valley Flood Protection Board (CVFPB) which will allow CVFPB to issue an encroachment permit. This will be the final permit required for the habitat restoration work at Ulatis Creek, and it is anticipated that the Conservancy will be issued an encroachment permit in mid-August.

Meanwhile, staff is drafting a cover letter to be sent to the CVFPB informing them of the Arundo control treatment activities the Conservancy is planning. These activities are considered to be general maintenance. Once the CVFPB approves the maintenance activities outlined in the cover letter, the Conservancy will be able to move ahead with the treatment of the Arundo at the Ulatis Creek site. The cover letter and approval is anticipated to be complete in mid-July.

#### **BOARD DIRECTIVES TO STAFF – May 25<sup>th</sup>**

1. Staff will determine if a conflict with the "separation of duties" exists for the signing of any Proposition 1 Grant Program grants agreements while the Deputy Executive Officer position is vacant and will explore using the Natural Resources Agency to execute contracts, and invoices if necessary.

*Staff Response: Research indicates that there is no conflict if the EO signs the grant agreements and the SSMI signs related invoices. We are still verifying this and will report back if there is new information.*

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2. Staff will explore the timeline for encumbering funds for the 2015-2016 fiscal year.

*Staff Response: Staff determined that any remaining funds for the 2015-2016 fiscal year must be encumbered by June 30, 2016. A Request for Proposal for services to support updating the Conservancy's Strategic Plan is currently being processed.*

3. Staff will provide updates to the Board on all Proposition 1 Grant Program projects at each subsequent Board Meeting.

*Staff Response: Staff will make a Proposition 1 Grant Program Update as a standard part of future Board Meeting agendas.*

### **DELTA CONSERVANCY BUDGET UPDATE**

Agenda Item 6.2: An update to the Delta Conservancy Expenditure Report will be provided at the next Board meeting on July 27, 2016.

### **OUTREACH-DELTA MEETING MATRIX**

Agenda Item 6.3: Outreach-Delta Meeting Matrix including most recent events and key dates of future meetings

### **CORRESPONDENCE**

Agenda Item 6.4: Correspondence

#### **Contact Person:**

Campbell Ingram, Executive Officer  
Sacramento-San Joaquin Delta Conservancy  
Phone: (916) 375-2089

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SACRAMENTO - SAN JOAQUIN

**DELTA CONSERVANCY**

*A California State Agency*

Outreach – Delta Meeting Matrix					
ACTIVITY	MTG	PRES	SUMMARY	DATE	CONSERVANCY REPRESENTATIVE
Revisiting the 2003 Mercury Strategy Workshop	X		Final meeting of the mercury strategy workshop for reducing mercury in the Bay-Delta ecosystem	6/2/2016	Aaron Haiman, Kathryn Kynett
Delta Levees Investment Strategy - Ecosystem Risks and Opportunities	X		Restoration perspective on risk evaluation for the Delta Levees Investment Strategy	6/7/16	Becky Stanton
EcoRestore	X		Regular meeting to update on EcoRestore progress	6/9/2016	Campbell Ingram
Interagency Adaptive Management Integration Team	X		Special brainstorming session to identify data gaps	6/10/16	Becky Stanton
Assembly Member Eggman	X		Met with staff to provide Conservancy update and discuss DFW Carbon proposal	6/14/2016	Campbell Ingram
Senator Wolk	X		Met with staff to provide Conservancy update and discuss DFW Carbon proposal	6/15/2016	Campbell Ingram
Water Education Foundation Delta Tour		X	Provided an overview of the Conservancy's role	6/15/2016	Campbell Ingram
Program and Policy Subcommittee	X		Regular meeting of the PPS	6/15/2016	Campbell Ingram, Jessica O'Connor, Laura Jensen, Aaron Haiman, Kathryn Kynett, Becky Stanton, Brandon Chapin
Interagency Adaptive Management Integration Team	X		Regular meeting on development of adaptive management white paper	6/24/16	Becky Stanton
Delta Restoration Network	X		Meeting to update the DRN and introduce the DFW Restoration Framework	6/28/2016	Campbell Ingram
Dept. of Boating and Waterway	X		Meeting to meet the new Director and coordinate	6/29/2016	Campbell Ingram
Delta Landscapes Project	X		Meeting to discuss the roll out of the Delta Landscapes Project	6/29/2016	Campbell Ingram
EcoRestore	X		Regular meeting to update on EcoRestore progress	7/14/2016	Campbell Ingram
California Roundtable for Agriculture and the Environment	X		Regular meeting of the California Roundtable for Agriculture and the Environment	7/19/2016	Campbell Ingram

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Key Events and Upcoming Dates	
Organization	Date
Delta Stewardship Council (DSC) Meeting	July 28, 2016
Delta Protection Commission (DPC) Meeting	September 15, 2016
Strategic Growth Council (SGC) Meeting	August 9, 2016



TO: Campbell Ingram, Executive Director, Delta Conservancy  
Erik Vink, Executive Director, Delta Protection Commission  
Mark Biddlecomb, Director, Western Regional Office, Ducks Unlimited

From: Migratory Bird Conservation Partnership – a collaboration of Audubon California, Point Blue Conservation Science and The Nature Conservancy

Date: 1 June 2016

Re: Your Contributions to and Results of Waterbird Habitat Enhancement Program (WHEP) Expansion into the Sacramento-San Joaquin River Delta

Dear Partners,

We sincerely appreciate your efforts to support the expansion of the USDA Natural Resources Conservation Service (NRCS) Waterbird Habitat Enhancement Program in the Sacramento-San Joaquin River Delta (Delta). Your contributions, together with our own recruitment efforts, resulted in engaging farmers about the program through workshops (16 producers), and visits to NRCS field offices (five producers). We could not have achieved this level of engagement without your help. In this letter, we report the results of our efforts to recruit Delta farmers to participate in WHEP, and we seek your feedback on this program as well as the future of bird-friendly farming in the Delta.

The goal of this project was to introduce farmers to and increase the implementation of bird- and farm-friendly practices in the Delta using the WHEP model that was established in the Sacramento Valley, where it has provided over 120,000 acres of agricultural land enhanced for birds since 2011. To expand WHEP into the Delta, the Migratory Bird Conservation Partnership (MBCP) worked with NRCS to broaden both the suite of practices offered and geographic scope of the program. We created additional practices that were better suited to Delta crops and farming practices while still providing benefits to shorebirds, waterfowl and other waterbirds, including Sandhill Cranes. Focal counties for program expansion included Contra Costa, Sacramento, San Joaquin, Solano, and Yolo.

Our outreach effort to Delta farmers was extensive. The MBCP leveraged private funds to provide outreach and technical support to NRCS for WHEP practices. Your existing network contributed greatly to this effort. We led two workshops to engage local producers where we explained the technical aspects and the conservation context of each practice. To engage farmers and encourage attendance at the workshops, we made direct phone calls to over 160 farmers and landowners and nearly 80 Reclamation Districts followed by formal letters with information about the program and associated workshops. In addition, we visited, left flyers at and made phone calls to nearly 50 locations throughout the Delta including regional Resource Conservation Districts, Farm Bureaus and County Agricultural Commissioners to further advertise the workshops and program. We gave presentations to the Board of the Solano Resource Conservation District and to the Board of the Delta Conservancy. We published two articles in the Delta Conservancy's newsletter and distributed a press release through NRCS advertising the workshops.

We encountered a mixed reaction to WHEP in the Delta. Although farmers expressed interest in the program through attendance at workshops (16 producers), personal conversations (many producers), and visits to NRCS field offices (five producers), overall enrollment was low. Applications for over 5,700 acres, of which 2,603 acres were funded with WHEP contracts were received by NRCS yet none of the acres were in the Delta. The MBCP field-tested each of the practices with the help of farmers in the Delta prior to expanding the program, however, feedback from farmers suggests they would have liked even more involvement in the development of the practices to better reflect the diversity of farming challenges in the Delta. In addition, Delta pumping restrictions, the exceptional drought, and voluntary water use reductions limited farmers' ability to participate. Nonetheless, we are optimistic that additional collaborative efforts to implement bird-friendly agricultural practices holds great promise in the Delta.

The MBCP is committed to the sustainability of waterbird populations by working with farmers to implement bird-friendly management practices in the Central Valley of California and contributing to the conservation objectives as set by the Central Valley Joint Venture. Bird-friendly farming is an important way to provide habitat while supporting the livelihoods of farmers in the Delta and mitigating impacts from drought and a changing climate. Building alliances between the farming and conservation communities has been a helpful strategy for advocating for joint resource needs.

We sincerely appreciate your efforts to support the expansion of WHEP in the Delta. In the absence of a centralized producer organization capable of reaching out to growers on a large scale, your participation was invaluable. Funding for WHEP in the Delta is still available through regional and state NRCS funding pools though the national source used for this expansion is no longer available. We believe it is a worthwhile opportunity to implement bird-friendly agricultural practices in the Delta and we are carefully considering feedback from farmers with regard to practice development. We would also like to hear feedback from you on the project and the future of bird-friendly farming in the Delta.

Please let us know if you have any questions or would like for us to provide additional program information to your staff or board. We look forward to continuing our work with you in the Delta in the future.

Sincerely,

A handwritten signature in black ink, appearing to read "Khara Strum". The signature is fluid and cursive, with the first name "Khara" being more prominent than the last name "Strum".

Khara Strum

On behalf of the Migratory Bird Conservation Partnership

**Meeting Date: June 27, 2016**

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**DELTA CONSERVANCY**

*A California State Agency*

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## **PROGRAM AND POLICY SUBCOMMITTEE MEETING SUMMARY REPORT**

**June 15, 2016**

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### **SUMMARY**

A quorum was established with the following Subcommittee members present: Jim Provenza, Mike Eaton and Steve Chappell. Counsel Nicole Rinke also attended the meeting. Three public members were also present.

The meeting agenda included a discussion of the first round solicitation for the Proposition 1 grant program, an update on regional planning in the Cache Slough Complex, the Conservancy's process for procuring services for a Strategic plan, and a staffing update.

#### [Proposition 1 Debrief](#)

The Executive Officer presented a draft of the Proposition 1 Grant Program Grant Guidelines for the 2016/2017 solicitation cycle. Changes have been made to the previous year's guidelines based on feedback from the Board, staff, outside reviewers, and applicants. The Subcommittee discussed and provided feedback on the following changes made to the packet including:

- Combining the grant guidelines and grant application into a single document
- Streamline Concept Proposal criteria by adding a pass/fail component for Proposition 1 applicability and decreasing the number of evaluation criteria
- Lowering the scoring threshold to 75 points for both concepts and full proposals
- Slight adjustments to scoring criteria to reduce redundancies and differentiate between planning and implementation projects
- Integrate land acquisition guidance into the guidelines
- Clarify monitoring/performance measures
- Increase and define indirect cost rate at 20%, and specify "up to" rather than "may not exceed"
- Adjust maximum allocation for Category 1 grants to \$200,000 and Category 2 grants to \$3 million

The Subcommittee also discussed the timeline for the solicitation process and agreed that the schedule should include Board approval for concept proposals in November 2016 and the full proposals in April or May 2017. The amount of funding available through this next solicitation will be approximately \$10 million.

**Meeting Date: June 27, 2016**  
**Page 2**

### [Delta Conservancy Strategic Plan](#)

The Executive Officer presented an update on the process for updating the Delta Conservancy's Strategic Plan. Staff are currently exploring ways to encumber funding from the 2015-2016 fiscal year for contracting services for updating the Strategic Plan.

### [Regional Planning in the Cache Slough Complex](#)

The Executive Officer presented an update on the regional planning process for the Cache Slough Complex. A Statement of Work has been drafted and will be provided in the Board packet for approval at the June 27, 2016 Board Meeting.

### [Staffing Update](#)

The Executive Officer presented an update on the process for hiring the Deputy Executive Officer. Staff have reviewed applications and have invited eight candidates for interviews. The first round of interviews will be conducted from June 22-24, 2016. Staff expect to extend an offer for the position in early July 2016.

### [Future Agenda Items](#)

The Subcommittee requested staff to include a discussion of the Proposition 1 Grant Program guideline package at the August Subcommittee meeting. The Executive Officer will work with the Subcommittee Chair and the Board Chair to develop the August Subcommittee meeting agenda after the July Board meeting.

### Contact Person:

Campbell Ingram, Executive Officer  
Sacramento-San Joaquin Delta Conservancy  
(916) 375-2089



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# Proposition 1 Grant Program

## 2015-16 Staff Recommendation

### I. Project Overview

<b>Project Title</b>	Habitat Enhancement for Swainson’s Hawk at Elliott Ranch		
<b>Applicant</b>	Environmental Defense Fund		
<b>Project Number</b>	Prop 1-Y1-2015-014	<b>Category</b>	2
<b>County</b>	Yolo	<b>Funding Request</b>	\$378,308
<b>Score</b>	85.4	<b>Total Project Cost</b>	\$559,074
<b>Staff Recommendation:</b>	Determination that the project is categorically exempt from CEQA, and approval of funds conditional upon extension of monitoring to 15 years; verification of adequate water rights for the project; and receipt and approval of landowner contract.	<b>Funding Recommended</b>	\$378,308

### II. Staff Recommendations

Delta Conservancy staff recommends that the Board conditionally approve funding for the Habitat Enhancement for Swainson’s Hawk at Elliott Ranch project (#Prop 1-Y1-2015-014) proposed by the Environmental Defense Fund. Approval of the funding is conditional upon the following: (1) proof of water rights for irrigation purposes; (2) increasing the monitoring timeline from 10 years, as currently outlined in the proposal, to 15 years, to ensure compliance with the general bond obligation law (Gov. Code 16.725); and (3) receipt and approval of the contract with the landowner. Conservancy staff anticipates receiving the items above by August 2016. Staff also recommends that the Board determine that the project is categorically exempt from environmental review pursuant to CEQA

The Habitat Enhancement for Swainson’s hawk at Elliott Ranch project proposes to create meaningful habitat outcomes for Swainson’s hawk, a state-listed species, in the Sacramento-San Joaquin Delta by partnering with a private landowner interested in habitat conservation that maintains agriculture productivity. This restoration effort will generate: (1) 188 acres of functional Swainson’s Hawk habitat, representing 159 habitat acres of enhanced above baseline conditions, and 29 acres of habitat that are already high quality

foraging habitat that will be maintained as such; and (2) six acres of hedgerows created and maintained for the benefit of prey for Swainson's Hawk and for beneficial insect communities. The project will be integrated into the landowner's agricultural operation, and will be maintained by the landowner for a specified number of years (10 years has been proposed by the applicant; the Delta Conservancy is requesting to extend that to 15 years). Habitat values created in Year 1 of the project will be maintained throughout the term of the project, providing much-needed habitat for a listed species without removing land from production or limiting private property rights.

The project is ready for implementation; it is well-supported locally and is being advanced by a consortium of non-profit organizations working together as the Central Valley Habitat Exchange, as well as county supervisors and local landowners. The project team has thoroughly vetted the scientific foundation of the project, drawing on extensive literature review and expert consultation to create the innovative Habitat Quantification Tool that is being used to quantify the habitat improvements of the project and to adaptively manage its outcomes. Based on modelling and mapping submitted by the applicant, Yolo County is an area where habitat restoration and enhancement for Swainson's hawks, such as that proposed by this project, is an especially high priority in the face of a changing climate.

This project is well-designed and will be shovel ready upon execution of the grant agreement. Project proponents are advancing an innovative means of implementing and quantifying habitat creation by working within the agricultural landscape to carefully measure key habitat parameters. These characteristics make this project a standard-bearer for multibenefit upland habitat enhancement in the Delta. By approving this project, the Conservancy will be funding a project with important ecosystem benefits and a high likelihood of success.

Staff has prepared the text and tables below based on staff's best understanding of the information provided in the application. The Conservancy has received comments on the proposal from the Delta Stewardship Council and the Delta Protection Commission. If approved, staff will work with the applicant to further refine the project's scope of work and performance measures, and to address comments prior to entering into a grant agreement.

### **III. Project Summary**

#### **Project Description:**

This project proposes to improve breeding and foraging habitat for Swainson's hawks on the Elliott Ranch in Yolo County. This project is being advanced by the Environmental Defense Fund and partners, including Stillwater Sciences, California Agricultural Properties, Inc., and the landowner. The project is consistent with the Delta Conservancy's Proposition 1 grant program in that it involves voluntary landowner participation in the restoration of important species and habitats within the legal Delta.

This project will be conducted on private working lands with the support of a conservation-minded landowner. The project site is contiguous to, and integrated with, Yolo County Habitat Conservation Plan (HCP) properties. While this property is consistent with the Yolo HCP, it is not serving as mitigation and therefore is eligible for Proposition 1 funds. Yolo

County has been identified as a high priority area for Swainson’s hawk habitat restoration due to its predicted stability in the face of climate change. The project site consists of 300 acres of low- to moderate-quality habitat for Swainson’s Hawks. This restoration effort will be based on a contract with the landowner that will commit the landowner to generate: (1) 188 acres of functional Swainson’s hawk habitat, representing 159 acres of habitat enhanced above baseline conditions, and 29 acres of habitat that are already high quality foraging habitat that will be maintained as such; and (2) six acres of hedgerows created and maintained for the benefit of Swainson’s hawk prey and for beneficial insect populations. The project, including the crop conversion, will be integrated into the landowner’s agricultural operations, and will be maintained by the landowner for a specified number of years (10 years have been proposed by the applicant, the Delta Conservancy is requesting that be extended to 15 years). By converting melon and safflower fields to flood irrigated pastures, and by planting hedgerows along field edges, this project will enhance habitat for a listed species in a priority restoration area. The proposed schedule indicates that implementation of this project can begin as soon as funds are made available, and the construction of the project will be finished in 2017. This will be followed by monitoring that will occur annually for the first three years after implementation, and then regularly until year 15.

**Location (Site Description):**

The 1,000-acre Elliott Ranch is a privately owned farm in Yolo County just south of the City of West Sacramento and just east of the Sacramento Deep Water Shipping Channel. This project will take place on the northern-most 300 acres of the farm. This land is currently being used to grow row crops such as melons, grain, and safflower. Riparian woodland runs along South Fork Putah Creek to the east of the property. There are several other tree groves and tree rows in the one-mile buffer around the property. An agreement with the landowner confirming the right to do the project will be provided as a condition of approval of funding.

**IV. Implementation of California Water Action Plan and Consistency with Prop 1 and Conservancy Enabling Legislation**

State Priority/Plan	Action	Project Benefits
Proposition 1	Ch. 6 79732(a)(2) Implement watershed adaptation projects in order to reduce the impacts of climate change on California’s communities and ecosystem.	Creates 188 acres of high quality Swainson’s Hawk habitat in Yolo County. Based on modelling and mapping submitted by the applicant, Yolo County is an area where habitat restoration and enhancement for Swainson’s Hawks, such as that proposed by this project, is an especially high priority in the face of a changing climate.

State Priority/Plan	Action	Project Benefits
Proposition 1	Ch. 6 79732(a)(4) Protect and restore aquatic, wetland, and migratory bird ecosystems, including fish and wildlife corridors and the acquisition of water rights for instream flow.	Creates 188 acres high quality Swainson's Hawk habitat. The Swainson's hawk is a migratory bird that is listed as threatened by the State of California.
	Ch. 6 79732(a)(12) Assist in the recovery of endangered, threatened, or migratory species by improving watershed health, instream flows, fish passage, coastal or inland wetland restoration, or other means, such as natural community conservation plan and habitat conservation plan implementation.	The restored habitat will benefit the state listed Swainson's Hawk. This project is also adjacent to, and incorporated with, the Yolo County HCP/NCCP. While this property is consistent with the Yolo HCP, it is not serving as mitigation and therefore is eligible for Prop. 1 funds.
California Water Action Plan	Action 3. Achieve the co-equal goals for the Delta.	Restores Delta ecosystems.
	Action 4. Protect and restore important ecosystems.	Protects and restores the ecosystem (specifically the breeding and foraging habitat) of an important species.
Delta Conservancy Enabling Legislation	§32301(i)(1) Protect and enhance habitat and restoration.	Restores 188 acres of Swainson's Hawk habitat and six acres of native hedgerow.
	§32301(i)(6) Restore the region's physical and living resources.	Restores upland habitat to a more natural state both physically and biologically.
	§32301(i)(7) Assist locals with NCCPs.	Supports local HCP/NCCP efforts. While this property is consistent with the Yolo HCP, it is not serving as mitigation and therefore is eligible for Prop. 1 funds.
Delta Conservancy Strategic Plan	Objective 3.2. Lead Delta ecosystem restoration activities consistent with Conservancy authorities, the Delta Plan and other regional plans and guidance, through a voluntary Delta Restoration Network, and based on adaptive management. Strategy 3.2.3: Protect and enhance wetland and upland habitats on subsided lands, as consistent with agricultural operations.	Establishes and maintains 188 acres of upland habitat in the form of pasture and native hedgerow vegetation that will serve as high quality breeding and foraging habitat for Swainson's Hawks and that will benefit numerous other species.

<b>State Priority/Plan</b>	<b>Action</b>	<b>Project Benefits</b>
Delta Plan	ER P2. Restore habitats at appropriate elevations.	Converts 188 acres of row crops into flood irrigated pastures and native hedgerows for Swainson's hawk. Yolo County has been identified as a priority area for Swainson's Hawk conservation due to appropriate geographic characteristics such as elevation and it predicted resilience to climate change.
	ER R2. Prioritize and implement projects that restore Delta habitat.	Restores 188 acres of Delta habitat to a more natural state.
	DR-R10. Encourage Wildlife-friendly Farming.	Restores 188 acres of row crops to flood irrigated pasture and native hedgerow vegetation. This property will be used both as Swainson's Hawk habitat and as grazing land.

## V. Outcomes/Outputs

<b>Project Goals</b>	<b>Desired Project Outcomes</b>	<b>Output Indicators</b>
Goal 1. Create meaningful habitat outcomes for Swainson's Hawk, a state-listed species, in the Sacramento-San Joaquin Delta by partnering with a private working landowner interested in voluntary habitat conservation that maintains agriculture productivity, and by using a scientifically rigorous and consistent method to maximize habitat restoration outcomes.	Functional acres of Swainson's Hawk habitat created, evaluated and protected.	Acres restored. HQT pre- and post-restoration assessments completed. Management and crop conversion plans completed.
Goal 2. Ensure durable, verified and sustainable habitat outcomes by maintaining benefits for Swainson's Hawk over the full 10 year contract term by tracking and reporting on functional acres over time, and using a clear and actionable management plan, landowner contract, and financial assurance package.	Habitat values maintained on-site, and a defined adaptive management process is implemented to share lessons learned and manage the site over time.	Management Plan completed. Participant contract completed. Financial assurance package completed. Verification reports completed and submitted in Years 5, 10 and 15 (to be requested) of the contract agreement.

Project Goals	Desired Project Outcomes	Output Indicators
Goal 3. Maintain or increase economic and habitat values on a working North Delta farm through crop conversion and management.	Revenue opportunity for working agricultural lands, while also increasing habitat value for at-risk species.	Crop conversion plan completed. Irrigated pasture land managed for income.
Goal 4. Understand habitat value provided on-site for species beyond Swainson's Hawk, and explore a multi-species parcel evaluation approach.	Understanding of functional habitat for pollinator species, such as Monarch butterfly, provided as a co-benefit to Swainson's Hawk restoration.	Hedgerows planted. HQT assessments completed.

## VI. Budget

The total cost for this project is \$559,074. The Delta Conservancy is being asked to provide \$378,308. The remainder will come from the Environmental Defense Fund, providing a cost share of \$173,066 (cash), and California Agriculture Properties, Inc., providing a cost share of \$7,700 (in-kind).

## VII. Consistency with Grant Program Guidelines

### Readiness (Including CEQA Status if Applicable):

The applicant effectively demonstrates that this category 2 implementation project is set to begin in the fall of 2016 and will be completed in fall of 2019. If there are no issues with water rights or extending the monitoring term, the project is ready to begin as soon as funds are made available. The pre-project site assessment was completed by Stillwater Sciences and the applicants have contracted with Stillwater Sciences to develop a planting plan and post-project third party monitoring. The applicants have contracted with California Agricultural Properties, Inc. to develop a crop conversion plan. The landowner is intent on pursuing implementation of the project.

This habitat enhancement project is categorically exempt from the provisions of CEQA pursuant to 14 California Code of Regulations sections 15304 and 15378. Because the award of funds is for new gardening or landscaping or normal agricultural maintenance activities, the award is exempt from CEQA. Further, none of the exceptions to the exemptions identified in 14 California Code of Regulations Section 15300.2 apply. Staff, therefore, recommends that the Board determine that the project is categorically exempt from CEQA.

### Local Support:

This project has strong local support from the community. The project received support letters from Yolo County Supervisor Oscar Villegas, the property owner, and the owner of the only adjoining property. This effort is consistent with similar efforts in Yolo County and has already been incorporated into the Yolo HCP/NCCP. A county resolution was not included. Applicants consulted with the Delta Protection Commission.

**Scientific Merit:**

The scientific merit of this proposal is well supported. The Swainson's hawk Habitat Quantification Tool (HQT) is an innovative use of the best available scientific knowledge and practices to track impact (positive and negative) to Swainson's hawk habitat in the Delta. The HQT has been developed through review of the scientific literature on Swainson's hawk habitat needs and consultation with a broad group of Swainson's hawk experts with experience in the Central Valley. Stillwater Sciences was the lead developer of the HQT. The tool has been field-tested on working lands in California, reviewed, and modified with input from a Technical Advisory Committee consisting of representatives from California Department of Fish and Wildlife, U.S. Fish and Wildlife Service, California Department of Water Resources, Audubon, Golden Gate Raptor Observatory, Point Blue Conservation Science, and private consultants.

**Long Term Management & Adaptive Management Plan:**

The applicant lays out a clear approach for a 10-year management plan that is supported by the project's monitoring plan and allows for adaptive management of the site. Per the general bond obligation, monitoring should be sustained for 15 years. The Conservancy will work with the applicant to expand the monitoring for an additional five years, applying the same management and monitoring principles outlined in their proposal. The proposal clearly explains plans for long-term management and sustainability beyond the term of the grant: the landowner will be responsible for managing the habitat that has been created for the duration of the contract with the landowner, and the project team will assess the habitat quality regularly using the HQT.

The proposal lays out a clear adaptive management plan using the Plan-Do-Evaluate-Respond approach. The project team will conduct an on-site HQT assessment following project implementation to confirm final habitat function scores, and adjust the management plans as needed to generate and maintain expected post-project habitat function. The management plans will also be adapted based on the results of HQT monitoring in years five and ten. Stillwater Sciences will perform third-party monitoring of the project each of the three years following project implementation. This will include one site visit per year and a report on native plant species density, weed cover, and other pertinent observations on site conditions. These observations and evaluations will provide EDF and the landowner with the information needed to make management or maintenance changes to ensure the site is meeting the expected post-project functional habitat target.

**Monitoring and Assessment:**

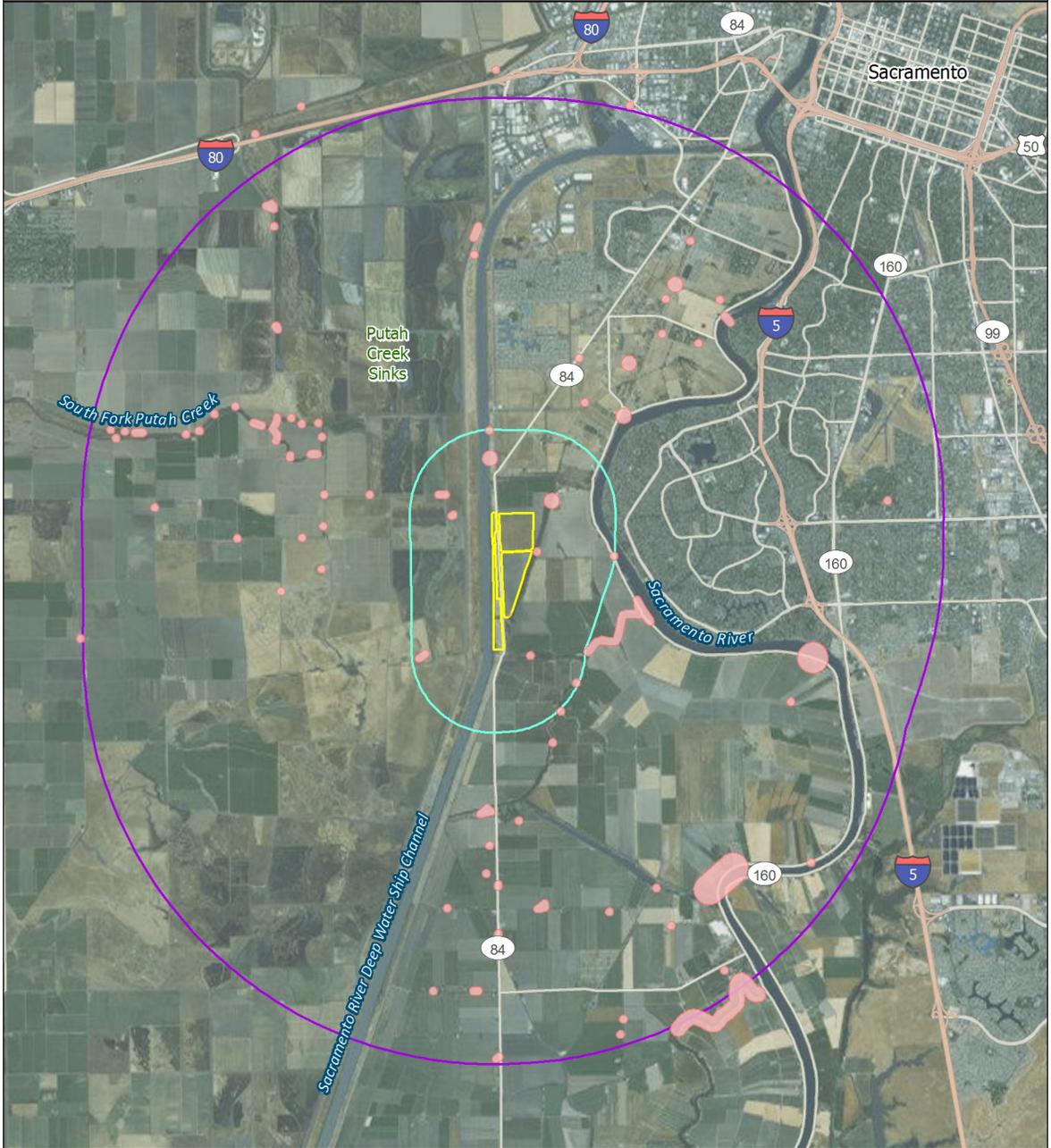
The applicant will use the innovative Habitat Quantification Tool to monitor the project. The Swainson's hawk HQT enables quantification, verification, and tracking of improvements in Swainson's hawk habitat on existing working lands. The HQT uses the average of three scores given to aspects of a landscape: (1) the function and value of the surrounding landscape, (2) nesting habitat; and (3) foraging habitat. This average allows for a quantitative measure of the suitability of an area for Swainson's hawks. These scores can then be compared to other scores to assess the relative quality of habitats across a landscape.

Third-party pre-project monitoring has already been conducted. EDF is funding HQT assessment in years five and ten, and then, as proposed here, regularly until year 15 to comply with the general bond obligation (California Government Code 16.725). The HQT reports will be used to determine whether the projected functional acres of habitat to be created by the restoration plan have been maintained.

**Climate Change Considerations:**

Based on modelling and mapping submitted by the applicant, Yolo County is an area where habitat restoration and enhancement for Swainson's hawks is an especially high priority in the face of a changing climate. Because habitat is likely to remain stable despite a changing climate, Yolo County is a good place to create habitat for Swainson's hawk so that they can withstand climate change effects.

CENTRAL VALLEY HABITAT EXCHANGE

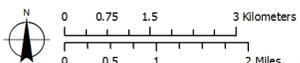


Elliott Ranch- 5 Mile Buffer

-  SWHA occurrences within the last 10 years\*
-  Elliott Ranch Fields
-  1 mile buffer
-  5 mile buffer

Map Sources:  
 Elliott Ranch, Buffers: Stillwater  
 Sciences. Imagery, Roads,  
 Cities: ESRI. SWHA occurrences:  
 CNDDB Nov, 2014

**\*CNDDB data is confidential**



Map Location



Meeting Date: June 27, 2016

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## ***Request for Approval to Post Public Draft of the Revised Proposition 1 Grant Program Grant Guidelines***

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### **Staff Report**

#### **RECOMMENDATION**

Staff recommends that the Board approve the current draft Grant Guidelines for fiscal year 2016-2017 so that staff may post a public draft.

#### **REQUEST BACKGROUND**

For the FY16-17 grant cycle, staff has combined the final revised Grant Guidelines and Grant Application documents into one document, and made revisions to the document as laid out in the table below. After the close of the first grant cycle, staff went through a debrief process during in which lessons learned were identified and evaluated, and potential changes to the program were prioritized. Revisions to the Grant Guidelines reflect the highest priority changes identified by staff, and include feedback heard from the Board at the May 2016 meeting, and feedback from external reviewers and applicants who participated in the FY15-16 grant cycle. The Program and Policy Subcommittee reviewed and discussed an earlier draft of the Grant Guidelines at the June 15<sup>th</sup> meeting; the current version of the document incorporates the feedback heard at that meeting. Subcommittee members voiced their support for the changes that have been made.

If the Grant Guidelines are approved for public review by the Board, Staff will:

1. Incorporate Board feedback into the current version of the draft Grant Guidelines.
2. Post the updated version of the draft Grant Guidelines for public comment on July 1, 2016.
3. Host one public meeting to discuss changes to the Grant Guidelines with the public.
4. Close the public comment period on August 1, 2016.
5. Review, evaluate, and, where appropriate, incorporate public comments into the Grant Guidelines.
6. Request that the Board approve the final Grant Guidelines at a special meeting of the Board on August 24, 2016.
7. Open the concept proposal solicitation period on September 1, 2016.

Included with the Board packet are two versions of the draft Grant Guidelines. In the first version, changes have been tracked and extensive comments are located in the margin to explain how the document has been modified. This version can be used to compare recommended text to the text in the documents that were approved for the FY15-16 grant cycle. In the second version of the draft

Meeting Date: June 27, 2016  
Page 2

Grant Guidelines, all tracked changes have been accepted and notes in the margin have been deleted. Substantive comments are explained in red italics. The table below notes substantive changes that have been made in the document, the reason for making the change, and the page numbers in the clean version of the document where the changes can be found.

**Substantive Changes Made to the Grant Guidelines**

(All page numbers refer to the clean version of the document)

Change Made	Reason for Change	Page
Combined the Grant Guidelines and Grant Application Packet into a single document	Eliminates redundancies and the possibility for contradictory text	N/A
The amount available for award has been increased up to \$10 million	Roll-over funds available from FY15-16 grant cycle	5
The cap for Category 1 planning projects has been increased to \$200,000, and the cap for Category 2 implementation projects has been increased \$3 million	Provides a more significant portion of total project costs	6
Language has been added regarding our budgetary discretion	Allows the Conservancy to partially fund projects	6, 17
Language has been added that references the 15-year minimum project “useful life” requirement that is found in the State General Obligation Bond Law	Alerts applicants to critical program requirement	7
Administrative costs now labeled “indirect” costs and indirect costs are defined	Recommendation of Department Of Finance audit staff	9
Indirect rate has been increased to 20%	Aligns with other Chapter 6 grantors (CDFW – 20%; SNC – 15%; WCB – 20%)	9
Clarified expectations of Category 1 applicants and Category 2 applicants with respect to Performance Monitoring and Assessment	Removed requirement that Category 1 applicants submit a Monitoring and Assessment plan	12-15
Added section on land acquisitions	Provides guidance for acquisition projects	15-16
Decreased scoring threshold to 75 points	Due to the high number of evaluation criteria and the scoring tendencies of independent reviewers, the previous threshold caused significant challenges	17-20, 22
Added eligibility criteria for concept proposal evaluation	Removes ineligible projects prior to evaluation	20
Modified concept proposal criteria so that there is one criterion per evaluation category	Streamlines evaluation process at the conceptual stage	20-21

Change Made	Reason for Change	Page
Changed concept proposal criteria to differentiate between requirements for category 1 and category 2 proposals	Acknowledges different stages of projects; specifies that monitoring plan is not required for planning project	20-21
Reassigned point values for concept proposal criteria to balance point distribution	Balances Local Support and Scientific Merit	20-21
Added eligibility criteria for full proposal evaluation	Removes ineligible projects prior to evaluation	22
Modified criteria to eliminate redundant evaluations: assigned budget and implementation schedule to project description criterion, assigned adaptive management to project long term management criterion	Removes redundancies and the double evaluation of these factors	22-24
Changed full proposal criteria to differentiate between requirements for category 1 and category 2 proposals	Acknowledges different stages of projects; specifies that monitoring plan is not required for planning project	22-24
Added references to acquisition projects	Acknowledges special requirements for acquisition projects	22-23
Provided more information about how cost share is calculated	Makes calculation more transparent for applicants	24-25
Removed full proposal application instructions; referred to Application Form	Reflects changes made during FY15-16 grant cycle	28
Changed full proposal instructions to only require a resolution from the county instead of "all applicable local government agencies"	Makes expectation of applicant clearer and less onerous	29
Added language regarding consultation with Delta Protection Commission to full proposal requirements	Formalizes expectation of applicant	29
Added information required of acquisition project at full proposal stage	Acknowledges special requirements for acquisition projects	29-30
Appendix D: Revised Performance Measures table. STILL IN DRAFT FORM	Captures discussions of program staff and input from executive team	39
Appendix F: Added Land Acquisition Checklist	Acknowledges special requirements for acquisition projects	43-45

## BACKGROUND

The Conservancy's Proposition 1 Ecosystem Restoration and Water Quality Grant Program (Grant Program) is focused on restoring Delta ecosystems, improving water quality, and enhancing agricultural sustainability. The Grant Program identifies projects to protect and restore California rivers, lakes, streams, and watersheds that may be funded with Prop. 1 funding (Sec. 79732 *et seq*).

**Meeting Date: June 27, 2016**

**Page 4**

Both Prop. 1 and the Conservancy's enabling legislation emphasize focusing on projects that use public lands and that maximize "voluntary landowner participation in projects that provide measurable and long-lasting habitat or species improvements in the Delta."

During the 2015-2016 fiscal year, the Conservancy ran its first grant cycle for the Prop 1 Grant Program. The Conservancy anticipates administering at least one grant cycle each fiscal year for five years. The Grant Program is a two-part competitive program, with a concept proposal solicitation open to the public, and a full proposal solicitation open to qualifying concept proposal applicants. Full proposals are subject to a rigorous scoring and evaluation process by both staff and an external review panel, and are recommended based upon score and funding availability.

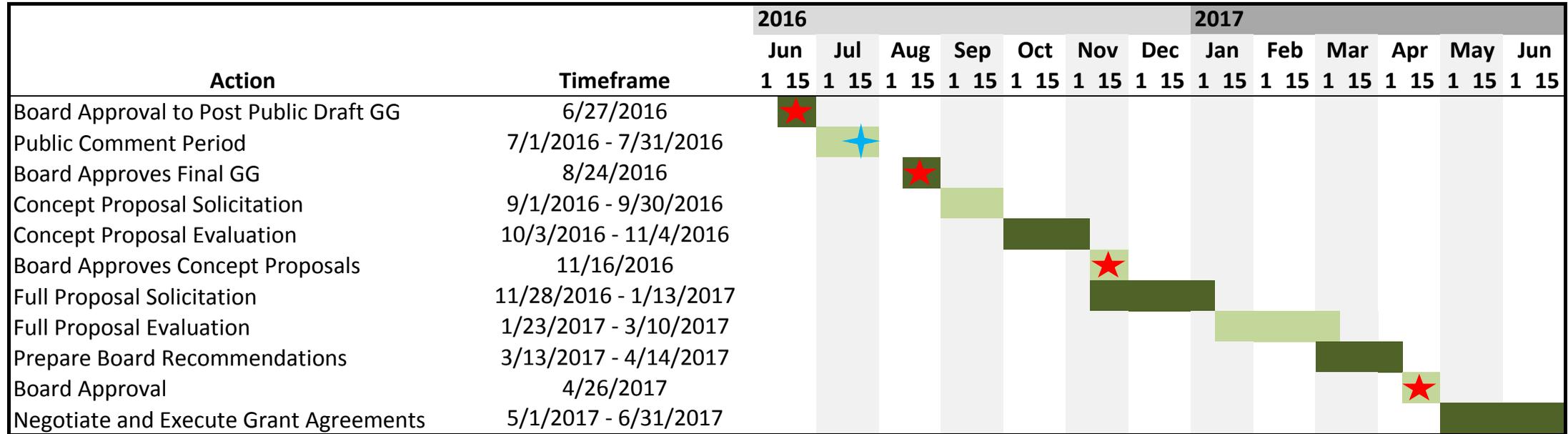
## **BUDGET**

Proposition 1 identified \$50 million for the Delta Conservancy. For the 2015-2016 fiscal year, \$5.9 million has been approved, conditionally approved, or reserved for funding project.

### **Contact Person**

Campbell Ingram, Executive Officer  
Sacramento-San Joaquin Delta Conservancy  
Phone: (916) 375-2089

**FY16-17 Prop 1 Grant Solicitation Timeframe**



★ Board meeting (decision point)

★ public workshop

# Track Change Version



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## GRANT GUIDELINES

Fiscal Year 201~~65~~-17~~6~~

### 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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Comment [JL1]: Needs to be updated in clean version.

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## Introduction

### A. ~~A.~~ Background and Purpose

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

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

In Prop. 1, \$50 million is identified for the Conservancy "for competitive grants for multibenefit ecosystem and watershed protection and restoration projects in accordance with statewide priorities (Sec. 79730 and 79731)." Per Prop. 1 and the Conservancy's enabling legislation, emphasis will be placed on projects using public lands and private lands purchased with public funds and that "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). Furthermore, all proposed projects must be consistent with statewide priorities as identified in Prop. 1, the California Water Action Plan, the Conservancy's enabling legislation, the Delta Plan, the Conservancy's Strategic Plan, as well as applicable recovery plans. Links to Prop. 1 and the other plans and documents can be found in Appendix B.

### ~~B.~~ B. Purpose of Grant Guidelines

*This section has been updated to reflect that we now have one guiding document for the Grant Program, and to make the text relevant for this year's solicitation.*

These ~~se~~ Grant Guidelines (Guidelines) establish the process and criteria that the Conservancy will use to administer competitive grants for multibenefit ecosystem restoration and water quality projects. These Guidelines include the required information and documentation for Prop. 1 grants, and provide instructions for completing the required concept proposal and full proposal for the Conservancy's grant program. ~~The Prior to their initial adoption, the~~ Guidelines were posted on the Conservancy's web site for 30 days ~~and prior to approval and were~~ vetted via three public meetings (Sec. 79706(b)). This revised version of the Guidelines has also been posted on the Conservancy's web site for 30 days prior to approval, and was vetted at a public meeting.

## Eligibility Requirements

### A. ~~A.~~ Grant Categories

*This section was moved from another section later in the Grant Guidelines. It has been moved up so that applicants know what we're talking about when we refer to Category 1 and Category 2 proposals in the subsection immediately following.*

The Conservancy will release funds for two grant categories. Category 1 proposals are limited to pre-project activities (e.g., planning, permits, etc.) that are necessary for a specific future on-the-ground project that meets the Conservancy Prop. 1 Grant Program criteria. Category 2 proposals are on-the-ground implementation and land acquisition projects. Please note that the awarding of a Category 1 grant for a project does not guarantee that a Category 2 grant will be awarded for the same project.

#### Category 1

Proposals are limited to pre-project activities necessary for a specific future on-the-ground project. A Category 1 proposal must meet all of the requirements for Category 2 proposals if it were to make it to the Category 2 stage. Examples of Category 1 activities include:

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

#### Category 2

Proposals include on-the-ground, implementation projects and land acquisition projects. Category 2 projects are subject to the State General Obligation Bond Law which requires that capital outlay projects be maintained for a minimum of 15 years (section 16727(a)).

Examples of Category 2 activities include:

- Habitat enhancement, restoration, and protection
- Pollution runoff reduction
- Working landscape enhancements

### B. Funding Available

*The dollar amounts in this section have been updated: \$10m total pot of funding, \$200,000 cap for Category 2 projects, and \$3m cap for implementation projects. Added language that explains the cap on planning funds, and the Conservancy's discretion to modify budget requests or to partially fund projects if oversubscribed, and to reserve funds.*

In Prop. 1, \$50 million is identified for the Conservancy "for competitive grants for multibenefit ecosystem and watershed protection and restoration projects in accordance with statewide priorities (Sec. 79730 and 79731)." In the 2015-2016 grant cycle, the Conservancy awarded approximately six million dollars. The Conservancy intends to grant up to will award up to \$109 million during the 2016-2017 grant cycle. each year for 5 years.

Grants will be awarded for Category 1 (necessary activities that will lead to on-the-ground projects, e.g., planning, permits, etc.) and Category 2 proposals (on-the-ground projects) to eligible entities subject to approval by the Conservancy pursuant to these Guidelines.

A maximum of \$450,000 is available during each funding cycle for Category 1 proposals. Category 1 proposals may range from \$20,000 to ~~\$204,000,000~~. ~~Please note that the awarding of a Category 1 grant for a project does not guarantee that a Category 2 grant will be awarded for the same project.~~ A ~~minimum of maximum of up to \$98,550,000~~ is available during each funding cycle for Category 2 proposals. Category 2 proposals may range from \$25,000 to ~~\$32,000,000~~.

Comment [JL2]: Moved to section above

Category 1 planning proposals may use 100 percent of awarded funds for planning activities, however, these planning funds must relate to a future Category 2 and may not exceed 10 percent of the total project funds (Category 1 and Category 2 combined) requested from the Conservancy.

Funding recommendations and decisions will be based upon the scores received, the reasonableness of the costs, as well as the diversity of the types of projects and their locations, which together will create the maximum ecosystem benefit within the Delta as a whole. When eligible projects (those receiving at least 75 points) exceed the amount of funds available in the funding cycle, the Conservancy may choose not to fund some of the eligible projects or to award partial funding. The Board may, within its discretion, approve a conditional award of funds or a reservation of funds to accommodate pending compliance actions (e.g., CEQA).

Comment [JL3]: Language drafted by Legal per PPS request

## ~~B.C.~~ **B.** — Geographic Area of Focus

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

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

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

## ~~G.D.~~ **C.** — Eligible Projects

Added language that references the 15-year minimum project "useful life" requirement that is found in the State General Obligation Bond Law.

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

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

**Comment [JL4]:** This seems like we are inviting projects that are striving to reduce pollution through education alone, which is actually not eligible.

**Comment [JL5]:** It seems like this language is necessary to make this consistent with the bond.

This list is offered as guidance for potential applicants and is not exhaustive nor a guarantee of individual project eligibility or funding. Eligibility and funding determinations will be made on a project-by-project basis during the application review process. Projects must comply with all legal requirements, including the State General Obligation Bond Law in order to be deemed eligible. 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.

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

#### ~~D.E.~~ **D. — Ineligible Projects**

Added the first bullet to reflect the need to comply with the State General Obligation Bond Law.

Examples of ineligible projects and costs include:

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

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

#### ~~E.F.~~ **E. — Eligible Applicants**

Eligible grant applicants include public agencies, nonprofit organizations, public utilities, federally recognized Tribes, state Tribes listed on the Native American Heritage Commission’s California Tribal Consultation List, and mutual water companies that will have an eligible proposal or project that provides a public benefit in the Delta (Public Resources Code Section 75004) and that will satisfy all the grant requirements. Specifically, eligible applicants are:

- Public agencies (any city, county, district, or joint powers authority; state agency; public university; or federal agency). To be eligible, public utilities that are regulated by the Public Utilities Commission must have a clear and definite public purpose and shall benefit the customers and not the investors.
- Qualifying 501(c)(3) nonprofit organizations. “Nonprofit Organization” means an organization that is qualified to do business in California and qualified under Section 501(c)(3) of Title 26 of the United States Code.
- Eligible tribal organizations (includes any Indian Tribe, band, nation, or other organized group or community, or a tribal agency authorized by a tribe, which is listed on the National Heritage Commission’s California Tribal List or is federally recognized).
- Mutual water companies, including local and regional companies. Additionally, in order to be eligible:
  - Mutual water companies must have a clear and definite public purpose and shall benefit the customers of the water system and not the investors.
  - An urban water supplier shall adopt and submit an urban water management plan in accordance with the Urban Water Management Planning Act.

- An agricultural water supplier shall adopt and submit an agricultural water management plan in accordance with the Agricultural Water Management Planning Act.
- An agricultural water supplier or an urban water supplier is ineligible for funding unless it complies with the requirements of Part 2.55 of their respective water management planning acts.

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

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

If you have a contract with the Conservancy and are contemplating applying for a grant, please consult with Conservancy staff to determine eligibility. For more information, refer to the Conflict of Interest section.

## ~~F.G.~~ **F. — Eligible Costs**

At the recommendation of DOF audit staff, modified this section to use the term “indirect” instead of “administrative,” and included a draft definition for our indirect rate. Indirect rate has been increased to 20%, in line with other Chapter 6 grantors (CDFW – 20%; SNC – 15%; WCB – 20%).

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

Eligible ~~administrative-indirect~~ costs must be directly related to the project and may ~~not exceed~~ be up to five-twenty (20%) percent of the project implementation cost. To determine the amount of eligible ~~administrative-indirect~~ costs, the applicant must first determine the cost of implementing the project, not including any ~~administrative-indirect~~ costs. Once the project implementation cost has been determined, the applicant may calculate ~~administrative-indirect~~ costs and include them in the total grant request up to the allowable twenty percent cap. ~~Similar to the traditional definition of “overhead” and “indirect”, administrative-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) and personnel. ~~These costs are subject to audit and must be documented by the grantee. Indirect expenses may not be added into the hourly rate for personnel billing directly to the grant. Personnel rates may only include salary and wages, fringe benefits, and payroll taxes.~~

## G-H. ~~\_\_\_\_\_~~ Ineligible Costs

Grant funding may not be used to establish or increase a legal defense fund or endowment, make a monetary donation to other organizations, pay for food or refreshments, pay for tours, or for eminent domain processes. No part of the Conservancy's grant funding may be used to subsidize or decrease the mitigation obligations of any party.

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

## General Program Requirements

### A. ~~A. \_\_\_\_\_~~ Conflict of Interest

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

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

**Comment [JL6]:** This section requires administrative staff review to ensure consistency with our grant agreement template.

### B. ~~B. \_\_\_\_\_~~ Confidentiality

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

### C. California Conservation Corps

To give the subject matter more prominence, this section was created using text from elsewhere Guidelines and from CDFW's solicitation.

For Category 2 implementation projects, applicants shall consult with representatives of the California Conservation Corps (CCC) and CALCC (the entity representing the certified community conservation corps) (collectively, “the Corps”) to determine the feasibility of using their services as defined in section 14507.5 of the Public Resources Code to implement projects (CWC §79734). See Appendix E for guidance and requirements necessary to ensure compliance with this provision. Applicants that fail to engage in consultation with the CCC and a certified local conservation corps will not be eligible to receive the Conservancy’s Proposition 1 funding.

### ~~C.D.~~ C. Labor Code Compliance

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

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

### ~~D.E.~~ E. Environmental Compliance

This section merges the text from the FY15-16 Grant Guidelines and Grant Application Packet. Added language that explains the Conservancy’s discretion to reserve funds pending compliance.

Activities funded under this grant program must be in compliance with applicable state and federal laws and regulations, including the California Environmental Quality Act (CEQA), National Environmental Policy Act (NEPA), Delta Plan, and other environmental permitting requirements. The applicant is solely responsible for project compliance. ~~and Proposals may include in their budgets the funding necessary for compliance related tasks, 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, approve a conditional award of funds or a reservation of funds to accommodate pending compliance actions (e.g., CEQA). The solicitation will provide information on common permits required and where to get information related to permit requirements. Applicants are responsible for CEQA compliance and all CEQA obligations must be met prior to the final approval of any Category 2 projects. A Category 1 grant may be made in order for an applicant to complete the CEQA process in advance of a potential Category 2 application. Approval of a Category 1 grant, however, is not a guarantee of final project approval and the Conservancy retains full discretion to approve or reject an associated Category 2 application.

**Comment [JL7]:** Moved from immediately below.

**Comment [JL8]:** Moved from immediately below.

**Comment [JL9]:** Language added by Legal

**Comment [JL10]:** To my knowledge, we didn’t actually provide this.

**Comment [JL11]:** Taken from Grant Application Packet

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

#### ~~E.F.~~ **E.** — **Water Law**

Funded grants that address stream flows and water use shall comply with the CWC, as well as any applicable state or federal laws or regulations. Any proposal that would require a change to water rights, including, but not limited to, bypass flows, point of diversion, location of use, purpose of use, or off-stream storage shall demonstrate an understanding of the State Water Resources Control Board (SWRCB) processes, timelines, and costs necessary for project approvals by SWRCB and the ability to meet those timelines within the term of a grant. In addition, any proposal that involves modification of water rights for an adjudicated stream shall identify the required legal process for the change as well as associated legal costs. Prior to its completion, any water right acquisition must be supported by a water rights appraisal approved by the Department of General Services Real Property Services Section.

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

#### **G. Signage**

*To give the subject matter more prominence, this section was created using text from elsewhere Guidelines and from CDFW's solicitation.*

Grantees will include signage, to the extent practicable, informing 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]).

## **H. Performance Measures**

*Moved this section up in the document to reflect that this is what's being monitored in the following section. Added definitions to clarify terms. Clarified expectations of Category 1 applicants and Category 2 applicants.*

Performance measures must be designed so the Conservancy can ensure that projects meet their intended goals, achieve measureable outcomes, and provide value to the State of California. The Conservancy requires that all grant funded projects monitor and report project performance with respect to the stated benefits or objectives identified in the grant proposal. For the purposes of this grant program, goals are broad statements of purpose and intention; objectives are a specific action that supports the attainment of the associated goal.

Applicants are required to prepare and submit a Performance Measures Table, specific to their proposed project, as part of the full proposal. The Performance Measures Table requires applicants to align their project goals with measurable outcomes and outputs. For the purposes of this grant program, project outcomes are defined as:

*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 goals, in that if the outcomes are achieved then the project's goal(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?'*

Project outputs are defined as:

*Products/deliverables expected to be achieved through the completion of the proposed project to meet the identified outcomes. Project outputs are the things that will be produced as a result of working toward your goal.*

Applicants must develop performance measures with clearly articulated metrics to which they will be held accountable. Appendix D includes a sample Performance Measures Table. For Category 2 projects, the Monitoring and Assessment Plan, described in the following section, will explain how the applicant will measure environmental performance for the duration of the grant.

The goals of the Performance Measures Table are to:

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

Many projects include multiple activities that will require measurement of several parameters to evaluate overall project performance. Successful applicants must be prepared to

demonstrate the success of the project through the development and measurement of the appropriate metrics. These metrics may include acres of habitat restored; measurement-based estimates of pollution load reductions; feet of stream channel stabilized or restored; improved water supply reliability and flexibility; or other quantitative measures or indicators. These and other measures or indicators should be selected to fit the performance evaluation needs of the project.

#### **F.I.F. — Performance Monitoring and Assessment**

Clarified expectations of Category 1 applicants and Category 2 applicants. Rearranged text so that data collection and management is discussed in one place.

All proposals must include a plan to measure, track, and report on project performance (compliance and effectiveness) that is consistent with the project's objectives and performance measures. All grantees will be required to provide periodic progress reports and a final report that track their progress toward meeting performance measures. All Category 2 implementation grant proposals must include a monitoring and assessment plan that explains how the effectiveness of the project will be measured and reported. The monitoring and assessment plan will vary depending on the scope and nature of the project. A key attribute will be the inclusion of project-specific performance measures that will be used to assess progress toward achieving the project's stated objectives.

Applicants Monitoring and assessment plans should incorporate standardized approaches, where applicable, into their monitoring plans and evaluate opportunities to coordinate with existing monitoring efforts (e.g., California Coastal Monitoring Program, Surface Water Ambient Monitoring Program (SWAMP; [website provided in Appendix B](#))) or produce information that can readily be integrated into such efforts. For more information, please see the SWAMP website (Appendix B).

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

Comment [JL12]: Moved below

The monitoring plan should include the following elements:

- What will be monitored;
- Monitoring objectives (why the monitoring is needed [e.g., comply with terms of grant, assess progress toward an objective]);
- Clearly stated assessment questions;

- The specific metrics that will be measured and the methods / protocol(s) that will be used;
- Linkages to relevant conceptual model(s);
- The timeframe and frequency of monitoring (including pre- and post-project monitoring);
- The spatial scope of the monitoring effort;
- Quality assurance/quality control procedures;
- Compliance with all permit requirements for monitoring activities (Scientific Collecting Permits, incidental take permits for listed species, etc.);
- Description of relationships to existing monitoring efforts; and
- How the resulting data will be analyzed, interpreted and reported.

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

#### Data Collection and Management

Each proposal must describe how data and other information generated by the project will be collected, handled, stored, and shared. Projects must include data collection and management activities that support incorporation of project data into statewide data systems, where applicable. Environmental data and information collected under these grant programs must be made visible, accessible, and independently understandable to general users in a timely manner, except where limited by law, regulation, policy, or security requirements.

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

#### Water Quality Data

If applicable, applicants should incorporate standardized approaches, such as those outlined by the Surface Water Ambient Monitoring Program (SWAMP), for data collection. If the project includes water quality monitoring data collection, it shall be collected and reported to the California Environmental Data Exchange Network [CEDEN] for surface water data (CWC §79704). The grantee shall be responsible for uploading the data and providing a receipt of successful data submission, generated by CEDEN, to the grant manager prior to submitting a final invoice. Guidance for submitting data, including minimum data elements, data formats, and contact information for the Regional Data Centers, is available on the CEDEN website. For more information, please see the CEDEN website (Appendix B).

#### Wetland and Riparian Restoration Data

~~Wetland and riparian restoration project data shall be uploaded to EcoAtlas. Monitoring data shall be uploaded to statewide data systems, as applicable, in a manner that is compatible and consistent with the WRAMP framework.~~ Wetland and riparian restoration projects shall collect and report project and monitoring data in a manner that is compatible and consistent with the Wetland and Riparian Area Monitoring Program (WRAMP) framework and tools administered by

Comment [JL13]: Text repeated immediately below.

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

Comment [JL14]: Text repeated immediately below

### Reporting

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

### **G. G. Performance Measures**

Comment [JL15]: Section moved up.

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

~~The goals of the PAEP are to:~~

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

~~Many projects include multiple activities that will require measurement of several parameters to evaluate overall project performance. Successful applicants must be prepared to~~

~~demonstrate the success of the project through the development and measurement of the appropriate metrics. These metrics may include acres of habitat restored; measurement-based estimates of pollution load reductions; feet of stream channel stabilized or restored; improved water supply reliability and flexibility; or other quantitative measures or indicators. These and other measures or indicators should be selected to fit the performance evaluation needs of the project.~~

## **I. Land Acquisitions**

*New section created to provide guidance for acquisition projects.*

The Conservancy may recommend awards up to \$3,000,000 for a land acquisition project. Acquisition costs may include personnel time, due diligence costs, closing costs, and the purchase of real property. The Conservancy will not pay for the Department of General Services (DGS) to review and approve the required appraisal; the grantee must pay DGS directly for this expense.

- Property must be acquired from a willing seller and in compliance with current laws governing relocation and acquisition of real property by public agencies<sup>1</sup> in an amount not to exceed Fair Market Value, as approved by the State.
- If a signed purchase 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 the Applicant demonstrate the seller is negotiating in good faith, and that discussions have proceeded to a point of confidence.
- The Department of General Services (DGS) must review and approve all appraisals of real property. Applicant must budget \$10,000 for the appraisal and/or transaction review, which is not an eligible project cost and must be covered by match funds.

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

1. The intended use of the property.
2. The manner in which the land will be managed.
3. 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.
4. Grantees shall demonstrate, where applicable, how they will provide payments in lieu of taxes, assessments, or charges otherwise due to local government.

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<sup>1</sup> Government Code, Chapter 16, Section 7260 et seq.

For projects that propose to acquire an interest in real property, the following 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.
- Copy of the Purchase Agreement or a Willing Seller Letter
- Appraisal or Estimation of Fair Market Value
- Preliminary Title Report
- Letter stating that applicant will directly pay DGS for review of appraisal and associated materials
- Map showing lands that will be acquired, including parcel lines and numbers.
- Analysis of mineral rights issues, if applicable.

Acquisition projects will be subject to a specific set of requirements that must be met prior to and immediately after closing escrow. For more information, please refer to the checklist provided in Appendix F

#### ~~H.K.~~ **H.** — Grant Provisions

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

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

where feasible, utilize their services (see Appendix E in the Grant Application Packet for CCC guidelines).

Comment [JL16]: Moved above

## **Proposal Selection** Proposal Solicitation

The bulk of the Grant Application Packet text was brought in at this point.

### A. Applying for a Grant

First paragraph below newly added for context; bullets moved from later in the document. Scoring threshold has been dropped to 75 pts. Added language that explains the Conservancy's discretion to modify budget requests or to partially fund projects if oversubscribed, and to reserve funding.

The Delta Conservancy runs a two-part proposal solicitation process. Concept proposals are invited from any eligible applicant. Concept proposals are scored by Conservancy staff, and those only those projects that meet or exceed the minimum point threshold at the concept proposal stage are invited to submit full proposals.

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The following steps will be followed during a grant cycle:

- The Conservancy will hold a proposal submission workshop. Questions received at the proposal submission workshop, or subsequently over the phone or via email, and staff's response will be posted on the Conservancy's Prop. 1 Grant Program web page to assist others with similar questions.
- If potential applicants have questions that are not answered on the Conservancy's Grant Program web page or via the proposal submission workshop, potential applicants are encouraged to contact Conservancy grant staff before submitting a proposal. Once a proposal has been submitted, Conservancy staff will only be able to provide status updates.
- Potential applicants will submit a concept proposal. Only proposals submitted prior to the submission deadline will be considered.
- The concept proposals will be reviewed for administrative and technical purposes as outlined in the concept proposal evaluation criteria. If the concept proposal is complete, meets all concept proposal requirements, and scores a minimum of 75 points, a full proposal will be requested.
- Please note that a project's full proposal documents will not be accepted unless a completed concept proposal has been submitted for review, scored, and the Conservancy requests a full proposal. Only full proposals submitted prior to the submission deadline will be considered.
- The full proposals will be reviewed and scored by the Conservancy grant team according to the proposal evaluation criteria below. Conservancy staff will conduct a project site visit with each eligible applicant.

- The full proposals will also be reviewed by an independent professional review panel made up of state and federal agency technical experts. The professional review panel will provide an additional independent review of staff's evaluation and scoring.
- Following professional review, the staff team will assign final scores to each application.
- The final score will be posted on the Conservancy's website for final board approval at a public meeting. The Board will be provided with a list of all applications received, their final scores, and the staff recommendation for projects to be funded. Full proposals will be made available upon request. The Board action will involve ratification of the projects' scores and action on staff's funding recommendation. Applicants and members of the public will have the opportunity to appear before the Board at this time.
- A score of 75 points during either the concept or 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, the reasonableness of the costs, as well as the diversity of the types of projects and their locations, which together will create the maximum ecosystem benefit within the Delta as a whole. When eligible projects (those receiving at least 75 points) exceed the amount of funds available in the funding cycle, the Conservancy may choose not to fund some of the eligible projects or to award partial funding.
- If a project scores 75 points or higher during either the concept or full proposal stages but cannot demonstrate strong local support or a lack of significant conflict from local interests, the Conservancy reserves the right not to fund the project until the conflict is satisfactorily resolved.
- The Board may, within its discretion, approve a conditional award of funds or a reservation of funds to accommodate pending compliance actions (e.g., CEQA).
- If a grant proposal is approved, Conservancy staff will work with the applicant to complete a grant agreement that outlines reporting requirements, specific performance measures, invoice protocol, and grant funding disbursal.

**Comment [I17]:** NUR comment: To who? The Board? The public? Should you consider posting the full applications on line at this stage?

**Comment [JL18]:** Proposals will be available to any member of the public who requests them. The Board will have already received full proposals when they are sent out as part of the local notification process (see pg. 26 of this document). Applications will not be posted online because: 1. They consist of multiple files, making them very large and cumbersome; and 2. It's not clear than any other agencies or conservancies post whole proposals online. We will make ours available electronically for free, or in print for a fee and according to our public requests guidelines.

The Conservancy will hold a proposal submission workshop in September (the date will be announced on our website, and when the proposal solicitation is released). Questions received at the proposal submission workshop, or subsequently over the phone or via email, have been posted on the Conservancy's Prop. 1 Grant Program web page to assist others with similar questions. If potential applicants have questions that are not answered on the Conservancy's Grant Program web page, potential applicants are encouraged to contact Conservancy staff BEFORE submitting a concept proposal. Once a concept proposal has been submitted, Conservancy staff will only be able to offer status updates.

**Comment [JL19]:** Grant Application Packet text; redundant with bullets above.

## B. Grant Cycle and Important Dates

Section below updated with information for this year's grant cycle.

The Conservancy's grant cycle is approximately 98 months long. Concept proposals are solicited in the fall, full proposals are invited in the winter, and funding is awarded the following spring. If all funds during a fiscal year are expended but proposals have been submitted that otherwise could be approved for funding, these proposals may be held and re-considered during the next grant cycle. All dates for the Conservancy's 2016-2017 grant cycle are subject to change. Please check the Prop. 1 Grant Program web page for the most up-to-date information.

Important dates for the 20165-176 grant cycle are:

- ~~— 2<sup>nd</sup> Concept Proposal Solicitation — November 5, 2015 to December 18, 2015~~
- Concept Proposal Solicitation – September 1, 2016 - September 30, 2016
- ~~— Board Approval of Concept Proposals — January 27, 2016~~
- Full Proposal Solicitation – ~~January 29, 2016 to March 11, 2016~~November 28, 2016 – January 20, 2017
- Board Approval of Full Proposals – ~~May 25, 2016~~April 26, 2017

### C. ~~Grant Categories and Funding Levels~~

~~There are two grant categories in this grant cycle. Category 1 proposals are limited to pre-project activities (e.g., planning, permits, etc.) that are necessary for a specific future on-the-ground project that meets the Conservancy Prop. 1 Grant Program criteria. Category 2 proposals are on-the-ground implementation projects. A maximum of \$450,000 is available for Category 1 proposals. Category 1 proposals may range from \$20,000 to \$100,000. Please note that the awarding of a Category 1 grant for a project does not guarantee that a Category 2 grant will be awarded for the same project. A maximum of \$8,550,000 is available during each funding cycle for Category 2 proposals. Category 2 proposals may range from \$25,000 to \$2,000,000.~~

**Comment [JL20]:** From Grant Application Packet; redundant with section at beginning of doc,

**Comment [JL21]:** Integrated into Eligibility requirements, section A

## Proposal Selection

### A. Proposal Review and Selection Process

Scoring threshold has been dropped to 75 pts.

Those interested in applying for Prop. 1 funds through the Conservancy must submit a concept proposal, which must clearly demonstrate the value of the project and provide the Conservancy with adequate information to evaluate the project. The concept proposal will be scored by Conservancy staff based on the concept proposal evaluation criteria.

If the concept proposal meets the scoring threshold of 785 points (as well as all concept proposal requirements), the applicant will be invited to submit a full proposal. Please note that a project's full proposal documents will not be accepted unless a completed concept proposal has been submitted for review, scored, and the Conservancy requests a full proposal.

Full proposals will be reviewed and scored by the Conservancy grant team and a professional review ~~panel~~panel to evaluate benefits, project design and readiness, and other factors (see

full proposal evaluation criteria below). The professional review panel will be made up of state and federal agency technical experts, and will review staff's evaluation and scoring of full proposals to provide an independent review of staff's evaluation and scoring. A minimum of 785 points are required for a full proposal to be considered for funding. Conservancy staff will conduct a project site visit with each eligible applicant.

If a project scores 785 points or higher during either the concept or full proposal stages but cannot demonstrate strong local support or a lack of significant conflict from local interests, the Conservancy reserves the right not to fund the project until the conflict is satisfactorily resolved.

Funding recommendation(s) will be made by staff and scheduled for a Board meeting agenda as an action item at the direction of the Executive Officer. The Board will be provided with a list of all proposals received, and a staff recommendation for projects to be funded.

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 protocol, and grant funding disbursement.

## **B. Evaluation Criteria for Concept Proposal**

Added eligibility requirements to avoid full review of projects that are not eligible for program. Modified criteria so that there is one criterion per evaluation category, and to differentiate between requirements for category 1 and category 2 proposals. Reassigned point values to balance point distribution.

Conservancy staff will determine the eligibility of a concept proposal using the criteria outlined below. If a concept proposal passes all three eligibility criteria, its merit will be evaluated by Conservancy staff using the concept proposal criteria listed below.

### Eligibility Review

Conservancy staff will assess a project's eligibility based on the three criteria below, assigning a pass or fail for each criterion. A passing score will be assigned if the project meets all of the criteria as listed, or if the project could meet all of the criteria with minimal modifications. Projects that pass the eligibility review but require modifications to be eligible will be notified about eligibility requirements if they are invited to submit a full proposal. Eligibility will be reassessed during the full proposal review process.

### Eligibility Criteria (Pass/Fail)

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 and/or water quality and/or agricultural sustainability benefits?
3. Is the project consistent with Proposition 1, the California Water Action Plan, the Conservancy's enabling legislation, and the Delta Plan?

### Evaluation and Scoring

Staff will score projects based on the evaluation criteria below. If a project scores a minimum of 75 points (out of 100), a full proposal will be requested. The number in parentheses reflects the maximum number of points allocated to each criterion.

Project Description and Organizational Capacity (12 points)

1. The degree to which the project description clearly explains the location, need, goals and objectives, tasks, deliverables, and budget for the project, as well as the related experience and qualifications of all parties working on the project.

**Comment [JL22]:** Increased overall points available from 10 to 12.

State Priorities/Project Benefits (25 points)

2. (a). For Category 1 projects, the degree to which the project considers climate change, and the degree to which the specific, on-the-ground project for which planning is being conducted will yield multiple benefits that further Prop. 1 and state priorities, including implementation of the California Water Action Plan, the Conservancy's enabling legislation and Strategic Plan, the Delta Plan, and applicable recovery plans.
2. (b). For Category 2 projects, the degree to which the project integrates climate change considerations, and the degree to which it will yield multiple benefits that further Prop. 1 and state priorities, including implementation of the California Water Action Plan, the Conservancy's enabling legislation and Strategic Plan, the Delta Plan, and applicable recovery plans .

**Comment [JL23]:** Condenses three criteria into one: multi-benefit, consistency with state plans, and climate change. Decreased overall points available from 35 to 25.

Readiness (15 points)

3. (a) For a Category 1 project, the degree to which the proposal demonstrates 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.
3. (b). For a Category 2 project, the degree to which planning is complete and the project is ready to begin.

**Comment [JL24]:** Reworded to indicate that part of readiness includes when the planned for project will be implemented.

Local Support (20 points)

4. (a). For Category 1 projects, the degree to which potentially affected parties will be informed and consulted as part of the planning process, and the degree to which the project has local support, is consistent with similar efforts on nearby or surrounding lands, and is part of larger plans or identified partnerships.
4. (b). For Category 2 projects, the degree to which potentially affected parties have been informed and consulted, and the degree to which the project has local support, is consistent with similar efforts on nearby or surrounding lands, and is part of larger plans or identified partnerships.

**Comment [JL25]:** Combined 2 criteria into one; noted different expectations for planning v. implementation projects. Increased total overall points available from 12 to 20.

Scientific Merit and Performance Measures (20 points)

**Comment [JL26]:** 2 criteria combined; criterion split for category 1 v. category 2.

5. (a). For Category 1 projects, the extent to which the scientific basis of the proposed project is clearly described, adaptive management is addressed, and to which goals, outputs and outcomes are presented.

5. (b). For category 2 projects, the extent to which the scientific basis of the proposed project is clearly described, and to which goals, outputs, outcomes, and a plan for tracking performance are described. Applicants should outline a monitoring framework for measuring progress toward achieving stated goals and outcomes, and discuss how adaptive management will be implemented. If scientific basis and adaptive management are not relevant for this project (e.g., a sustainable agriculture project), the extent to which best industry practices are used.

Funding: Cost Share and Leveraging (8 points)

Comment [JL27]: No change.

6. The degree to which the project develops a cost share with private, federal, or local funding to maximize benefits and outcomes. For every 10 percent of cost share, a project will score one point for this evaluation criterion, to a maximum of 5 points. (5 points)

7. The degree to which the project leverages other state funds. (3 points)

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

Added eligibility requirements to avoid full review of projects that are not eligible for program. Modified criteria to eliminate redundant evaluations, and to differentiate between requirements for category 1 and category 2 proposals. Added references to acquisition projects.

#### Eligibility Review

Conservancy staff will assess a project's eligibility based on the three criteria below, assigning a pass or fail for each criterion. A passing score will be assigned only if the project meets all of the criteria as listed.

#### Eligibility Criteria (Pass/Fail)

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 and/or water quality benefits and/or agricultural sustainability?
3. Is the project consistent with Proposition 1, the California Water Action Plan, the Conservancy's enabling legislation, and the Delta Plan?

#### Evaluation and Scoring

If a concept proposal scores a minimum of 75 points and a full proposal is invited, full proposals will be evaluated using the following criteria (for a maximum of 100 points). Projects will need a score of 75 points or better to be considered for funding.

#### Project Description and Organizational Capacity

1. Does the applicant provide a clear description of the project that addresses the need for the project, and project goals and objectives, tasks, deliverables, and budget? How well can the applicant manage and complete the proposed project considering related experience, staff qualifications and knowledge; and what is the applicant's performance on prior federal or state assistance agreements awarded in the past three years? Does the project description include a detailed project plan or implementation schedule; and budget with reasonable costs and clear identification of grant funds and cost share contributions? For acquisition projects, has the applicant satisfactorily provided all required additional information? (10)

**Comment [JL28]:** This section was the Readiness criteria last year – we were asking for double evaluation of deliverables and budget, so readiness text was added here and rewritten (see below).

State Priorities/ Project Benefits

**Comment [JL29]:** Broke out criteria for Category 1 v. Category 2; added acquisitions.

2. (a). For Category 1 projects, how well does the specific, on-the-ground project for which planning is being done demonstrate consistency with Prop. 1 and State priorities, including implementation of the California Water Action Plan, the Conservancy's enabling legislation and Strategic Plan, the Delta Plan, and applicable recovery plans? Where relevant, projects should demonstrate consistency with regional plans (see Appendix B for a list of relevant plans) (15).

2. (b). For Category 2 projects, how well does the project demonstrate consistency with Prop. 1 and State priorities, including implementation of the California Water Action Plan, the Conservancy's enabling legislation and Strategic Plan, the Delta Plan, and applicable recovery plans? Where relevant, projects should demonstrate consistency with regional plans (see Appendix B for a list of relevant plans). For acquisition projects, does the proposal address the factors required by the Conservancy's enabling legislation? (15)

3. (a). For Category 1 projects, does the applicant explain how the planning effort will include efforts to develop a plan to maintain environmental benefits for the required minimum of 15 years, and for developing and implementing an adaptive management plan? (5)

3. (b). For Category 2 projects, how well does the applicant demonstrate plans for long-term management and sustainability of the project for the required minimum of 15 years or longer, and how for the implementation of an adaptive management plan as required and defined in the Delta Plan? (5)

**Comment [JL30]:** Rewritten for clarity: distinguish between what is required for Cat. 1 v.2; specifically call-out 15-yr requirement for Cat. 2.

4. (a). For Category 1 projects, the extent to which the project considers climate change, and provides a mechanism for incorporating climate change considerations into the planning process. (5)

4. (b). For Category 2 projects, the extent to which the project integrates climate change considerations. If an agricultural sustainability project, the extent to which the impacts of climate change are vetted and deemed relevant or applicable to the project (5).

**Comment [JL31]:** Language closer to that for concept proposal criteria; broken out into category 1 v. category 2 per public request.

Readiness

5. (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? (15)
5. (b). For Category 2 projects, how complete is project planning, what is the status of CEQA and permitting efforts, and when will the project be ready to begin implementation? (15)

**Comment [JL32]:** Language closer to that for concept proposal criteria on readiness. For Category 2 projects, require some accounting for CEQA/permitting and project start date to accommodate Board request not to fund projects that will lapse into next grant cycle.

Local support

6. How well does the applicant demonstrate that they have local support? Full points will be provided only if a resolution of support from the County is included. (7)
7. To what extent has the applicant developed appropriate and necessary partnerships to help implement the project, and, if applicable, has the project been incorporated into larger plans or existing partnerships? (5)
8. (a). For Category 1 projects, how well does the proposal demonstrate plans inform and consult potentially affected parties, and to avoid, reduce, or mitigate conflicts with existing and adjacent land uses? (5)
8. (b). For Category 2 projects, has the applicant informed and consulted potentially affected parties, how consistent is the project with similar efforts on nearby or surrounding lands, and how well does the project avoid, reduce, or mitigate conflicts with existing and adjacent land uses? (5)

**Comment [JL33]:** Criteria clarified so that #5 reflects local support; #6 is for forming effective partnerships, and #7 is for working with affected partners and minimizing conflicts.

Funding: Cost Share and Leveraging

9. Does the project develop a cost share with private, federal, or local funding to maximize benefits and outcomes? For every 10 percent of cost share, a project will score one point for this evaluation criterion, to a maximum of 5 points. (5)
10. Does the project leverage other state funds? (3)

**Comment [JL34]:** No change

Scientific Merit and Performance Measures

11. How well does the applicant explain the scientific basis of the proposed project and the degree to which best available science has been adopted? If scientific basis is not relevant for this project (e.g., a sustainable agriculture project), what is the extent to which best industry practices are used, and to which the impacts of climate change are vetted? (10)
12. (a). For Category 1 projects, how clear are the project's goals, outputs, outcomes, and performance metrics, and how well does the proposal demonstrate a plan for tracking progress toward stated performance measures? (10)

**Comment [JL35]:** Removed reference to adaptive management – this is evaluated above, in the State Priorities section.

12. (b). For Category 2 projects, how clear are the project's goals, outputs, outcomes, and performance metrics, and how well does the proposal demonstrate a plan for measuring, monitoring, tracking, and reporting progress toward achieving these results? To what extent does the proposal demonstrate a plan and approach for collecting and managing data consistent with existing State efforts, and for reporting project results or methods to private, State, and/or local government agencies beyond their own organization? (10)

Comment [JL36]: Broke out requirements for category 1 v. category 2, making it clear that monitoring plans are not required for category 1 projects.

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

Comment [JL37]: Unchanged

## **D. Federal and Local Cost Share and State-Leveraged Funds**

*Second paragraph updated to better spell out how cost share is calculated.*

The Conservancy will provide points to proposals with a federal, local, or private cost share component (other state funds may not count toward the cost share). Cost sharing is the portion of the project not borne by the Conservancy's grant monies. Cost sharing encourages collaboration and cooperation beyond in-kind and written support. Applicants are encouraged to develop a cost share program to support their project. Only cost share commitments made explicitly for the project may count toward the cost percentage for grant proposal and ranking purposes. Applicants stating that they have a cost share component must have commitment letters from cost share partners at the time the full proposal is submitted and include letters of commitment as part of the proposal requirements.

At both the concept and full proposal stages, for every 10 percent of cost share, a project will score one point, to a maximum of five points. Up to 50 percent of a cost share may be in-kind. For example, if the cost share is \$50,000, \$25,000 of that may be from in-kind sources. All in-kind cost share must be matched with cash at a one-to-one ratio. For projects without any cash match, in-kind cost share will not be calculated into the project's cost share score. 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.

Comment [JL38]: Newly added explanation.

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

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

In compliance with the Conservancy's governing statute (Public Resources Code Section 32363) and Prop. 1, local government agencies—such as counties, cities, and local districts—will be

notified by the Conservancy about eligible grant projects being considered for funding in their area. The Conservancy shall coordinate and consult with the city or county in which a grant is proposed to be implemented or an interest in real property is proposed to be acquired, and with the Delta Protection Commission. The Conservancy will also coordinate with the appropriate departments in state government that are doing work in the Sacramento-San Joaquin Delta, including the Central Valley Flood Protection Board. For all applications under consideration, Conservancy staff will also notify the applicable public water agency, levee, flood control, or drainage agency (when appropriate), and request comments within 15 business days following notification. The individual Conservancy Board members representing each of the five Delta counties will also be notified at this time and may wish to communicate with the affected entities as well.

The Conservancy will work with the grantee to make all reasonable efforts to address concerns raised by local governments. Please note that it is also the applicant's responsibility to contact, seek support from, and coordinate with applicable state agencies, cities, counties, and local districts. If an applicant has a project-specific resolution of support from the affected city or county and local district, it should be included in the application package in order to facilitate the overall assessment process.

#### **A. ~~Concept Proposal Evaluation Criteria~~**

~~Concept proposals will be evaluated by Conservancy staff using the following criteria. If a project scores a minimum of 85 points (out of 100), applicants will be invited to submit a full proposal. The number in parentheses reflects the maximum number of points allocated to each category.~~

**Comment [JL39]:** Redundant – deleted. For comparison, note that strikethrough in this section is evaluation criteria as worded for FY15-16.

##### ~~Project Description and Organizational Capacity~~

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

##### ~~State Priorities/Project Benefits~~

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

##### ~~Readiness~~

- ~~5. The design and readiness of the project:~~

a. If a Category 1 project, this means an understanding of how the planning activities relate to the entire project, the permits and plans needed, and data gaps (15);

b. If a Category 2 project, this means the completeness of the design and the readiness of the project to begin (15).

#### Local Support

6. The degree to which potentially affected parties, including local government and the Delta Protection Commission, have been informed and consulted, good neighbor policies have been adopted and will inform the implementation of the project, and the Agricultural Land Stewardship Strategies (see link in Appendix B) have been applied (7).

7. The degree to which the project has local support, is consistent with similar efforts on nearby or surrounding lands, and is part of larger plans or identified partnerships. Full points will be provided only if letters of support from applicable local government entities are included (5).

#### Scientific Merit and Performance Measures

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

9. The extent to which the applicant demonstrates the project objectives including outcomes and outputs (10).

#### Funding: Cost Share and Leveraging

10. The degree to which the project develops a cost share with private, federal, or local funding to maximize benefits and outcomes. For every 10 percent of cost share, a project will score one point for this evaluation criterion, to a maximum of 5 points (1-5).

11. The degree to which the project leverages other state funds (3).

### **B. Full Proposal Evaluation Criteria**

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

#### Project Description and Organizational Capacity

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

State Priorities/Project Benefits

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

Readiness

- ~~5.— How well does the applicant provide a (a) detailed project plan or implementation schedule; and (b) budget with reasonable costs and clear identification of grant funds and cost share contributions (15).~~

Local support

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

Funding: Cost Share and Leveraging

- 9. ~~The degree to which the project develops a cost share with private, federal, or local funding to maximize benefits and outcomes. For every 10 percent of cost share, a project will score one point for this evaluation criterion, to a maximum of 5 points (1-5).~~
- 10. ~~The degree to which the project leverages other state funds (3).~~

Scientific Merit and Performance Measures

- 11. ~~How well does the project demonstrate a plan for achieving expected project outputs and objectives, including a plan for measuring, tracking, and reporting progress toward achieving these results. Projects should demonstrate the plan and approach for reporting project results or methods to state or local government agencies within and beyond their own organization (10).~~
- 12. ~~The extent to which the scientific basis of the proposed project is clearly described and the degree to which best available science and adaptive management practices have been adopted and will be implemented. If scientific basis and adaptive management are not relevant for this project (e.g., a sustainable agriculture project), the extent to which best industry practices are used (10).~~
- 13.1. ~~How well does the project employ new or innovative technology or practices, including decision support tools. If an agricultural sustainability proposal, how well does the project vet the relevancy and applicability of new or innovative technology or practices (5).~~

## Application Process

This section describes the information and documents that must be submitted for both a concept and a full proposal.

### 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](mailto: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 should not exceed ~~seven-ten~~ pages (not including the application form, budget, and support letters).

#### 1. ~~1~~ Concept Proposal Application Form

The form (please see Appendix C) should be completed with additional pages for the items listed below. Please use at least 11-point standard font, single line spacing with one-inch page margins. The following information will be scored using the concept proposal evaluation criteria. ~~The total maximum number of points available is 100. Projects must score at least 85 points to~~

~~be invited to submit a full proposal.~~

Comment [JL40]: Redundant

**a. Applicant Information**

Applicant must list its organizational/agency name, address, the primary contact's name and contact information, and the organization's federal tax ID number. Applicant must also identify the type of organization it is.

**b. Project Information**

Applicant must provide specific information about the project. Name, location (county, city/community, and any information that is more specific to the project site), proposed start date, and the estimated completion date.

~~2. 2.~~ **Project Description and Organizational Capacity**

Comment [JL41]: Headings consistent with evaluation categories.

Provide a clear, detailed description of the project proposed for Conservancy funding. Include:

- ~~Location of project,~~
- Specific need for the project,
- The project's goals and objectives,
- Specific tasks that will be undertaken, ~~and~~
- ~~Work products or deliverables, and~~
- ~~Experience and qualifications of all parties working on the project.~~

Comment [JL42]: Moved from immediately below.

~~3.~~ **Organizational Capacity**

~~Discuss the organization's capacity and experience in planning and implementing similar projects.~~

Comment [JL43]: Moved above

~~3. 4.~~ **State Priorities/Project Benefits**

Comment [JL44]: Headings consistent with evaluation categories.

~~Demonstrate that the project will yield multiple benefits that are aligned with state priorities. Describe how the project's outcomes are consistent with the following:~~

- ~~Proposition 1~~
- ~~California Water Action Plan~~
- ~~The Conservancy's enabling legislation~~
- ~~The Conservancy's strategic plan~~
- ~~The Delta Plan~~
- ~~Applicable recovery plans and other related efforts~~

Comment [JL45]: Spelled out to alert applicants to need to address each.

~~Category 1 projects should describe the consistency of the specific, on-the-ground project for which planning is being conducted. Consistency with Funding Requirements, Project Selection, and Programmatic Criteria~~

~~Provide a clear description of how the project proposed for Conservancy funding is consistent with Prop. 1, the California Water Action Plan, the Conservancy's enabling legislation and Strategic Plan, and key local, state, and federal plans. Projects selected to submit a full proposal~~

will be required to substantiate this consistency. ~~Also describe how the project will address general coordination with other related efforts.~~

~~Also, describe how climate change considerations are being taken into account. For planning projects, note how climate change will be considered as part of the planning process. For implementation projects, describe any risks posed by climate change and how the project has been designed to mitigate those risks, and explain any projected climate-related impacts or benefits of the project. If these are not relevant for this project (e.g., a sustainable agriculture project), then describe how best industry practices have been incorporated.~~

**Comment [JL46]:** Moved from section below to be consistent with evaluation criteria. Flashed out language per public request.

#### ~~2.4.~~ **5. — 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: as is applicable for the type of grant you are applying (Category 1 or Category 2):~~

- ~~Discuss the readiness of the project to begin.~~
- ~~For planning projects, describe how the proposed planning activities will advance the project toward implementation.~~
- List any data needs or identified data gaps, and a process for addressing them.
- Describe any permits and landowner agreements that will be required, if applicable. This includes the status of CEQA compliance.
- ~~Discuss the status of cost share efforts, including the leveraging of state funds.~~

**Comment [JL47]:** Consistent with updated criteria

#### ~~3.5.~~ **6. — Cooperation and Local Support**

List individuals and organizations who will be participating in the project, cooperating (providing guidance, etc.), and supporting the project (not actively engaged, but aware of the project and supportive). Describe how you have informed and consulted with affected parties and/or incorporated good neighbor practices into the project. ~~For Category 1 projects, describe how affected parties will be informed and consulted during the planning process, if they have not been already. Discuss how projects are consistent with similar efforts in surrounding areas, and integrated into larger plans and partnership. Applicants should include letters of support from applicable local government agencies, and should consult with the Delta Protection Commission are also required~~ (letters do not count toward ~~seven-ten~~ page maximum).

#### ~~4.6.~~ **7. — Best Available Science and Adaptive Management Scientific Merit and Performance Measures**

Describe the scientific basis of the proposed project and how best available science and adaptive management practices have ~~been or will be adopted~~ integrated into the project and will be implemented. ~~Also, describe how climate change considerations are being taken into account. If these are not relevant for this project (e.g., a sustainable agriculture project), then describe how best industry practices have been incorporated.~~ ~~Include a general description of project goals, outcomes and outputs, describing the benefits they will yield. For Category 2~~

**Comment [JL48]:** Headings consistent with evaluation categories.

**Comment [JL49]:** Moved above for consistency with evaluation criteria.

~~projects, describe the approach to measuring and reporting the project's effectiveness, including how successes will be quantified.~~

Comment [JL50]: Moved from below, Project Assessment.

## ~~8. Project Assessment~~

~~Describe your approach to measuring and reporting your project's effectiveness, including how you will quantify your successes. Identify project objectives including a general description of project outcomes and outputs.~~

Comment [JL51]: Integrated above.

## 5.7. ~~9. Funding Request and Budget~~

Applicant must provide information about the total project cost as well as the amount requested from the Conservancy. Information about cash and in-kind contributions, including sources, must also be included. ~~For Category 2 grants, may not exceed 10 percent for planning monitoring costs may not exceed 20 percent. Category 1, planning proposals, may use 100 percent of awarded funds for planning activities, however, these planning funds must relate to future Category 2 and may not exceed 10 percent of the total project funds (Category 1 and Category 2 combined) requested from the Conservancy.~~

Please use the Concept Proposal Budget Template in Appendix C. ~~Explain how budget items in the attached table align with project tasks described in the project description. Include grant management and reporting, monitoring (for Category 2), and performance measure tracking costs in the total funding request.~~

## B. Full Proposal Instructions

~~Removed application instructions, instead referring applicants to application form.~~

As described in the preceding section, all prospective applicants are required to submit a concept proposal. An applicant will be invited to submit a full proposal if the concept proposal has met all of the criteria and receives the minimum score. Only applicants invited to submit a full proposal will be reviewed and considered.

Applicants who are invited to submit a full proposal will be sent proposal submission instructions, ~~which will include a fillable PDF application form and other required attachments.~~ Prospective applicants ~~however,~~ should be prepared to submit the following information in a full proposal. ~~Full proposals are not to exceed 22 pages unless otherwise noted.~~

### ~~1. 1. Cover Page (1-page limit)~~

Comment [JL52]: All deleted information covered in application form.

- ~~a. Project Title;~~
- ~~b. Name of applicant and applicant's federal tax I.D. number;~~
- ~~c. Key personnel and contact information (i.e., email address and phone number);~~
- ~~d. Geographic location — general project location description including name of city and county of the project site;~~
- ~~e. Total project cost, Conservancy grant funds requested, and cost share;~~
- ~~f. Project start and end dates; and~~
- ~~g. Abstract/project summary — the abstract should begin with one or two sentences describing the main objective of the proposal. It should also include a listing of the main tasks to be accomplished, and a description of the final product(s).~~

~~2.~~ **2. Detailed Project Description Narrative (10-page limit)**

a. Describe the project tasks or components, the anticipated products associated with each task, and the anticipated timeline for each task. Include a description of the roles and responsibilities of the applicant. The narrative should be supplemented with a table displaying specific tasks, outcomes, and timeline (see Table 1 below). Include all six-month progress reports and the final report (indicating project completion in the schedule).

Table 1

Tasks	Timeline	Outcome(s)
<del>1.1</del>		
<del>1.2</del>		
<del>1.3</del>		
<del>1.4</del>		
<del>2.1</del>		
<del>2.2</del>		
<del>2.3</del>		

- ~~b. Provide an organizational capacity narrative that details the applicant’s ability to complete the project as proposed. The narrative should identify the resources (staff, project partners, or contractors) intended to complete the tasks described in the work plan and should explain the applicant’s expertise or experience completing similar projects, including performance on prior federal or state assistance agreements awarded to that organization in the past three years.~~
- ~~c. Describe how the project is consistent with Prop. 1 funding requirements and the Conservancy’s mission and programmatic goals.~~
- ~~d. Describe the need for the project and how it contributes to statewide priorities (e.g., California Water Action Plan) or regional plans (e.g., Delta Plan; links to relevant plans can be found in the Grant Guidelines, Appendix B).~~
- ~~e. Provide a narrative describing plans or planning for the long-term management and sustainability of the project.~~
- ~~f. Indicate the degree to which the project has community and local government support, is consistent with similar efforts on nearby or surrounding lands and is a part of larger plans or identified partnerships. Also describe any known project opposition with an explanation of the nature of the concerns, and any efforts that have been taken to address the concerns. Discuss how the results of the project will be transferred to (other) state or local government agencies.~~

~~Describe the scientific basis of the proposed project and how best available science and adaptive management practices have been adopted and will be implemented. If this is not relevant for this project (e.g., a sustainable agriculture project), then describe how best industry practices have been incorporated and include a description of the use of any new or innovative technologies or practices. Discuss how the results of the project will be transferred to (other) state or local government agencies.~~

g. Describe how the California Conservation Corps (CCC) or local conservation corps certified by the CCC will be used. If it is not feasible to use a conservation corps, explain why. For more information regarding the use of the CCC, see [Appendix E](#).

### **3. 3. Detailed Budget and Narrative (4-page limit)**

a. **Budget Table**—Using the Budget Table Template (see Appendix C: Full Proposal Budget Template), identify all project costs for which Conservancy funds are being requested, and provide detail for each category identified in the detailed budget form by task. All information needed to determine the cost effectiveness of the project should be provided in this form. Include costs for task elements outlined in the Detailed Project Description. Performance measure reporting should be included as a task or task element. Applicants should also include cost share contributions toward project completion provided by others. Note that funding requests should not exceed limits noted in the Guidelines. Applicants must also identify cost share contributions if receiving funding for the project from a source other than the Conservancy. List the amount expected in the cost share column. Budget estimate details such as the status and source of other funding contributions or explanations of revenues should be included in the Budget Narrative.

—Note that funds requested for planning and monitoring should not exceed 20 percent of total project costs, excluding cost shares. Category 1 funds are intended to be used for planning activities but should not exceed 10 percent of total project costs.

b. **Budget Narrative**—Provide a description of the proposed cost for each of the budget categories in the Budget Table. Explain if and how partners will contribute to the cost share. This section provides an opportunity for a narrative description of the budget or aspects of the budget such as other costs and contracts. Describe itemized costs in sufficient detail for the Conservancy to determine whether or not these costs are reasonable and allowed.

c. **Cost Allocation Plan**—The plan should be tailored to fit the specific policies of each organization. If your organization's policies are different in any of the categories, please specifically identify the methodology used. Although there are different methodologies available for allocating costs, the methodology used should result in an equitable distribution of costs to programs. Recipients must have a system in place to equitably charge costs. A sample Cost Allocation Plan has been provided on the Conservancy's web site (to be included in final).

~~4. 4. Performance Measures (5-page limit)~~

~~Describe the goals, outcomes, performance measures, measurement tools and methods, and targets in a project performance measures table, using Appendix B as a guide. This will serve as the basis for the development of the Project Assessment and Evaluation Plan (to be developed when a project is funded). Performance measures must be project specific and consistent and related to performance measures identified in the Delta Plan and other relevant planning documents (See Appendix B of the Guidelines).~~

~~5. \_\_\_\_\_~~

**1. Authorization or Resolution to Apply (2-page limit)**

Applicants will be required to provide a copy of documentation authorizing them to submit an application for grant funding to the Conservancy. A project-specific governing board resolution is required for nonprofit organizations, tribes and local government agencies. 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 the language granting such authority and the date of delegation.

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 would not be required should the person currently holding the position change. In lieu of a resolution, state and federal 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.

~~Please note: The following items do not count toward the 22-page maximum.~~

~~2. 6.—Documents Required of Nonprofit Applicants (Does not count toward 22-page maximum.)~~

Nonprofit applicants are required to submit Articles of Incorporation, IRS letters, and signed Bylaws. If a nonprofit organization has submitted these documents to the Conservancy in prior funding cycles and its status has not changed, the applicant should notify Conservancy staff.

**Note:** If these documents are not already on file at the Conservancy, they must be submitted to the Conservancy if invited to submit a full proposal.

A nonprofit must meet eligibility requirements at the time of concept proposal submittal. Nonprofits incorporated outside of California must submit documentation from the California Secretary of State at the time of the application showing that they are permitted to do business in the State of California.

As required by statute, an eligible nonprofit organization is one that qualifies for exempt status under Section 501(c)(3) of Title 26 of the United States Code and has charitable purposes that are consistent with the purposes of the Conservancy.

**3. ~~7.—Documents Required of Public Utility (Does not count toward 22-page maximum.)~~**

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

**4. ~~8.—Documents Required of Native American Tribe (Does not count toward 22-page maximum.)~~**

Native American tribes must show proof of its inclusion on the National Heritage Commission's California Tribal List, or proof of federal recognition.

**5. ~~9.—Documents Required of Mutual Water Company (Does not count toward 22-page maximum.)~~**

Mutual water companies are required to 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 its urban water management plan in accordance with the Urban Water Management Planning Act (Part 2.6 (commencing with Section 10610) of Division 6).

Agricultural water suppliers must submit its 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 it complies with the requirements of Part 2.55 (commencing with Section 10608) of Division 6).

**6. ~~10.—Supplemental Documents (Does not count toward 22-page maximum.)~~**

*Changed language to only require a resolution from the county instead of "all applicable local government agencies." Added language regarding consultation with DPC and information required of acquisition project.*

**a. Partner and Community Letters of Support**

Provide letters of support for the project, including support and commitment letters from partners providing a cost share.

**b. Resolutions of Support from Applicable Local Government Agencies**

Provide resolutions of support for the project from ~~all applicable local~~the county/counties in which the project is located government agencies.

**c. Consultation with the Delta Protection Commission**

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

**d. Information Required for Acquisition Projects**

For projects that propose to acquire an interest in real property, the following 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.
- Copy of the Purchase Agreement or a Willing Seller Letter
- Appraisal or Estimation of Fair Market Value
- Preliminary Title Report
- Letter stating that applicant will directly pay DGS for review of appraisal and associated materials
- Map showing lands that will be acquired, including parcel lines and numbers.
- Analysis of mineral rights issues, if applicable.

Acquisition projects will be subject to a specific set of requirements that must be met prior to and immediately after closing escrow. For more information, please refer to the checklist provided in Appendix F.

e.

e.f. ~~Maps, Photos, and Site Plans~~

*Project Location Map*

~~If applicable, provide~~ a map identifying the project site. The map should provide sufficient detail to allow a person unfamiliar with the area to locate the project. Applicants are encouraged to provide a satellite image or aerial photograph as the background of the map, if available.

*Parcel Map with County Assessor's Parcel Number(s)*

~~For all acquisition projects (required), and asf~~ 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 project description narrative.

*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 for greatest usefulness.

Site Plan

If applicable, provide a drawing or depiction indicating scale, project orientation (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.

Comment [JL53]: Moved.

e.g. Land Tenure Documents

~~In order for the Conservancy to consider projects for funding~~For all projects, agreements must be in place allowing the applicant to access property to construct and maintain the proposed project. If appropriate, define what, if any, agreements are in place, or plans

Comment [JL54]: Depending on what we decide to ask of our current grantees, we may want to update this to be more detailed.

(including a timeline) to acquire those agreements. Please be aware that a grant agreement will not be executed without proof of land tenure.

**e.h. Leases or Agreements**

If appropriate, provide copies of all leases, agreements, memoranda of understanding, etc., not already addressed affecting project lands or the future operation and maintenance thereof.

**f.i. Regulatory Requirements/Permits**

Regulatory Requirements/Permits: Provide a list and descriptions of existing and additional required permits for the project. If not applicable, declare that permits are not applicable, and provide the reason(s) why.

~~The Conservancy must comply with the California Environmental Quality Act (CEQA) and, where applicable, the National Environmental Policy Act (NEPA) when it authorizes grants.~~

~~At the time of application, the applicant must identify who it believes is the lead agency for the project and how it intends to comply with CEQA. If another agency is the lead agency, the applicant shall provide, at a minimum: (1) a filed Notice of Exemption, or (2) an initial study with a description of how the applicant will comply with CEQA. The Conservancy cannot approve a Category 2 grant until the required CEQA analysis has been completed and the necessary findings made~~

~~At the time of application, the applicant must provide, at a minimum, either (1) a Notice of Exemption filed with the county clerk, or (2) an initial study with a description of how the applicant will comply with CEQA. The Conservancy cannot approve a Category 2 grant until the required CEQA documents have been completed and the necessary findings made. A Category 1 grant may be made in order for an applicant to complete the CEQA process in advance of a potential Category 2 application. Approval of a Category 1 grant, however, is not a guarantee of final project approval and the Conservancy retains full discretion to approve or reject an associated Category 2 application.~~

If NEPA is applicable to the proposed project, the applicant must complete the NEPA section of the CEQA/NEPA compliance form. Please check the box that describes the NEPA status of the project and complete the documentation component of the form. Applicants should also submit any permits, surveys, or reports that support the NEPA status.

Attach copies of adopted Environmental Impact Reports (EIR)—Public Review Draft and Final versions—Negative Declarations or Mitigated Negative Declarations and Initial Studies, or Notices of Exemption, if a public agency has acted to provide CEQA compliance.

If applicable, attach copies of all adopted and relevant NEPA environmental compliance documents, such as a Record of Decision/Draft and Final Environmental Impact Statement, Finding of No Significant Impact/Environmental Assessment, or a Decision Notice/Categorical Exclusion. Applicants should ensure that all environmental documents are current enough to describe the current environmental conditions.

**~~g.g. Site Plan~~**

~~If applicable, provide a drawing or depiction indicating scale, project orientation (north-south), what work the grantee will accomplish, where the work will be done and the~~

**Comment [JL55]:** Deleted portions have been moved to section at beginning of doc

**Comment [156]:** This would not apply if the Conservancy is the lead agency.

~~approximate square footage of any improvements that are part of the grant scope. The plan should also indicate access points to the site.~~

Comment [JL57]: Moved above

## ~~A. Grant Categories~~

Comment [JL58]: Moved to Eligibility Requirements section at the beginning of the document.

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

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

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

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

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

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

## ~~A. B. Proposal Review and Selection Process~~

Comment [JL59]: Moved to beginning of Proposal Solicitation section

~~The following steps will be followed during a grant cycle:~~

- ~~● The Conservancy held a proposal submission workshop on August 12, 2015. Questions received at the proposal submission workshop, or subsequently over the phone or via email, and staff's response have been posted on the Conservancy's Prop. 1 Grant Program web page to assist others with similar questions.~~
- ~~● If potential applicants have questions that are not answered on the Conservancy's Grant Program web page or via the proposal submission workshop, potential applicants are encouraged to contact Conservancy grant staff before submitting a proposal. Once a proposal has been submitted, Conservancy staff will only be able to provide status updates.~~
- ~~● Potential applicant submits a concept proposal (See Grant Application Packet). Only proposals submitted prior to the submission deadline will be considered.~~

- The concept proposals will be reviewed for administrative and technical purposes as outlined in the concept proposal evaluation criteria. If the concept proposal is complete, meets all concept proposal requirements, and scores a minimum of 85 points, a full proposal will be requested.
- Please note that a project's full proposal documents will not be accepted unless a completed concept proposal has been submitted for review, scored, and the Conservancy requests a full proposal. Only full proposals submitted prior to the deadline identified in the grant application packet will be considered.
- The full proposals will be reviewed and scored by the Conservancy grant team according to the proposal evaluation criteria below. Conservancy staff will conduct a project site visit with each eligible applicant.
- The full proposals will also be reviewed by an independent professional review panel made up of state and federal agency technical experts. The professional review panel will provide an additional independent review of staff's evaluation and scoring.
- Following professional review, the staff team will assign final scores to each application.
- The final score will be posted on the Conservancy's website for final board approval at a public meeting. The Board will be provided with a list of all applications received, their final scores, and the staff recommendation for projects to be funded. The Board action will involve ratification of the projects' scores and action on staff's funding recommendation. Applicants and members of the public will have the opportunity to appear before the Board at this time.
- A score of 85 points during either the concept or full proposal stages does not guarantee that a grant award will be made. When eligible projects (those receiving at least 85 points) exceed the amount of funds available in the funding cycle, funding recommendations and decisions will be based upon the scores received, as well as the diversity of the types of projects and their locations, which together will create the maximum ecosystem benefit within the Delta as a whole.
- If a project scores 85 points or higher during either the concept or full proposal stages but cannot demonstrate strong local support or a lack of significant conflict from local interests, the Conservancy reserves the right not to fund the project until the conflict is satisfactorily resolved.
- Full proposals will be made available upon request.
- If a grant proposal is approved, Conservancy staff will work with the applicant to complete a grant agreement that outlines reporting requirements, specific performance measures, invoice protocol, and grant funding disbursement.

### C. Evaluation Criteria for Concept Proposal

Concept proposals will be evaluated by Conservancy staff using the concept proposal criteria listed below. If a project scores a minimum of 85 points (out of 100), the applicant will be

Comment [JL60]: Moved above

notified to submit a full proposal. The number in parentheses reflects the maximum number of points allocated to each criterion.

#### Project Description and Organizational Capacity

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

Comment [JL61]: What is the applicant proposing to do?

#### State Priorities/Project Benefits

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

Comment [JL62]: What is the applicant planning to achieve?

#### Readiness

5. The design and readiness of the project:

3. ~~a. If a Category 1 project, this means an understanding of how the planning activities relate to the entire project, the permits and plans needed, and data gaps (15);~~
4. ~~b. If a Category 2 project, this means the completeness of the design and the readiness of the project to begin (15).~~

#### Local Support

1. ~~The degree to which potentially affected parties, including local government and the Delta Protection Commission, have been informed and consulted, good neighbor policies have been adopted and will inform the implementation of the project, and the Agricultural Land Stewardship Strategies (see link in Appendix B) have been applied (7).~~
12. ~~The degree to which the project has local support, is consistent with similar efforts on nearby or surrounding lands, and is part of larger plans or identified partnerships. Full points will be provided only if letters of support from applicable local government entities are included (5).~~

#### Scientific Merit and Performance Measures

The extent to which the scientific basis of the proposed project is clearly described and the degree to which best available science and adaptive management practices have been adopted and will be

implemented. If scientific basis and adaptive management are not relevant for this project (e.g., a sustainable agriculture project), the extent to which best industry practices are used (10).

~~The extent to which the applicant demonstrates the project objectives including outcomes and outputs (10). The extent to which climate change considerations were taken into account. If an agricultural sustainability project, the extent to which the impacts of climate change are vetted and deemed relevant or applicable to the project (10).~~

#### Funding: Cost Share and Leveraging

4.—

6.—The degree to which the project develops a cost share with private, federal, or local funding to maximize benefits and outcomes. For every 10 percent of cost share, a project will score one point for this evaluation criterion, to a maximum of 5 points (1-5).

7.—The degree to which the project leverages other state funds (3).

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

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

#### Project Description and Organizational Capacity

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

#### State Priorities/Project Benefits

2.—How well does the project demonstrate consistency with Prop. 1 and state priorities, including implementation of the California Water Action Plan, the Conservancy's enabling legislation and Strategic Plan, the Delta Plan, and applicable recovery plans. Projects should demonstrate consistency with regional plans to show the multibenefit outcome of the project (see Appendix B of the Grant Guidelines for a list of relevant plans), and with Delta Plan policies (15).

3.—How well does the applicant explain plans for long-term management and sustainability beyond the term of the grant proposal, and if a Category 2 Restoration and Enhancement or Water Quality project, (a) third party monitoring and verification of the

Comment [JL63]: Moved above

Comment [JL64]: Redundant with readiness criteria, below.

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pre-project conditions, post-project habitat conditions, and the maintenance of habitat beyond the terms of the project; and (b) an adaptive management plan as required and defined in the Delta Plan regulations that considers threats to habitat including climate change (5).

~~4. The extent which climate change considerations were taken into account. If an agricultural sustainability project, the extent to which the impacts of climate change are vetted and deemed relevant or applicable to the project (5).~~

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#### Readiness

How well does the applicant provide a (a) detailed project plan or implementation schedule; and (b) budget with reasonable costs and clear identification of grant funds and cost share contributions (15).

#### Local support

~~6. The degree to which the project has local support, is consistent with similar efforts on nearby or surrounding lands and is part of larger plans or identified partnerships. Full points will be provided only if resolutions of support from applicable local government entities are included (7).~~

~~7.~~

~~8. How well does the applicant demonstrate appropriate and necessary partnerships to help implement the project (5).~~

~~9.~~

~~8. How well does the project avoid, reduce, or mitigate conflicts with existing and adjacent land uses, incorporate voluntary landowner participation that allows working agricultural landscapes to remain in production while also producing high quality habitat for species, and apply the Agricultural Land Stewardship Strategies, if applicable (see link in Appendix B) (5).~~

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#### Funding: Cost Share and Leveraging

9. The degree to which the project develops a cost share with private, federal, or local funding to maximize benefits and outcomes. For every 10 percent of cost share, a project will score one point for this evaluation criterion, to a maximum of 5 points (1-5).

10. The degree to which the project leverages other state funds (3).

#### Scientific Merit and Performance Measures

~~11. How well does the project demonstrate a plan for achieving expected project outputs and objectives, including a plan for measuring, monitoring, tracking, and reporting progress toward achieving these results. Projects should demonstrate the plan and approach for reporting project results or methods to state or local government agencies within and beyond their own organization (10).~~

12. The extent to which the scientific basis of the proposed project is clearly described and the degree to which best available science and adaptive management practices have

been adopted and will be implemented. If scientific basis and adaptive management are not relevant for this project (e.g., a sustainable agriculture project), the extent to which best industry practices are used (10).

How well does the project demonstrate a plan for achieving expected project outputs and objectives, including a plan for measuring, monitoring, tracking, and reporting progress toward achieving these results. Projects should demonstrate the plan and approach for reporting project results or methods to state or local government agencies within and beyond their own organization (10).

How well does the project employ new or innovative technology or practices, including decision support tools. If an agricultural sustainability proposal, how well does the project vet the relevancy and applicability of new or innovative technology or practices (5). The extent which climate change considerations were taken into account. If an agricultural sustainability project, the extent to which the impacts of climate change are vetted and deemed relevant or applicable to the project (5).

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

Comment [JL65]: Moved above

The Conservancy will provide points to proposals with a federal, local, or private cost share component (other state funds may not count toward the cost share). Cost sharing is the portion of the project not borne by the Conservancy grant monies. Cost sharing encourages collaboration and cooperation beyond in-kind and written support. Applicants are encouraged to develop a cost share program to support their project. Projects with a cost share component—depending on the degree of the cost share—could be ranked higher. Only cost share commitments made explicitly for the project may count toward the cost percentage for grant proposal and ranking purposes. Applicants stating that they have a cost share component must have commitment letters from cost share partners at the time the full proposal is submitted and include letters of commitment as part of the proposal requirements.

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

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

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

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

Comment [JL66]: Moved above

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

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

~~The Conservancy will work with the grantee to make all reasonable efforts to address concerns raised by local governments. The individual Conservancy Board members representing each of the five Delta counties will also be notified at this time and may wish to communicate with the affected entities as well.~~

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

## Appendices

### Appendix A: Glossary of Terms

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

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

Comment [JL67]: Moved below; renamed “indirect costs”

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

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

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

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

Conservancy - See Sacramento-San Joaquin Delta Conservancy.

Cost Share - The portion of the project ~~not~~ borne by private, federal, or locals funds that will supplement the Conservancy’s Prop. 1 funding.

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

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

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

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

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

Administrative Indirect Costs – ~~Administrative Indirect costs include any expense which does not relate directly to project implementation. Indirect costs 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).~~

~~Similar to the traditional definition of “overhead” and “indirect,” administrative costs include such items as rent, utilities, per diem, office equipment and supplies, and services such as internet and phone, etc.~~

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

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

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

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 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 goals and desired outcomes.

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

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

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

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

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

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

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

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

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

Statutory Delta – As defined in Water Code Section 12220. The legal definition can be found at <http://www.leginfo.ca.gov/cgi-bin/displaycode?section=wat&group=12001-13000&file=12220>. A map of the statutory Delta can be found at <http://mavensnotebook.com/the-bdcp-road-map/environmental-impacts-of-alternative-4/bdcp-eir-ch-13-fig-13-1-statutory-delta/>.

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

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

### Plans

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

California Water Action

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

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

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

2012 Strategic Plan. Sacramento-San Joaquin Delta Conservancy

(2012): [http://www.deltaconservancy.ca.gov/sites/default/files/docs/Delta\\_Conservancy\\_Strategic\\_Plan\\_Designed\\_20June2012.pdf](http://www.deltaconservancy.ca.gov/sites/default/files/docs/Delta_Conservancy_Strategic_Plan_Designed_20June2012.pdf)

Department of Water Resources Agricultural Land Stewardship

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

Central Valley Flood Protection

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

Land Use and Resource Management Plan. Delta Protection

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

2006 Implementation Plan. Central Valley Joint Venture

(2006): <http://www.centralvalleyjointventure.org/science>

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

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

(2012): [http://www.delta.ca.gov/res/docs/ESP/ESP\\_P2\\_FINAL.pdf](http://www.delta.ca.gov/res/docs/ESP/ESP_P2_FINAL.pdf)

Recreation Proposal for the Sacramento-San Joaquin Delta and Suisun Marsh. California State Parks

(2011): [http://www.parks.ca.gov/pages/795/files/delta%20rec%20proposal\\_08\\_02\\_11.pdf](http://www.parks.ca.gov/pages/795/files/delta%20rec%20proposal_08_02_11.pdf)

Suisun Marsh Habitat Management, Preservation, and Restoration Plan. Bureau of Reclamation

(2013): [http://www.usbr.gov/mp/nepa/nepa\\_projdetails.cfm?Project\\_ID=781](http://www.usbr.gov/mp/nepa/nepa_projdetails.cfm?Project_ID=781)

Yolo County Agricultural Economic Development Fund. Consero Solutions

(2014): <http://www.yolocounty.org/home/showdocument?id=26874>

National Oceanic and Atmospheric Administration's Recovery

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

## Tools

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

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

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

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

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

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

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



## Concept Proposal Budget Template

Include costs for grant management and reporting, monitoring, and performance measure tracking. All costs should be explained in the proposal.

Budget Category	Total Cost	
	Conservancy	Cost Share (Please note source, and indicate cash or in-kind)
Personnel*		
Travel		
Supplies		
Equipment		
Contractual		
Other (describe)		
Indirect**		
Other		
<b>TOTAL</b>		

\*Personnel rates may only include salary and wages, fringe benefits, and payroll taxes.

\*\* Eligible indirect costs must be directly related to the project and may not exceed 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 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 expenses may not be added into the hourly rate for personnel billing directly to the grant.

**NOTE: Category 1, planning proposals, may use 100 percent of awarded funds for planning activities, however, these planning funds must relate to a future Category 2 and may not exceed 10 percent of the total project funds (Category 1 and Category 2 combined) requested from the Conservancy.**

**NOTE: Category 1, planning proposals, may use 100 percent of awarded funds for planning activities, however, these funds would apply to a future Category 2 proposal for the same project and may not**

exceed 10 percent of the total project funds (Category 1 and Category 2 combined) requested from the Conservancy.

## Appendix D: Performance Measures

Describe project goals, outputs and outcomes that lead to environmental results

Comment [JL68]: DRAFT. Further explanation required.

Goals	Outputs	Scheduled Completion Dates	Outcomes	Metrics

## Appendix E: California Conservation Corps Guidelines

### California Conservation Corps and Certified Community Conservation Corps

#### Proposition 1 - Water Bond Guidelines – Chapter 6

#### Corps Consultation Process

June 2015

This process has been developed to ensure compliance with Division 26.7 of the Water Code, Chapter 6, Section 79734 that specifies the involvement of the CCC and the certified community conservation corps (as represented by the California Association of Local Conservation Corps-CALCC).

Section 79734 states “For restoration and ecosystem protection projects funded pursuant to this chapter, the services of the California Conservation Corps or a local conservation corps certified by the California Conservation Corps ***shall be used whenever feasible.***”

Applicants for funds to complete restoration and ecosystem protection projects ***shall*** consult with representatives of the California Conservation Corps (CCC) AND the California Association of Local Conservation Corps (CALCC), the entity representing the certified community conservation corps, to determine the feasibility of the Corps participation. Unless otherwise exempted (see notes below), applicants that fail to engage in such consultation should not be eligible to receive Chapter 6 funds. CCC and CALCC have developed the following consultation process for inclusion in Prop 1 – Chapter 6 project and/or grant program guidelines:

- Step 1: Prior to submittal of an application or project plan to the Funder, Applicant prepares the following information for submission to both the California Conservation Corps (CCC) and CALCC (who represents the certified community conservation corps):
- Project Title
  - Project Description (identifying key project activities and deliverables)
  - Project Map (showing project location)
  - Project Implementation estimated start and end dates

- Step 2: Applicant submits the forgoing information via email concurrently to the CCC and CALCC representatives:

California Conservation Corps representative:

Name: CCC Prop 1 Coordinator      Email: [Prop1@ccc.ca.gov](mailto:Prop1@ccc.ca.gov)  
Phone: (916) 341-3100

California Association of Local Conservation Corps representative:

Name: Crystal Muhlenkamp      Email:  
[inquiry@prop1communitycorps.org](mailto:inquiry@prop1communitycorps.org)  
Phone: 916-426-9170 ext. 0

- Step 3: Within five 5 business days of receiving the project information, the CCC and CALCC representatives will review the submitted information, contact the applicant if necessary, and respond to the applicant with a Corps Consultation Review Document (template attached) informing them:

- (1) It is NOT feasible for CCC and/or certified community conservation corps services to be used on the project; or

- (2) It is feasible for the CCC and/or certified community conservation corps services to be used on the project and identifying the aspects of the project that can be accomplished with Corps services.

Note: While the Corps will take up to five days to review projects, applicants are encouraged to contact the CCC/CALCC representatives to discuss feasibility early in the project development process.

The Corps cannot guarantee a compliant review process for applicants who submit project information fewer than five business days before a deadline.

Step 4: Applicant submits application to Funder that includes Corps Consultation Review Document.

Step 5: Funder reviews applications. Applications that do not include documentation demonstrating that the Corps has been consulted will be deemed “noncompliant” and will not be considered for funding.

**NOTES:**

1. The Corps already have determined that it is not feasible to use their services on restoration and ecosystem protection projects that solely involve either planning or acquisition. Therefore, applicants seeking funds for such projects are exempt from the consultation requirement and should check the appropriate box on the Consultation Review Document.
2. An applicant that has been awarded funds to undertake a project where it has been determined that Corps services can be used must thereafter work with either the CCC or CALCC to develop a scope of work and enter into a contract with the appropriate Corps. Unless otherwise excused, failure to utilize a Corps on such a project will result in Funding Entities assessing a scoring penalty on the applicant’s future applications for Chapter 6 Funds.

**California Conservation Corps and Certified Community Conservation Corps  
Proposition 1 - Water Bond  
Corps Consultation Review Document  
June 2015**

Unless an exempted project, this Corps Consultation Review Document must be completed by California Conservation Corps and Community Conservation Corps staff and accompany applications for projects or grants seeking funds through Proposition 1, Chapter 6, Protecting Rivers, Lakes, Streams, Coastal Waters and Watersheds. Non-exempt applications that do not include this document demonstrating that the Corps has been consulted will be deemed “noncompliant” and will not be considered for funding.

1. Name of Applicant: \_\_\_\_\_ Project Title: \_\_\_\_\_

Department/Conservancy to which you are applying for funding: \_\_\_\_\_

**To be completed by Applicant:**

Is this application solely for planning or acquisition?

- Yes (application is exempt from the requirement to consult with the Corps)
- No (proceed to #2)

**To be completed by Corps:**

This Consultation Review Document is being prepared by:

- The California Conservation Corps (CCC)
- California Association of Local Conservation Corps (CALCC)

2. Applicant has submitted the required information by email to the California Conservation Corps (CCC) and California Association of Local Conservation Corps (CALCC):

- Yes (applicant has submitted all necessary information to CCC and CALCC)
- No (applicant has not submitted all information or did not submit information to both Corps – application is deemed non-compliant)

3. After consulting with the project applicant, the CCC and CALCC has determined the following:

- It is NOT feasible for CCC and/or certified community conservation corps services to be used on the project (deemed compliant)
- It is feasible for the CCC and/or certified community conservation corps services to be used on the project and the following aspects of the project can be accomplished with Corps services (deemed compliant).

\_\_\_\_\_  
\_\_\_\_\_

CCC AND CALCC REPRESENTATIVES WILL RETURN THIS FORM AS DOCUMENTATION OF CONSULTATION BY EMAIL TO APPLICANT WITHIN FIVE BUSINESS OF RECEIPT AS VERIFICATION OF CONSULTATION. APPLICANT WILL INCLUDE COPY OF THIS DOCUMENT AS PART OF THE PROJECT APPLICATION.

## Appendix F: Land Acquisition Checklist

### Delta Conservancy Proposition 1 Grant Program Checklist for Conservation Easement or Fee Title Proposals

Project  
No: \_\_\_\_\_

Project  
Name: \_\_\_\_\_

#### 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 the Purchase Agreement or a Willing Seller Letter
- Appraisal or Estimation of Fair Market Value
- Preliminary Title Report
- Letter stating that applicant will directly pay DGS for review of appraisal and associated materials
- Map of plotted easements or fee title
- Underlying documents to title exceptions, upon request
- Analysis of mineral rights issues, if applicable

#### II. Staff Review and Evaluation:

- Staff will review and evaluate all submitted information and work with Legal Counsel to determine if these supporting documents are adequate and consistent with the requirements of the grant funds  
*POLICIES GOVERNING GRANT AGREEMENT FOR CONSERVATION EASEMENT OR FEE TITLE*

#### III. Board Approval:

##### Staff recommendations for Board Approval include the following:

- A copy of the table including: parcel numbers, acreage, willing seller name and address, breakdown of how the funds will be budgeted, and an acquisition schedule
- A copy of the Purchase Agreement or a Willing Seller Letter
- A copy of the Appraisal or Estimation of Fair Market Value
- A copy of the Preliminary Title Report
- A copy of the map of plotted easements or fee title
- A copy of underlying documents to title exceptions, if requested

A copy of the analysis of mineral rights issues, if applicable

**IV. Before Execution of Agreement:**

Applicant submits the appraisal to the Conservancy for DGS review and approval

[DGS APPRAISAL GUIDELINES](#)

Staff reviews State Lands Commission holdings, if applicable

Applicant submits draft grant deed or conservation easement

Applicant provides any updates to PTR

Applicant's board provides a resolution for Grant Authority certifying that:

- Signatory has authority
- Acceptance of grant
- Acceptance of property interest

*SAMPLE RESOLUTION DOCUMENT*

Staff reviews mineral rights, if applicable

Applicant submits Phase 1 Environmental Site Assessment for review/approval by DC PL

Applicant submits stewardship plan

Applicant submits escrow instructions for review/approval by DC PL

Applicant submits an original, certified copy of the fully executed grant deed or conservation easement certified by the escrow officer holding the document

Applicant submits Disbursement Request with an original signature of Grantee's authorized signatory

*SAMPLE DISBURSEMENT REQUEST DOCUMENT*

Board approved the project (Date: \_\_\_\_\_)

Grant Agreement must be fully executed by Grantee & DC Executive Officer

**V. Conservation Easement Grant or Fee Title - Closing Escrow (*Before final invoice is paid*):**

**DC PL must review/approve:**

Baseline report

*MINIMUM REQUIREMENTS FOR BASELINE REPORTS*

Monitoring protocol

*MINIMUM REQUIREMENTS FOR MONITORING PROTOCOLS*

**CLOSING THE PROJECT. After COE, applicant submit the following to DC PL (*Before grant is***

**VI. *closed*):**

A copy of the recorded deed

A copy of the recorded NUGA (*original to follow via County Recorder*)

A copy of the title insurance policy

Escrow closing statement



Clean Version



SACRAMENTO - SAN JOAQUIN

**DELTA CONSERVANCY**

*A California State Agency*

## GRANT GUIDELINES

Fiscal Year 2016-17

**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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## Introduction

### A. Background

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

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

In Prop. 1, \$50 million is identified for the Conservancy "for competitive grants for multibenefit ecosystem and watershed protection and restoration projects in accordance with statewide priorities (Sec. 79730 and 79731)." Per Prop. 1 and the Conservancy's enabling legislation, emphasis will be placed on projects using public lands and private lands purchased with public funds and that "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). Furthermore, all proposed projects must be consistent with statewide priorities as identified in Prop. 1, the California Water Action Plan, the Conservancy's enabling legislation, the Delta Plan, the Conservancy's Strategic Plan, as well as applicable recovery plans. Links to Prop. 1 and the other plans and documents can be found in Appendix B.

### B. Purpose of Grant Guidelines

*This section has been updated to reflect that we now have one guiding document for the Grant Program, and to make the text relevant for this year's solicitation.*

The Grant Guidelines (Guidelines) establish the process and criteria that the Conservancy will use to administer competitive grants for multibenefit ecosystem restoration and water quality projects. These Guidelines include the required information and documentation for Prop. 1 grants, and provide instructions for completing the required concept proposal and full proposal for the Conservancy's grant program. Prior to their initial adoption, the Guidelines were posted on the Conservancy's web site for 30 days and vetted via three public meetings (Sec. 79706(b)). This revised version of the Guidelines has also been posted on the Conservancy's web site for 30 days prior to approval, and was vetted at a public meeting.

## Eligibility Requirements

### A. Grant Categories

*This section was moved from another section later in the Grant Guidelines. It has been moved up so that applicants know what we're talking about when we refer to Category 1 and Category 2 proposals in the subsection immediately following.*

The Conservancy will release funds for two grant categories. Category 1 proposals are limited to pre-project activities (e.g., planning, permits, etc.) that are necessary for a specific future on-the-ground project that meets the Conservancy Prop. 1 Grant Program criteria. Category 2 proposals are on-the-ground implementation and land acquisition projects. Please note that the awarding of a Category 1 grant for a project does not guarantee that a Category 2 grant will be awarded for the same project.

#### Category 1

Proposals are limited to pre-project activities necessary for a specific future on-the-ground project. A Category 1 proposal must meet all of the requirements for Category 2 proposals if it were to make it to the Category 2 stage. Examples of Category 1 activities include:

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

#### Category 2

Proposals include on-the-ground, implementation projects and land acquisition projects. Category 2 projects are subject to the State General Obligation Bond Law which requires that capital outlay projects be maintained for a minimum of 15 years (section 16727(a)).

Examples of Category 2 activities include:

- Habitat enhancement, restoration, and protection
- Pollution runoff reduction
- Working landscape enhancements

### B. Funding Available

*The dollar amounts in this section have been updated: \$10m total pot of funding, \$200,000 cap for planning projects, and \$3m cap for implementation projects. Added language that explains the cap on planning funds, and the Conservancy's discretion to modify budget requests or to partially fund projects if oversubscribed, and to reserve funds.*

In Prop. 1, \$50 million is identified for the Conservancy "for competitive grants for multibenefit ecosystem and watershed protection and restoration projects in accordance with statewide priorities (Sec. 79730 and 79731)." In the 2015-2016 grant cycle, the Conservancy awarded approximately six million dollars. The Conservancy will award up to \$10 million during the 2016-2017 grant cycle.

Grants will be awarded for Category 1 (necessary activities that will lead to on-the-ground projects, e.g., planning, permits, etc.) and Category 2 proposals (on-the-ground projects) to eligible entities subject to approval by the Conservancy pursuant to these Guidelines. A maximum of \$450,000 is available during each funding cycle for Category 1 proposals. Category 1 proposals may range from \$20,000 to \$200,000. A minimum of \$9,550,000 is available during each funding cycle for Category 2 proposals. Category 2 proposals may range from \$25,000 to \$3,000,000.

Category 1 planning proposals may use 100 percent of awarded funds for planning activities, however, these planning funds must relate to a future Category 2 and may not exceed 10 percent of the total project funds (Category 1 and Category 2 combined) requested from the Conservancy.

Funding recommendations and decisions will be based upon the scores received, the reasonableness of the costs, as well as the diversity of the types of projects and their locations, which together will create the maximum ecosystem benefit within the Delta as a whole. When eligible projects (those receiving at least 75 points) exceed the amount of funds available in the funding cycle, the Conservancy may choose not to fund some of the eligible projects or to award partial funding. The Board may, within its discretion, approve a conditional award of funds or a reservation of funds to accommodate pending compliance actions (e.g., CEQA).

### C. Geographic Area of Focus

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

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

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

### D. Eligible Projects

*Added language that references the 15-year minimum project "useful life" requirement that is found in the State General Obligation Bond Law.*

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

- Restoration and Enhancement. Examples include:

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

This list is offered as guidance for potential applicants and is not exhaustive nor a guarantee of individual project eligibility or funding. Eligibility and funding determinations will be made on a project-by-project basis during the application review process. Projects must comply with all legal requirements, including the State General Obligation Bond Law in order to be deemed eligible. 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.

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

## E. Ineligible Projects

*Added the first bullet to reflect the need to comply with the State General Obligation Bond Law.*

Examples of ineligible projects and costs include:

- Any implementation project 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.

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

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

## F. Eligible Applicants

Eligible grant applicants include public agencies, nonprofit organizations, public utilities, federally recognized Tribes, state Tribes listed on the Native American Heritage Commission’s California Tribal Consultation List, and mutual water companies that will have an eligible proposal or project that provides a public benefit in the Delta (Public Resources Code Section 75004) and that will satisfy all the grant requirements. Specifically, eligible applicants are:

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

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

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

If you have a contract with the Conservancy and are contemplating applying for a grant, please consult with Conservancy staff to determine eligibility. For more information, refer to the Conflict of Interest section.

## G. Eligible Costs

*At the recommendation of DOF audit staff, modified this section to use the term “indirect” instead of “administrative,” and included a draft definition for our indirect rate. Indirect rate has been increased to 20%, in line with other Chapter 6 grantors (CDFW – 20%; SNC – 15%; WCB – 20%).*

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

Eligible indirect costs must be directly related to the project and may be 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 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 expenses may not be added into the hourly rate for personnel billing directly to the grant. Personnel rates may only include salary and wages, fringe benefits, and payroll taxes.

## H. Ineligible Costs

Grant funding may not be used to establish or increase a legal defense fund or endowment, make a monetary donation to other organizations, pay for food or refreshments, pay for tours, or for eminent domain processes. No part of the Conservancy’s grant funding may be used to subsidize or decrease the mitigation obligations of any party.

If ineligible costs are included in the project budget, it could result in the project being deemed ineligible. In some cases, the project may be approved for funding with the total amount of the

award reduced by the amount of the ineligible costs. In that event, the Conservancy will contact the applicant to confirm that the project is still viable. Applicants should avoid including ineligible costs in the application and should contact Conservancy staff with questions.

## General Program Requirements

### A. Conflict of Interest

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

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

### B. Confidentiality

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

### C. California Conservation Corps

*To give the subject matter more prominence, this section was created using text from elsewhere Guidelines and from CDFW's solicitation.*

For Category 2 implementation projects, applicants shall consult with representatives of the California Conservation Corps (CCC) and CALCC (the entity representing the certified community conservation corps) (collectively, "the Corps") to determine the feasibility of using their services as defined in section 14507.5 of the Public Resources Code to implement projects (CWC §79734). See Appendix E for guidance and requirements necessary to ensure compliance with this provision. Applicants that fail to engage in consultation with the CCC and a certified local conservation corps will not be eligible to receive the Conservancy's Proposition 1 funding.

### D. 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>.

## **E. Environmental Compliance**

*This section merges the text from the FY15-16 Grant Guidelines and Grant Application Packet. Added language that explains the Conservancy's discretion to reserve funds.*

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. Proposals 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, approve a conditional award of funds or a reservation of funds to accommodate pending compliance actions (e.g., CEQA). A Category 1 grant may be made in order for an applicant to complete the CEQA process in advance of a potential Category 2 application. Approval of a Category 1 grant, however, is not a guarantee of final project approval and the Conservancy retains full discretion to approve or reject an associated Category 2 application.

For grant proposals 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. In such instances, the proposal shall include a description of the approach through which consistency will be achieved, and may include in their budgets the funding necessary to complete related tasks.

## **F. Water Law**

Funded grants that address stream flows and water use shall comply with the CWC, as well as any applicable state or federal laws or regulations. Any proposal that would require a change to water rights, including, but not limited to, bypass flows, point of diversion, location of use, purpose of use, or off-stream storage shall demonstrate an understanding of the State Water Resources Control Board (SWRCB) processes, timelines, and costs necessary for project approvals by SWRCB and the ability to meet those timelines within the term of a grant. In addition, any proposal that involves modification of water rights for an adjudicated stream shall identify the required legal process for the change as well as associated legal costs. Prior to its completion, any water right acquisition must be supported by a water rights appraisal approved by the Department of General Services Real Property Services Section.

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

## G. Signage

*To give the subject matter more prominence, this section was created using text from elsewhere Guidelines and from CDFW's solicitation.*

Grantees will include signage, to the extent practicable, informing 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]).

## H. Performance Measures

*Moved this section up in the document to reflect that this is what's being monitored in the following section. Added definitions to clarify terms. Clarified expectations of Category 1 applicants and Category 2 applicants.*

Performance measures must be designed so the Conservancy can ensure that projects meet their intended goals, achieve measurable outcomes, and provide value to the State of California. The Conservancy requires that all grant funded projects monitor and report project performance with respect to the stated benefits or objectives identified in the grant proposal. For the purposes of this grant program, goals are broad statements of purpose and intention; objectives are a specific action that supports the attainment of the associated goal.

Applicants are required to prepare and submit a Performance Measures Table, specific to their proposed project, as part of the full proposal. The Performance Measures Table requires applicants to align their project goals with measurable outcomes and outputs. For the purposes of this grant program, project outcomes are defined as:

*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 goals, in that if the outcomes are achieved then the project's goal(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?'*

Project outputs are defined as:

*Products/deliverables expected to be achieved through the completion of the proposed project to meet the identified outcomes. Project outputs are the things that will be produced as a result of working toward your goal.*

Applicants must develop performance measures with clearly articulated metrics to which they will be held accountable. Appendix D includes a sample Performance Measures Table. For Category 2 projects, the Monitoring and Assessment Plan, described in the following section, will explain how the applicant will measure environmental performance for the duration of the grant.

The goals of the Performance Measures Table are to:

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

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

## **I. Performance Monitoring and Assessment**

*Clarified expectations of Category 1 applicants and Category 2 applicants. Rearranged text so that data collection and management is discussed in one place.*

All proposals must include a plan to measure, track, and report on project performance (compliance and effectiveness) that is consistent with the project's objectives and performance measures. All grantees will be required to provide periodic progress reports and a final report that track their progress toward meeting performance measures. All Category 2 implementation grant proposals must include a monitoring and assessment plan that explains how the effectiveness of the project will be measured and reported. The monitoring and assessment plan will vary depending on the scope and nature of the project. A key attribute will be the inclusion of project-specific performance measures that will be used to assess progress toward achieving the project's stated objectives.

Monitoring and assessment plans should incorporate standardized approaches, where applicable, into their monitoring plans and evaluate opportunities to coordinate with existing monitoring efforts (e.g., California Coastal Monitoring Program, Surface Water Ambient Monitoring Program (SWAMP; website provided in Appendix B)) or produce information that can readily be integrated into such efforts.

The monitoring plan should include the following elements:

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

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

#### Data Collection and Management

Each proposal must describe how data and other information generated by the project will be collected, handled, stored, and shared. Projects must include data collection and management activities that support incorporation of project data into statewide data systems, where applicable. Environmental data and information collected under these grant programs must be made visible, accessible, and independently understandable to general users in a timely manner, except where limited by law, regulation, policy, or security requirements.

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

#### Water Quality Data

If applicable, applicants should incorporate standardized approaches, such as those outlined by the Surface Water Ambient Monitoring Program (SWAMP), for data collection. If the project includes water quality monitoring data collection, it shall be collected and reported to the California Environmental Data Exchange Network [CEDEN] for surface water data (CWC §79704). The grantee shall be responsible for uploading the data and providing a receipt of successful data submission, generated by CEDEN, to the grant manager prior to submitting a final invoice. Guidance for submitting data, including minimum data elements, data formats, and contact information for the Regional Data Centers, is available on the CEDEN website. For more information, please see the CEDEN website (Appendix B).

#### Wetland and Riparian Restoration Data

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

### Reporting

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

## **J. Land Acquisitions**

*New section created to provide guidance for acquisition projects.*

The Conservancy may recommend awards up to \$3,000,000 for a land acquisition project. Acquisition costs may include personnel time, due diligence costs, closing costs, and the purchase of real property. The Conservancy will not pay for the Department of General Services (DGS) to review and approve the required appraisal; the grantee must pay DGS directly for this expense.

- Property must be acquired from a willing seller and in compliance with current laws governing relocation and acquisition of real property by public agencies<sup>1</sup> in an amount not to exceed Fair Market Value, as approved by the State.
- If a signed purchase 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

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<sup>1</sup> Government Code, Chapter 16, Section 7260 et seq.,

is imperative the Applicant demonstrate the seller is negotiating in good faith, and that discussions have proceeded to a point of confidence.

- The Department of General Services (DGS) must review and approve all appraisals of real property. Applicant must budget \$10,000 for the appraisal and/or transaction review, which is not an eligible project cost and must be covered by match funds.

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

1. The intended use of the property.
2. The manner in which the land will be managed.
3. 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.
4. Grantees shall demonstrate, where applicable, how they will provide payments in lieu of taxes, assessments, or charges otherwise due to local government.

For projects that propose to acquire an interest in real property, the following 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.
- Copy of the Purchase Agreement or a Willing Seller Letter
- Appraisal or Estimation of Fair Market Value
- Preliminary Title Report
- Letter stating that applicant will directly pay DGS for review of appraisal and associated materials
- Map showing lands that will be acquired, including parcel lines and numbers.
- Analysis of mineral rights issues, if applicable.

Acquisition projects will be subject to a specific set of requirements that must be met prior to and immediately after closing escrow. For more information, please refer to the checklist provided in Appendix F.

## **K. Grant Provisions**

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

- Actual awards are conditional upon funds being available from the State.
- Grant eligible costs may be incurred by the grantee only after the grantee has entered into a fully executed agreement with the Conservancy; only these costs will be eligible for reimbursement.
- Grant eligible costs will only be paid in arrears on a reimbursement basis.
- Grantees will not be paid if any of the following conditions occur:

- the applicant has been non-responsive or does not meet the conditions outlined in the grant proposal and grant agreement;
- the project has received alternative funding from other sources that duplicates the portion or work or costs funded by a Conservancy grant;
- the project description has changed and is no longer eligible for funding; or
- the applicant requests to end the project.

## Proposal Solicitation

*The bulk of the Grant Application Packet text was brought in at this point.*

### A. Applying for a Grant

*First paragraph below newly added for context; bullets moved from later in the document. Scoring threshold has been dropped to 75 pts. Added language that explains the Conservancy's discretion to modify budget requests or to partially fund projects if oversubscribed, and to reserve funding.*

The Delta Conservancy runs a two-part proposal solicitation process. Concept proposals are invited from any eligible applicant. Concept proposals are scored by Conservancy staff, and those only those projects that meet or exceed the minimum point threshold at the concept proposal stage are invited to submit full proposals.

The following steps will be followed during a grant cycle:

- The Conservancy will hold a proposal submission workshop. Questions received at the proposal submission workshop, or subsequently over the phone or via email, and staff's response will be posted on the Conservancy's Prop. 1 Grant Program web page to assist others with similar questions.
- If potential applicants have questions that are not answered on the Conservancy's Grant Program web page or via the proposal submission workshop, potential applicants are encouraged to contact Conservancy grant staff before submitting a proposal. Once a proposal has been submitted, Conservancy staff will only be able to provide status updates.
- Potential applicants will submit a concept proposal. Only proposals submitted prior to the submission deadline will be considered.
- The concept proposals will be reviewed for administrative and technical purposes as outlined in the concept proposal evaluation criteria. If the concept proposal is complete, meets all concept proposal requirements, and scores a minimum of 75 points, a full proposal will be requested.
- Please note that a project's full proposal documents will not be accepted unless a completed concept proposal has been submitted for review, scored, and the Conservancy requests a full proposal. Only full proposals submitted prior to the submission deadline will be considered.

- The full proposals will be reviewed and scored by the Conservancy grant team according to the proposal evaluation criteria below. Conservancy staff will conduct a project site visit with each eligible applicant.
- The full proposals will also be reviewed by an independent professional review panel made up of state and federal agency technical experts. The professional review panel will provide an additional independent review of staff's evaluation and scoring.
- Following professional review, the staff team will assign final scores to each application.
- The final score will be posted on the Conservancy's website for final board approval at a public meeting. The Board will be provided with a list of all applications received, their final scores, and the staff recommendation for projects to be funded. Full proposals will be made available upon request. The Board action will involve ratification of the projects' scores and action on staff's funding recommendation. Applicants and members of the public will have the opportunity to appear before the Board at this time.
- A score of 75 points during either the concept or 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, the reasonableness of the costs, as well as the diversity of the types of projects and their locations, which together will create the maximum ecosystem benefit within the Delta as a whole. When eligible projects (those receiving at least 75 points) exceed the amount of funds available in the funding cycle, the Conservancy may choose not to fund some of the eligible projects or to award partial funding.
- If a project scores 75 points or higher during either the concept or full proposal stages but cannot demonstrate strong local support or a lack of significant conflict from local interests, the Conservancy reserves the right not to fund the project until the conflict is satisfactorily resolved.
- The Board may, within its discretion, approve a conditional award of funds or a reservation of funds to accommodate pending compliance actions (e.g., CEQA).
- If a grant proposal is approved, Conservancy staff will work with the applicant to complete a grant agreement that outlines reporting requirements, specific performance measures, invoice protocol, and grant funding disbursement.

## **B. Grant Cycle and Important Dates**

*Section below updated with information for this year's grant cycle.*

The Conservancy's grant cycle is approximately 9 months long. Concept proposals are solicited in the fall, full proposals are invited in the winter, and funding is awarded the following spring. If all funds during a fiscal year are expended but proposals have been submitted that otherwise could be approved for funding, these proposals may be held and re-considered during the next grant cycle. All dates for the Conservancy's 2016-2017 grant cycle are subject to change. Please check the Prop. 1 Grant Program web page for the most up-to-date information.

Important dates for the 2016-17 grant cycle are:

- Concept Proposal Solicitation – September 1, 2016 - September 30, 2016
- Full Proposal Solicitation – November 28, 2016 – January 20, 2017
- Board Approval of Full Proposals – April 26, 2017

## Proposal Selection

### A. Proposal Review and Selection Process

*Scoring threshold has been dropped to 75 pts.*

Those interested in applying for Prop. 1 funds through the Conservancy must submit a concept proposal, which must clearly demonstrate the value of the project and provide the Conservancy with adequate information to evaluate the project. The concept proposal will be scored by Conservancy staff based on the concept proposal evaluation criteria.

If the concept proposal meets the scoring threshold of 75 points (as well as all concept proposal requirements), the applicant will be invited to submit a full proposal. Please note that a project's full proposal documents will not be accepted unless a completed concept proposal has been submitted for review, scored, and the Conservancy requests a full proposal.

Full proposals will be reviewed and scored by the Conservancy grant team and a professional review panel to evaluate benefits, project design and readiness, and other factors (see full proposal evaluation criteria below). The professional review panel will be made up of state and federal agency technical experts, and will review staff's evaluation and scoring of full proposals to provide an independent review of staff's evaluation and scoring. A minimum of 75 points are required for a full proposal to be considered for funding. Conservancy staff will conduct a project site visit with each eligible applicant.

If a project scores 75 points or higher during either the concept or full proposal stages but cannot demonstrate strong local support or a lack of significant conflict from local interests, the Conservancy reserves the right not to fund the project until the conflict is satisfactorily resolved.

Funding recommendation(s) will be made by staff and scheduled for a Board meeting agenda as an action item at the direction of the Executive Officer. The Board will be provided with a list of all proposals received, and a staff recommendation for projects to be funded.

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 protocol, and grant funding disbursement.

### B. Evaluation Criteria for Concept Proposal

*Added eligibility requirements to avoid full review of projects that are not eligible for program.  
Modified criteria so that there is one criterion per evaluation category, and to differentiate*

*between requirements for category 1 and category 2 proposals. Reassigned point values to balance point distribution.*

Conservancy staff will determine the eligibility of a concept proposal using the criteria outlined below. If a concept proposal passes all three eligibility criteria, its merit will be evaluated by Conservancy staff using the concept proposal criteria listed below.

#### Eligibility Review

Conservancy staff will assess a project's eligibility based on the three criteria below, assigning a pass or fail for each criterion. A passing score will be assigned if the project meets all of the criteria as listed, or if the project could meet all of the criteria with minimal modifications. Projects that pass the eligibility review but require modifications to be eligible will be notified about eligibility requirements if they are invited to submit a full proposal. Eligibility will be reassessed during the full proposal review process.

#### Eligibility Criteria (Pass/Fail)

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 and/or water quality and/or agricultural sustainability benefits?
3. Is the project consistent with Proposition 1, the California Water Action Plan, the Conservancy's enabling legislation, and the Delta Plan?

#### Evaluation and Scoring

Staff will score projects based on the evaluation criteria below. If a project scores a minimum of 75 points (out of 100), a full proposal will be requested. The number in parentheses reflects the maximum number of points allocated to each criterion.

#### Project Description and Organizational Capacity (12 points)

1. The degree to which the project description clearly explains the location, need, goals and objectives, tasks, deliverables, and budget for the project, as well as the related experience and qualifications of all parties working on the project.

#### State Priorities/Project Benefits (25 points)

2. (a). For Category 1 projects, the degree to which the project considers climate change, and the degree to which the specific, on-the-ground project for which planning is being conducted will yield multiple benefits that further Prop. 1 and state priorities, including implementation of the California Water Action Plan, the Conservancy's enabling legislation and Strategic Plan, the Delta Plan, and applicable recovery plans.
2. (b). For Category 2 projects, the degree to which the project integrates climate change considerations, and the degree to which it will yield multiple benefits that further Prop. 1 and state priorities, including implementation of the California Water Action Plan, the Conservancy's enabling legislation and Strategic Plan, the Delta Plan, and applicable recovery plans .

Readiness (15 points)

3. (a) For a Category 1 project, the degree to which the proposal demonstrates 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.
3. (b). For a Category 2 project, the degree to which planning is complete and the project is ready to begin.

Local Support (20 points)

4. (a). For Category 1 projects, the degree to which potentially affected parties will be informed and consulted as part of the planning process, and the degree to which the project has local support, is consistent with similar efforts on nearby or surrounding lands, and is part of larger plans or identified partnerships.
4. (b). For Category 2 projects, the degree to which potentially affected parties have been informed and consulted, and the degree to which the project has local support, is consistent with similar efforts on nearby or surrounding lands, and is part of larger plans or identified partnerships.

Scientific Merit and Performance Measures (20 points)

5. (a). For Category 1 projects, the extent to which the scientific basis of the proposed project is clearly described, adaptive management is addressed, and to which goals, outputs and outcomes are presented.
5. (b). For category 2 projects, the extent to which the scientific basis of the proposed project is clearly described, and to which goals, outputs, outcomes, and a plan for tracking performance are described. Applicants should outline a monitoring framework for measuring progress toward achieving stated goals and outcomes, and discuss how adaptive management will be implemented. If scientific basis and adaptive management are not relevant for this project (e.g., a sustainable agriculture project), the extent to which best industry practices are used.

Funding: Cost Share and Leveraging (8 points)

6. The degree to which the project develops a cost share with private, federal, or local funding to maximize benefits and outcomes. For every 10 percent of cost share, a project will score one point for this evaluation criterion, to a maximum of 5 points. (5 points)
7. The degree to which the project leverages other state funds. (3 points)

## C. Evaluation Criteria for Full Proposal

*Added eligibility requirements to avoid full review of projects that are not eligible for program. Modified criteria to eliminate redundant evaluations, and to differentiate between requirements for category 1 and category 2 proposals. Added references to acquisition projects.*

### Eligibility Review

Conservancy staff will assess a project's eligibility based on the three criteria below, assigning a pass or fail for each criterion. A passing score will be assigned only if the project meets all of the criteria as listed.

### Eligibility Criteria (Pass/Fail)

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 and/or water quality benefits and/or agricultural sustainability?
3. Is the project consistent with Proposition 1, the California Water Action Plan, the Conservancy's enabling legislation, and the Delta Plan?

### Evaluation and Scoring

If a concept proposal scores a minimum of 75 points and a full proposal is invited, full proposals will be evaluated using the following criteria (for a maximum of 100 points). Projects will need a score of 75 points or better to be considered for funding.

### Project Description and Organizational Capacity

1. Does the applicant provide a clear description of the project that addresses the need for the project, and project goals and objectives, tasks, deliverables, and budget? How well can the applicant manage and complete the proposed project considering related experience, staff qualifications and knowledge; and what is the applicant's performance on prior federal or state assistance agreements awarded in the past three years? Does the project description include a detailed project plan or implementation schedule; and budget with reasonable costs and clear identification of grant funds and cost share contributions? For acquisition projects, has the applicant satisfactorily provided all required additional information? (10)

### State Priorities/ Project Benefits

2. (a). For Category 1 projects, how well does the specific, on-the-ground project for which planning is being done demonstrate consistency with Prop. 1 and State priorities, including implementation of the California Water Action Plan, the Conservancy's enabling legislation and Strategic Plan, the Delta Plan, and applicable recovery plans? Where relevant, projects should demonstrate consistency with regional plans (see Appendix B for a list of relevant plans) (15).
2. (b). For Category 2 projects, how well does the project demonstrate consistency with Prop. 1 and State priorities, including implementation of the California Water Action Plan, the Conservancy's enabling legislation and Strategic Plan, the Delta Plan, and

applicable recovery plans? Where relevant, projects should demonstrate consistency with regional plans (see Appendix B for a list of relevant plans). For acquisition projects, does the proposal address the factors required by the Conservancy's enabling legislation? (15)

3. (a). For Category 1 projects, does the applicant explain how the planning effort will include efforts to develop a plan to maintain environmental benefits for the required minimum of 15 years, and for developing and implementing an adaptive management plan? (5)
3. (b). For Category 2 projects, how well does the applicant demonstrate plans for long-term management and sustainability of the project for the required minimum of 15 years or longer, and how for the implementation of an adaptive management plan as required and defined in the Delta Plan? (5)
4. (a). For Category 1 projects, the extent to which the project considers climate change, and provides a mechanism for incorporating climate change considerations into the planning process. (5)
4. (b). For Category 2 projects, the extent to which the project integrates climate change considerations. If an agricultural sustainability project, the extent to which the impacts of climate change are vetted and deemed relevant or applicable to the project (5).

#### Readiness

5. (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? (15)
5. (b). For Category 2 projects, how complete is project planning, what is the status of CEQA and permitting efforts, and when will the project be ready to begin implementation? (15)

#### Local support

6. How well does the applicant demonstrate that they have local support? Full point will be provided only if a resolution of support from the County is included. (7)
7. To what extent has the applicant developed appropriate and necessary partnerships to help implement the project, and, if applicable, has the project been incorporated into larger plans or existing partnerships? (5)
8. (a). For Category 1 projects, how well does the proposal demonstrate plans inform and consult potentially affected parties, and to avoid, reduce, or mitigate conflicts with existing and adjacent land uses? (5)

8. (b). For Category 2 projects, has the applicant informed and consulted potentially affected parties, how consistent is the project with similar efforts on nearby or surrounding lands, and how well does the project avoid, reduce, or mitigate conflicts with existing and adjacent land uses? (5)

Funding: Cost Share and Leveraging

9. Does the project develop a cost share with private, federal, or local funding to maximize benefits and outcomes? For every 10 percent of cost share, a project will score one point for this evaluation criterion, to a maximum of 5 points. (5)
10. Does the project leverage other state funds? (3)

Scientific Merit and Performance Measures

11. How well does the applicant explain the scientific basis of the proposed project and the degree to which best available science has been adopted? If scientific basis is not relevant for this project (e.g., a sustainable agriculture project), what is the extent to which best industry practices are used, and to which the impacts of climate change are vetted? (10)
12. (a). For Category 1 projects, how clear are the project's goals, outputs, outcomes, and performance metrics, and how well does the proposal demonstrate a plan for tracking progress toward stated performance measures? (10)
12. (b). For Category 2 projects, how clear are the project's goals, outputs, outcomes, and performance metrics, and how well does the proposal demonstrate a plan for measuring, monitoring, tracking, and reporting progress toward achieving these results? To what extent does the proposal demonstrate a plan and approach for collecting and managing data consistent with existing State efforts, and for reporting project results or methods to private, State, and/or local government agencies beyond their own organization? (10)
13. How well does the project employ new or innovative technology or practices, including decision support tools? If an agricultural sustainability proposal, how well does the project vet the relevancy and applicability of new or innovative technology or practices (5).

## **D. Federal and Local Cost Share and State-Leveraged Funds**

*Second paragraph updated to better spell out how cost share is calculated.*

The Conservancy will provide points to proposals with a federal, local, or private cost share component (other state funds may not count toward the cost share). Cost sharing is the portion of the project not borne by the Conservancy's grant monies. Cost sharing encourages collaboration and cooperation beyond in-kind and written support. Applicants are encouraged to develop a cost share program to support their project. Only cost share commitments made explicitly for the project may count toward the cost percentage for grant proposal and ranking purposes. Applicants stating that they have a cost share component must have commitment

letters from cost share partners at the time the full proposal is submitted and include letters of commitment as part of the proposal requirements.

At both the concept and full proposal stages, for every 10 percent of cost share, a project will score one point, to a maximum of five points. Up to 50 percent of a cost share may be in-kind. For example, if the cost share is \$50,000, \$25,000 of that may be from in-kind sources. All in-kind cost share must be matched with cash at a one-to-one ratio. For projects without any cash match, in-kind cost share will not be calculated into the project's cost share score. 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 points (see evaluation criteria) for proposals that leverage state funds for multi-benefit projects. These projects must support multiple objectives as identified in various planning documents (see Appendix B). State funds may not count toward the cost share. Applicants stating that they are leveraging other state funds must have commitment letters from leverage partners at the time of the full proposal.

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

In compliance with the Conservancy's governing statute (Public Resources Code Section 32363) and Prop. 1, local government agencies—such as counties, cities, and local districts—will be notified by the Conservancy about eligible grant projects being considered for funding in their area. The Conservancy shall coordinate and consult with the city or county in which a grant is proposed to be implemented or an interest in real property is proposed to be acquired, and with the Delta Protection Commission. The Conservancy will also coordinate with the appropriate departments in state government that are doing work in the Sacramento-San Joaquin Delta, including the Central Valley Flood Protection Board. For all applications under consideration, Conservancy staff will also notify the applicable public water agency, levee, flood control, or drainage agency (when appropriate), and request comments within 15 business days following notification. The individual Conservancy Board members representing each of the five Delta counties will also be notified at this time and may wish to communicate with the affected entities as well.

The Conservancy will work with the grantee to make all reasonable efforts to address concerns raised by local governments. Please note that it is also the applicant's responsibility to contact, seek support from, and coordinate with applicable state agencies, cities, counties, and local districts. If an applicant has a project-specific resolution of support from the affected city or county and local district, it should be included in the application package in order to facilitate the overall assessment process.

## **Application Process**

This section describes the information and documents that must be submitted for both a concept and a full proposal.

## 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](mailto: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 should not exceed ten pages (not including the application form, budget, and support letters).

### Concept Proposal Application Form

The form (please see Appendix C) should be completed with additional pages for the items listed below. Please use at least 11-point standard font, single line spacing with one-inch page margins. The following information will be scored using the concept proposal evaluation criteria.

#### **a. Applicant Information**

Applicant must list its organizational/agency name, address, the primary contact's name and contact information, and the organization's federal tax ID number. Applicant must also identify the type of organization it is.

#### **b. Project Information**

Applicant must provide specific information about the project. Name, location (county, city/community, and any information that is more specific to the project site), proposed start date, and the estimated completion date.

### Project Description and Organizational Capacity

Provide a clear, detailed description of the project proposed for Conservancy funding. Include:

- Location of project,
- Specific need for the project,
- The project's goals and objectives,
- Specific tasks that will be undertaken,
- Work products or deliverables, and
- Experience and qualifications of all parties working on the project.

### State Priorities/Project Benefits

Demonstrate that the project will yield multiple benefits that are aligned with state priorities. Describe how the project's outcomes are consistent with the following:

- Proposition 1
- California Water Action Plan
- The Conservancy's enabling legislation
- The Conservancy's strategic plan
- The Delta Plan
- Applicable recovery plans and other related efforts

Category 1 projects should describe the consistency of the specific, on-the-ground project for which planning is being conducted. Projects selected to submit a full proposal will be required to substantiate this consistency.

Also, describe how climate change considerations are being taken into account. For planning projects, note how climate change will be considered as part of the planning process. For implementation projects, describe any risks posed by climate change and how the project has been designed to mitigate those risks, and explain any projected climate-related impacts or benefits of the project. If these are not relevant for this project (e.g., a sustainable agriculture project), then describe how best industry practices have been incorporated.

#### 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:

- Discuss the readiness of the project to begin.
- For planning projects, describe how the proposed planning activities will advance the project toward implementation.
- List any data needs or identified data gaps, and a process for addressing them.
- Describe any permits and landowner agreements that will be required, if applicable. This includes the status of CEQA compliance.
- Discuss the status of cost share efforts, including the leveraging of state funds.

#### Local Support

List individuals and organizations who will be participating in the project, cooperating (providing guidance, etc.), and supporting the project (not actively engaged, but aware of the project and supportive). Describe how you have informed and consulted with affected parties and/or incorporated good neighbor practices into the project. For Category 1 projects, describe how affected parties will be informed and consulted during the planning process, if they have not been already. Discuss how projects are consistent with similar efforts in surrounding areas, and integrated into larger plans and partnership. Applicants should include letters of support from applicable local government agencies, and should consult with the Delta Protection Commission (letters do not count toward ten page maximum).

#### Scientific Merit and Performance Measures

Describe the scientific basis of the proposed project and how best available science and adaptive management practices have or will be integrated into the project and implemented. Include a general description of project goals, outcomes and outputs, describing the benefits they will yield. For Category 2 projects, describe the approach to measuring and reporting the project's effectiveness, including how successes will be quantified.

#### Funding Request and Budget

Applicant must provide information about the total project cost as well as the amount requested from the Conservancy. Information about cash and in-kind contributions, including sources, must also be included. For Category 2 grants, planning monitoring costs may not exceed 20 percent. Category 1, planning proposals, may use 100 percent of awarded funds for planning activities, however, these planning funds must relate to a future Category 2 and may not exceed 10 percent of the total project funds (Category 1 and Category 2 combined) requested from the Conservancy. Please use the Concept Proposal Budget Template in Appendix C. Explain how budget items in the attached table align with project tasks described in the

project description. Include grant management and reporting, monitoring (for Category 2), and performance measure tracking costs in the total funding request.

## **B. Full Proposal Instructions**

*Removed application instructions, instead referring applicants to application form.*

As described in the preceding section, all prospective applicants are required to submit a concept proposal. An applicant will be invited to submit a full proposal if the concept proposal has met all of the criteria and receives the minimum score. Only applicants invited to submit a full proposal will be reviewed and considered.

Applicants who are invited to submit a full proposal will be sent proposal submission instructions, which will include a fillable PDF application form and other required attachments. Prospective applicants should be prepared to submit the following information in a full proposal.

### Authorization or Resolution to Apply

Applicants will be required to provide a copy of documentation authorizing them to submit an application for grant funding to the Conservancy. A project-specific governing board resolution is required for nonprofit organizations, tribes and local government agencies. 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 the language granting such authority and the date of delegation.

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 would not be required should the person currently holding the position change. In lieu of a resolution, state and federal 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.

### Documents Required of Nonprofit Applicants

Nonprofit applicants are required to submit Articles of Incorporation, IRS letters, and signed Bylaws. If a nonprofit organization has submitted these documents to the Conservancy in prior funding cycles and its status has not changed, the applicant should notify Conservancy staff. If these documents are not already on file at the Conservancy, they must be submitted to the Conservancy if invited to submit a full proposal.

A nonprofit must meet eligibility requirements at the time of concept proposal submittal.

Nonprofits incorporated outside of California must submit documentation from the California Secretary of State at the time of the application showing that they are permitted to do business in the State of California.

As required by statute, an eligible nonprofit organization is one that qualifies for exempt status under Section 501(c)(3) of Title 26 of the United States Code and has charitable purposes that are consistent with the purposes of the Conservancy.

### 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 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 are required to 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 its 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 its 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 it complies with the requirements of Part 2.55 (commencing with Section 10608) of Division 6).

Supplemental Documents

*Changed language to only require a resolution from the county instead of “all applicable local government agencies.” Added language regarding consultation with DPC and information required of acquisition project.*

**a. Partner and Community Letters of Support**

Provide letters of support for the project, including support and commitment letters from partners providing a cost share.

**b. Resolutions of Support from Applicable Local Government Agencies**

Provide resolutions of support for the project from the county/counties in which the project is located.

**c. Consultation with the Delta Protection Commission**

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

**d. Information Required for Acquisition Projects**

For projects that propose to acquire an interest in real property, the following 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.
- Copy of the Purchase Agreement or a Willing Seller Letter
- Appraisal or Estimation of Fair Market Value
- Preliminary Title Report
- Letter stating that applicant will directly pay DGS for review of appraisal and associated materials
- Map showing lands that will be acquired, including parcel lines and numbers.
- Analysis of mineral rights issues, if applicable.

Acquisition projects will be subject to a specific set of requirements that must be met prior to and immediately after closing escrow. For more information, please refer to the checklist provided in Appendix F.

**e. Maps, Photos, and Site Plans**

*Project Location Map*

Provide a map identifying the project site. The map should provide sufficient detail to allow a person unfamiliar with the area to locate the project. Applicants are encouraged to provide a satellite image or aerial photograph as the background of the map, if available.

*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 project description narrative.

*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 for greatest usefulness.

*Site Plan*

If applicable, provide a drawing or depiction indicating scale, project orientation (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.

**f. Land Tenure Documents**

For all projects, agreements must be in place allowing the applicant to access property to construct and maintain the proposed project. If appropriate, define what, if any, agreements are in place, or plans (including a timeline) to acquire those agreements. Please be aware that a grant agreement will not be executed without proof of land tenure.

**g. Leases or Agreements**

If appropriate, provide copies of all leases, agreements, memoranda of understanding, etc., not already addressed affecting project lands or the future operation and maintenance thereof.

**h. Regulatory Requirements/Permits**

Regulatory Requirements/Permits: Provide a list and descriptions of existing and additional required permits for the project. If not applicable, declare that permits are not applicable, and provide the reason(s) why. At the time of application, the applicant must identify who it believes is the lead agency for the project and how it intends to comply with CEQA. If another agency is the lead agency, the applicant shall provide, at a minimum: (1) a filed Notice of Exemption, or (2) an initial study with a description of how the applicant will comply with CEQA. The Conservancy cannot approve a Category 2 grant until the required CEQA documents have been completed and the necessary findings made

If NEPA is applicable to the proposed project, the applicant must complete the NEPA section of the CEQA/NEPA compliance form. Please check the box that describes the NEPA status of the project and complete the documentation component of the form. Applicants should also submit any permits, surveys, or reports that support the NEPA status.

Attach copies of adopted Environmental Impact Reports (EIR)—Public Review Draft and Final versions—Negative Declarations or Mitigated Negative Declarations and Initial Studies, or Notices of Exemption, if a public agency has acted to provide CEQA compliance.

If applicable, attach copies of all adopted and relevant NEPA environmental compliance documents, such as a Record of Decision/Draft and Final Environmental Impact Statement, Finding of No Significant Impact/Environmental Assessment, or a Decision Notice/Categorical Exclusion. Applicants should ensure that all environmental documents are current enough to describe the current environmental conditions.

# 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 Conservancy’s Ecosystem Restoration and Water Quality Grant Program.

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

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

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

Conservancy – See Sacramento-San Joaquin Delta Conservancy.

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

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

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

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

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

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

Indirect Costs – Indirect costs include any expense which does not relate directly to project implementation. Indirect costs 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.

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 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 goals and desired outcomes.

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

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

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

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

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

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

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

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

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

Statutory Delta – As defined in Water Code Section 12220. The legal definition can be found at <http://www.leginfo.ca.gov/cgi-bin/displaycode?section=wat&group=12001-13000&file=12220>. A map of the statutory Delta can be found at <http://mavensnotebook.com/the-bdcp-road-map/environmental-impacts-of-alternative-4/bdcp-eir-ch-13-fig-13-1-statutory-delta/>.

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

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

### Plans

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

California Water Action

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

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

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

2012 Strategic Plan. Sacramento-San Joaquin Delta Conservancy

(2012): [http://www.deltaconservancy.ca.gov/sites/default/files/docs/Delta\\_Conservancy\\_Strategic\\_Plan\\_Designed\\_20June2012.pdf](http://www.deltaconservancy.ca.gov/sites/default/files/docs/Delta_Conservancy_Strategic_Plan_Designed_20June2012.pdf)

Department of Water Resources Agricultural Land Stewardship

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

Central Valley Flood Protection

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

Land Use and Resource Management Plan. Delta Protection

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

2006 Implementation Plan. Central Valley Joint Venture

(2006): <http://www.centralvalleyjointventure.org/science>

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

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

(2012): [http://www.delta.ca.gov/res/docs/ESP/ESP\\_P2\\_FINAL.pdf](http://www.delta.ca.gov/res/docs/ESP/ESP_P2_FINAL.pdf)

Recreation Proposal for the Sacramento-San Joaquin Delta and Suisun Marsh. California State Parks

(2011): [http://www.parks.ca.gov/pages/795/files/delta%20rec%20proposal\\_08\\_02\\_11.pdf](http://www.parks.ca.gov/pages/795/files/delta%20rec%20proposal_08_02_11.pdf)

Suisun Marsh Habitat Management, Preservation, and Restoration Plan. Bureau of Reclamation

(2013): [http://www.usbr.gov/mp/nepa/nepa\\_projdetails.cfm?Project\\_ID=781](http://www.usbr.gov/mp/nepa/nepa_projdetails.cfm?Project_ID=781)

Yolo County Agricultural Economic Development Fund. Consero Solutions

(2014): <http://www.yolocounty.org/home/showdocument?id=26874>

National Oceanic and Atmospheric Administration's Recovery

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

## Tools

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

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

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

California Wetlands Monitoring Workgroup:

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

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

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

Surface Water Ambient Monitoring Program:

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



## Concept Proposal Budget Template

Include costs for grant management and reporting, monitoring, and performance measure tracking. All costs should be explained in the proposal.

Budget Category	Total Cost	
	Conservancy	Cost Share (Please note source, and indicate cash or in-kind)
Personnel*		
Travel		
Supplies		
Equipment		
Contractual		
Other (describe)		
Indirect**		
Other		
<b>TOTAL</b>		

\*Personnel rates may only include salary and wages, fringe benefits, and payroll taxes.

\*\* Eligible indirect costs must be directly related to the project and may not exceed 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 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 expenses may not be added into the hourly rate for personnel billing directly to the grant.

**NOTE: Category 1, planning proposals, may use 100 percent of awarded funds for planning activities, however, these planning funds must relate to a future Category 2 and may not exceed 10 percent of the total project funds (Category 1 and Category 2 combined) requested from the Conservancy.**

## Appendix D: Performance Measures

*DRAFT. Further explanation required.*

Describe project goals, outputs and outcomes that lead to environmental results

Goals	Outputs	Scheduled Completion Dates	Outcomes	Metrics

## Appendix E: California Conservation Corps Guidelines

### California Conservation Corps and Certified Community Conservation Corps

#### Proposition 1 - Water Bond Guidelines – Chapter 6

#### Corps Consultation Process

June 2015

This process has been developed to ensure compliance with Division 26.7 of the Water Code, Chapter 6, Section 79734 that specifies the involvement of the CCC and the certified community conservation corps (as represented by the California Association of Local Conservation Corps-CALCC).

Section 79734 states “For restoration and ecosystem protection projects funded pursuant to this chapter, the services of the California Conservation Corps or a local conservation corps certified by the California Conservation Corps ***shall be used whenever feasible.***”

Applicants for funds to complete restoration and ecosystem protection projects shall consult with representatives of the California Conservation Corps (CCC) AND the California Association of Local Conservation Corps (CALCC), the entity representing the certified community conservation corps, to determine the feasibility of the Corps participation. Unless otherwise exempted (see notes below), applicants that fail to engage in such consultation should not be eligible to receive Chapter 6 funds. CCC and CALCC have developed the following consultation process for inclusion in Prop 1 – Chapter 6 project and/or grant program guidelines:

Step 1: Prior to submittal of an application or project plan to the Funder, Applicant prepares the following information for submission to both the California Conservation Corps (CCC) and CALCC (who represents the certified community conservation corps):

- Project Title
- Project Description (identifying key project activities and deliverables)
- Project Map (showing project location)
- Project Implementation estimated start and end dates

Step 2: Applicant submits the forgoing information via email concurrently to the CCC and CALCC representatives:

California Conservation Corps representative:

Name: CCC Prop 1 Coordinator      Email: [Prop1@ccc.ca.gov](mailto:Prop1@ccc.ca.gov)

Phone: (916) 341-3100

California Association of Local Conservation Corps representative:

Name: Crystal Muhlenkamp      Email:

[inquiry@prop1communitycorps.org](mailto:inquiry@prop1communitycorps.org)

Phone: 916-426-9170 ext. 0

Step 3: Within five 5 business days of receiving the project information, the CCC and CALCC representatives will review the submitted information, contact the applicant if necessary, and respond to the applicant with a Corps Consultation Review Document (template attached) informing them:

- (1) It is NOT feasible for CCC and/or certified community conservation corps services to be used on the project; or

- (2) It is feasible for the CCC and/or certified community conservation corps services to be used on the project and identifying the aspects of the project that can be accomplished with Corps services.

Note: While the Corps will take up to five days to review projects, applicants are encouraged to contact the CCC/CALCC representatives to discuss feasibility early in the project development process.

The Corps cannot guarantee a compliant review process for applicants who submit project information fewer than five business days before a deadline.

- Step 4: Applicant submits application to Funder that includes Corps Consultation Review Document.
- Step 5: Funder reviews applications. Applications that do not include documentation demonstrating that the Corps has been consulted will be deemed “noncompliant” and will not be considered for funding.

**NOTES:**

1. The Corps already have determined that it is not feasible to use their services on restoration and ecosystem protection projects that solely involve either planning or acquisition. Therefore, applicants seeking funds for such projects are exempt from the consultation requirement and should check the appropriate box on the Consultation Review Document.
2. An applicant that has been awarded funds to undertake a project where it has been determined that Corps services can be used must thereafter work with either the CCC or CALCC to develop a scope of work and enter into a contract with the appropriate Corps. Unless otherwise excused, failure to utilize a Corps on such a project will result in Funding Entities assessing a scoring penalty on the applicant’s future applications for Chapter 6 Funds.

**California Conservation Corps and Certified Community Conservation Corps  
Proposition 1 - Water Bond  
Corps Consultation Review Document  
June 2015**

Unless an exempted project, this Corps Consultation Review Document must be completed by California Conservation Corps and Community Conservation Corps staff and accompany applications for projects or grants seeking funds through Proposition 1, Chapter 6, Protecting Rivers, Lakes, Streams, Coastal Waters and Watersheds. Non-exempt applications that do not include this document demonstrating that the Corps has been consulted will be deemed “noncompliant” and will not be considered for funding.

1. Name of Applicant:

Project Title:

Department/Conservancy to which you are applying for funding:

**To be completed by Applicant:**

Is this application solely for planning or acquisition?

- Yes (application is exempt from the requirement to consult with the Corps)
- No (proceed to #2)

**To be completed by Corps:**

This Consultation Review Document is being prepared by:

- The California Conservation Corps (CCC)
- California Association of Local Conservation Corps (CALCC)

2. Applicant has submitted the required information by email to the California Conservation Corps (CCC) and California Association of Local Conservation Corps (CALCC):

- Yes (applicant has submitted all necessary information to CCC and CALCC)
- No (applicant has not submitted all information or did not submit information to both Corps – application is deemed non-compliant)

3. After consulting with the project applicant, the CCC and CALCC has determined the following:

- It is NOT feasible for CCC and/or certified community conservation corps services to be used on the project (deemed compliant)
- It is feasible for the CCC and/or certified community conservation corps services to be used on the project and the following aspects of the project can be accomplished with Corps services (deemed compliant).

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CCC AND CALCC REPRESENTATIVES WILL RETURN THIS FORM AS DOCUMENTATION OF CONSULTATION BY EMAIL TO APPLICANT WITHIN FIVE BUSINESS OF RECEIPT AS VERIFICATION OF CONSULTATION. APPLICANT WILL INCLUDE COPY OF THIS DOCUMENT AS PART OF THE PROJECT APPLICATION.

## Appendix F: Land Acquisition Checklist

### Delta Conservancy Proposition 1 Grant Program Checklist for Conservation Easement or Fee Title Proposals

Project  
No: \_\_\_\_\_

Project  
Name: \_\_\_\_\_

#### 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 the Purchase Agreement or a Willing Seller Letter
- Appraisal or Estimation of Fair Market Value
- Preliminary Title Report
- Letter stating that applicant will directly pay DGS for review of appraisal and associated materials
- Map of plotted easements or fee title
- Underlying documents to title exceptions, upon request
- Analysis of mineral rights issues, if applicable

#### II. Staff Review and Evaluation:

- Staff will review and evaluate all submitted information and work with Legal Counsel to determine if these supporting documents are adequate and consistent with the requirements of the grant funds

*POLICIES GOVERNING GRANT AGREEMENT FOR CONSERVATION EASEMENT OR FEE TITLE*

#### III. Board Approval:

Staff recommendations for Board Approval include the following:

- A copy of the table including: parcel numbers, acreage, willing seller name and address, breakdown of how the funds will be budgeted, and an acquisition schedule
- A copy of the Purchase Agreement or a Willing Seller Letter
- A copy of the Appraisal or Estimation of Fair Market Value
- A copy of the Preliminary Title Report
- A copy of the map of plotted easements or fee title

A copy of underlying documents to title exceptions, if requested

A copy of the analysis of mineral rights issues, if applicable

**IV. Before Execution of Agreement:**

Applicant submits the appraisal to the Conservancy for DGS review and approval

[DGS APPRAISAL GUIDELINES](#)

Staff reviews State Lands Commission holdings, if applicable

Applicant submits draft grant deed or conservation easement

Applicant provides any updates to PTR

Applicant's board provides a resolution for Grant Authority certifying that:

- Signatory has authority
- Acceptance of grant
- Acceptance of property interest

*SAMPLE RESOLUTION DOCUMENT*

Staff reviews mineral rights, if applicable

Applicant submits Phase 1 Environmental Site Assessment for review/approval by DC PL

Applicant submits stewardship plan

Applicant submits escrow instructions for review/approval by DC PL

Applicant submits an original, certified copy of the fully executed grant deed or conservation easement certified by the escrow officer holding the document

Applicant submits Disbursement Request with an original signature of Grantee's authorized signatory

*SAMPLE DISBURSEMENT REQUEST DOCUMENT*

Board approved the project (Date: \_\_\_\_\_)

Grant Agreement must be fully executed by Grantee & DC Executive Officer

**V. Conservation Easement Grant or Fee Title - Closing Escrow (*Before final invoice is paid*):**

DC PL must review/approve:

Baseline report

*MINIMUM REQUIREMENTS FOR BASELINE REPORTS*

Monitoring protocol

*MINIMUM REQUIREMENTS FOR MONITORING PROTOCOLS*

**CLOSING THE PROJECT.** After COE, applicant submit the following to DC PL (*Before grant is*

**VI. *closed***):

A copy of the recorded deed

A copy of the recorded NUGA (*original to follow via County Recorder*)

A copy of the title insurance policy

Escrow closing statement

**Meeting Date: June 27, 2016**  
**Page 1**



1450 Halyard Drive, Suite 6  
West Sacramento, CA 95691  
[www.deltaconservancy.ca.gov](http://www.deltaconservancy.ca.gov)

***Request for Approval to Enter into Agreements in the Amount of up to \$518,000 in Support of  
Regional Restoration Planning in the Cache Slough Region***

**June 27, 2016**

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**RECOMMENDATIONS**

Staff recommends Board authorization for the Executive Officer to enter into agreements in the amount of up to \$518,000 consistent with the attached scope of work for Phase I of the Cache Slough Region Restoration Strategy.

**PROJECT DESCRIPTION**

The purpose of this project is to develop a restoration strategy for the Cache Slough Complex (CSC) that identifies areas for habitat restoration and projects that would be eligible for Proposition 1 funding. Through engagement in a collaborative planning process between local, state, and federal agencies and interests, a locally-supportable vision and strategic planning approach will be developed that considers multiple land use plans and processes focused in the CSC, reduces potential conflicts between those uses, and identifies opportunities for a landscape-level integrated approach. This regional planning effort will compliment already-ongoing collaborative work among local, state and federal agencies in the larger Yolo Bypass/Cache Slough (YBCS) Region; and builds on and further develops efforts by the local partners in the Corridor Management Framework (CMF).

Phase I of this planning effort will collect readily available information for ecosystems, agriculture, flood protection and water supply in the region and then bring all of the interests together in a series of facilitated workshops to assess the information and develop an initial assessment. The last step of Phase I will be the collaborative assessment of next steps and needed information or analysis to continue a Phase II effort to complete a regional restoration strategy. The continuation of the project into Phase II and any associated costs would need to be approved by the Delta Conservancy Board.

The attached scope of work has been developed by the following partners over the past twelve months; Solano County, Solano County Water Agency, Reclamation District 2068, Yolo County, Resources Agency, Delta Stewardship Council Planning Program, Delta Science Program, San Francisco Estuary Institute-Aquatic Science Center, Flow West, LLC, and the Delta Conservancy. The partners support the current scope as an articulation of agreement on the approach to the planning process, costs and schedule for the project.

**Meeting Date: June 27, 2016**  
**Page 2**

## **BACKGROUND**

The Delta Reform Act of 2009 established the Conservancy and includes four relevant mandates: (1) Protect and enhance habitat and habitat restoration, (2) Protect and preserve Delta agriculture and working landscapes; (3) Identify priority projects and initiatives for which funding is needed; and (4) Protect, conserve and restore the region's physical, agricultural, cultural, historical and living resources.

The Conservancy's Strategic Plan identifies a goal of leading efforts in protecting, enhancing and restoring the Delta ecosystem in coordination with other governmental and non-government entities and citizens in the Delta, and an objective to identify restoration priorities in collaboration with existing federal, state, regional and local governmental and not-governmental entities. The plan also identifies a goal of establishing the Conservancy as a valuable partner with Delta growers, agriculture-related businesses and residents in protecting and enhancing the Delta's agricultural and working landscapes.

The Conservancy's current Three Year Work Plan specifically identifies the planning process envisioned in this project under the Restoration Hub work priority.

Proposition 1 allows for 10% of the Conservancy's allocation to go toward planning and monitoring to ensure successful design, selection and implementation of projects. The project is intended to identify restoration and agricultural sustainability projects that would meet criteria and be eligible for Prop. 1 funding, thereby improving the long-term efficacy of the public funding. The need for additional regional planning in the Delta is called for in the Delta Plan, has been articulated in the High Impact Science Action Agenda as approved by the Delta Plan Interagency Implementation Committee, and has been specifically called for in the Governor's Eco Restore Program. The concept for regional planning has been in development for several years. The Conservancy has worked extensively with the Delta Science Program, SFEI-ASC, The Nature Conservancy and several consultants to develop the planning process. The process has been vetted through the Delta Restoration Network which includes agencies working in the Delta, several NGO organizations, and local stakeholders. Additionally, countless meetings with agencies and stakeholders have been conducted to get input on the process. There is currently support from State and local agencies to do the regional planning describe in the attached scope of work.

## **BUDGET**

The total project cost for Phase I is \$518,000. The budget by tasks, funding recipients and contracting mechanisms are described in the attached scope of work. The following is a summary of funding allocation, funding source and contract mechanisms.

- Solano County, \$228,000 (with up to \$40,000 to Flow West), Proposition 1. Funding would be through a contract with Solano County for part of Task 1 and all of Task 3. Contracts with local governmental entities are exempt from competitive bid requirements. (State Contract Manual

**Meeting Date: June 27, 2016**  
**Page 3**

§ 3.06.A). Solano county is also authorized to subcontract up to \$50,000 or 25% of the funds received without competitive bidding if the subcontract is justified and is not done for the purpose of circumventing competitive bidding requirements. Solano County's subcontract to Flow West is justified because of their unique qualifications.

- SFEI-ACS, \$120,000, Proposition 1. Funding would be through a contract with SFEI-ACS, a nonprofit joint powers authority (JPA) established to provide services to the State. The contract would be for Task 2 and part of Task 5. Contracts with JPAs are exempt from competitive bidding requirements. (State Contract Manual § 3.06.A; 3.13).
- Flow West, LLC, \$80,000, Proposition 1. Funding through a non-competitive bid contract with Flow West, LLC, a for profit entity. The contract would be for the performance of part of Task 2 and all of Task 4. Non-competitive bid contracts are authorized when the services proposed for acquisition are the only services available that meet the state's needs. (Public Contract Code § 10301; State Contract Manual – Vol 2 § 5.1.0). In this instance, Flow West is uniquely qualified and therefore is the only service provider who can meet the need.
- Facilitation and Administrative Services, \$65,000, Federal education and outreach funding. Funding through a Request for Bid procurement process.
- Yolo County, \$25,000, Proposition 1. Funding through a contract with Yolo County for part of Task 1. Contracts with local governmental entities are exempt from competitive bid requirements. (State Contract Manual § 3.06.A).

**Contact Person:**

Campbell Ingram, Executive Officer  
Sacramento-San Joaquin Delta Conservancy  
Phone: (916) 375-2089

# CACHE SLOUGH SCOPE OF WORK, 4TH DRAFT

June 14, 2016

## PROJECT PURPOSE

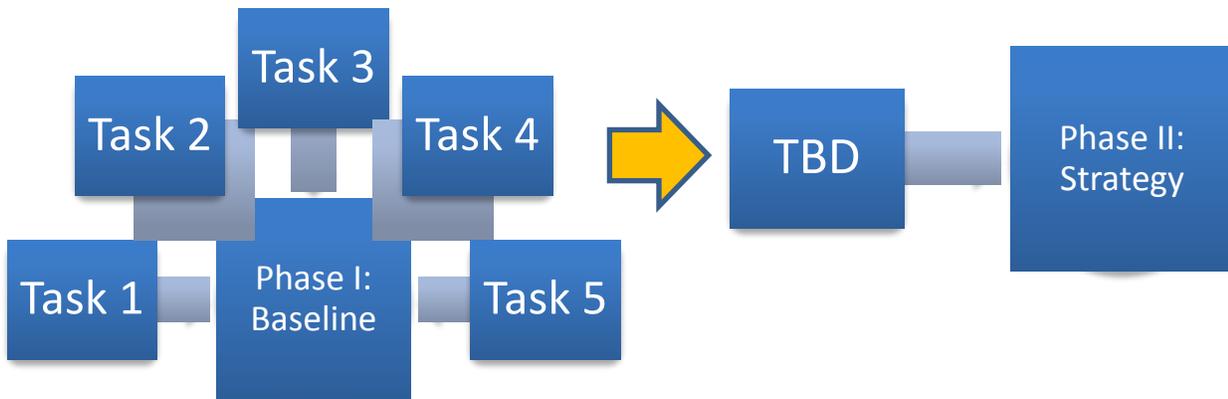
The purpose of this project is to develop a restoration strategy for the Cache Slough Complex (CSC) that identifies areas for habitat restoration and projects that would be eligible for Proposition 1 funding. Through engagement in a collaborative planning process between local, state, and federal agencies and interests, a locally-supportable vision and strategic planning approach will be developed that considers multiple land use plans and processes focused in the CSC, reduces potential conflicts between those uses, and identifies opportunities for a landscape-level integrated approach. This regional planning effort will compliment already-ongoing collaborative work among local, state and federal agencies in the larger Yolo Bypass/Cache Slough (YBCS) Region; and builds on and further develops efforts by the local partners in the Corridor Management Framework (CMF).

A collaborative partnership of agencies currently consisting of the Delta Conservancy, Solano County, Solano County Water Agency, Reclamation District 2068, and Yolo County have prepared a scopeto develop a vision for the CSC with a consensus on implementable projects, programs, and potential agreements to achieve regional goals and objectives. Additional local stakeholders including representatives from the agricultural community, reclamation and resource conservation districts, and other local, regional, state and federal government agency representatives, may participate in this collaborative partnership as it develops further. Science subject matter experts may also be consulted for technical support . Outreach to local stakeholders will be led by the local partner agencies.

The YBCS is a key area of public focus for many short and long term planning processes including federal and state programs to improve regional flood management and advance habitat restoration activities to mitigate for the state and federal water projects operations, preserve declining endangered species in the Sacramento-San Joaquin Delta, and incorporate improvements to the regional flood management system. The CSC is located at the downstream end of the YBCS and is an integral part of the regional landscape, hydrology, and hydraulics. Existing land uses in the region are primarily agriculture, local and regional flood protection, terrestrial and aquatic habitat, and water supply for local agriculture and regional municipal and industrial needs. The CSC can be affected by actions further up in the YBCS such as modification to the flood management system and habitat restoration, among other activities.

These land uses will be analyzed, individually and collectively, to identify a suite of multi-objective solutions and strategies that if implemented, can ensure effective science-based restoration efforts that would be realized with the least possible impact on existing and potential future land uses and with local support. The primary objective is to identify habitat restoration opportunities, while preserving agriculture, other land uses and infrastructure, flood management objectives, and the operation and maintenance of existing water resources infrastructure located in the CSC.

# CACHE SLOUGH SCOPE OF WORK, 4TH DRAFT



## PROJECT WORK SCOPE

Implementation of this work will be conducted through an ongoing series of meetings between state, federal and local agencies to insure: 1) a consensus-driven process; 2) development of a Charter or guidance document; 3) development of goals and objectives for guide the process; and 4) ongoing collaborative oversight and direction of the study. This effort will bring together multiple stakeholders and compile and integrate relevant existing data and information to determine the adequacy of understanding of current conditions and analyze possible future conditions leading to a comprehensive and collaborative strategic planning approach for the CSC that is locally supportable for implementation.

This scope of work is divided into two phases. The initial phase will develop and assess the baseline condition for potential conflicts and synergies between the multiple existing uses within the CSC. Each partner agency will have an opportunity to collect and interpret data and information that will be contributed to the development of the baseline condition. The data will be assimilated into a data visualization platform that will facilitate a collaborative process where the partners can work together to develop a consensus around the adequacy of the baseline conditions.

Completion of Phase I will demonstrate that the collaborative effort can achieve an effective consensus based process to that will facilitate the development of future strategies, actions, and projects that will formulate a strategic plan for the CSC in Phase II. At the completion of Phase I the Delta Conservancy Board will evaluate the process and approach and determine if the effort should continue. The results of this initial phase will inform the scope of the final phase and are anticipated to be completed within 6months. The overall process is anticipated to take 12 months to complete.

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## PHASE I: BASELINE DEVELOPMENT

The intent of Phase I is to identify and compile data, literature and other relevant information to understand each use and their interactive relationships within the YBCS landscape. This body of information will be interpreted and summarized in a literature review to develop the current state of knowledge and description of the existing conditions for the CSC.

Each Partner will have an opportunity to conduct a preliminary interpretation of the data resources for a quantitative and qualitative understanding of each data source and the totality of the information and its adequacy to inform the planning objectives toward development of the vision. The baseline data and information collected by each partner agency will be integrated into a comprehensive data-base for access and use, by all partners collaboratively, to develop an inventory of existing resources and infrastructure and an assessment of the baseline condition. The collaborative partners will determine the adequacy of the current data compilation; identify potential flaws and critical data gaps and discuss the need for additional data gathering and/or consider possible simplifying assumption in lieu thereof. A Draft Baseline Assessment Report will document the results of the data and literature, conclusions, recommendations, and considerations to implement strategy development in Phase II.

### MAJOR PHASE I DELIVERABLES:

1. Database and Visualization Tool(s)
2. Baseline Condition Mapping
3. Baseline Ecosystem, Land Use and Water Assessment Report

### TASK 1. PHASE I GENERAL ADMINISTRATION AND SUPPORT

#### 1.1. Delta Conservancy:

**1.1.1. Facilitated Collaborative Partners Kick-off Meeting(s):** Conduct initial meeting(s) (up to 3) to define a consensus-driven process (including a potential charter or guidance document), roles and responsibilities, meeting protocols, discuss task schedules and analysis procedures, discuss stakeholder outreach strategies, and identify study objectives and desired outcomes. Following this meeting, any refinements will be made to the scopes of work for these team members, as necessary, and an overall project schedule will be developed.

**1.1.2. Regular Collaborative Partners Meetings:** Conduct monthly (up to 5) meetings to perform ongoing collective oversight of the study's progression.

**COST: UP TO \$15,000**

#### **DELIVERABLES:**

- *Charter or guidance document.*

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- *Description of potential information sources.*
- *Refined scopes of work and overall project schedule.*
- *Meeting summaries.*

**RESPONSIBLE PARTY:** *Delta Conservancy Consulting Team*

**FUNDING SOURCE:** Delta Conservancy Federal funding through a Request for Bid competitive process

## **1.2. Solano County Support**

- 1.2.1.** Administrative Services: Internal project management and coordination
- 1.2.2.** Meeting Attendance: Staff participation in stakeholder, partner agency, and collaborative partner meetings.
- 1.2.3.** Participate in Baseline Condition Assessment process.
- 1.2.4.** Review deliverables.
- 1.2.5.** Phase II preparations.

**COSTS:** *\$30,000*

**DELIVERABLE:** *Ongoing administration and coordination of work, stakeholder meeting summaries, outreach database.*

**RESPONSIBLE PARTY:** *Solano County Resource Management*

**FUNDING SOURCE:** Delta Conservancy Proposition 1 funding through a non-competitive agreement with Solano County

## **1.3. Yolo County Support**

- 1.3.1.** Administrative Services: Provide meeting locations, contact information, mailing lists, local outreach.
- 1.3.2.** Meeting Attendance: Staff participation in Stakeholder, Partner, and Collaborative Partner meetings.
- 1.3.3.** Data Collection, Interpretation, Integration, and Support.
- 1.3.4.** Participate in Baseline Condition Assessment process.
- 1.3.5.** Review Deliverables.
- 1.3.6.** Phase II preparations.

**COST:** *\$25,000*

**RESPONSIBLE PARTY:** *Yolo County*

**FUNDING SOURCE:** Delta Conservancy Proposition 1 funding through a non-competitive agreement with Yolo County

**TOTAL TASK 1 COST = \$70,000**

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## **TASK 2. ECOSYSTEM RESTORATION COMPONENT**

**2.1. Data Acquisition, Integration, Interpretation.** The purpose of this task is to acquire and integrate relevant ecosystem data to support integrated assessment of proposed management strategies in the CSC.

- 2.1.1.** Identify relevant ecosystem data types and sources. Acquire data. Format data as needed for integration. Ecosystem data sources are expected to include, but not be limited to, BDCP, FRPA, Delta Landscapes, CDFW, and DWR. Data regarding flood system constraints and opportunities are essential components of this process. The partners will incorporate information related to flood management planning — including, but not limited to, data from the Central Valley Flood Protection Plan (including the Conservation Strategy and the Basin-Wide Feasibility Study) and its Regional Flood Management Planning process — throughout Phase I and Phase II tasks.
- 2.1.2.** Perform basic interpretation. Develop appropriate analytical and visualization tools to support an initial interpretation of compiled data and information. Conduct initial interpretation of data and information to characterize and quantify existing ecosystem conditions.
- 2.1.3.** Complete an initial ecosystem data gap analysis that classifies potentially useful data as either easily available but not provided by owner, not easily available (for formatting, privacy, or other reasons), or non-existent. Based on this categorization, develop a plan to fill data gaps as part of this or future efforts.
- 2.1.4.** Prepare and transmit data and information (as well as supporting analytics and visualization tools) for availability and use by the collaborative partnership.

**COST: \$50,000**

### **DELIVERABLES:**

- *Ecosystem restoration opportunities spatial database (ESRI ArcGIS geodatabase, or equivalent format compatible with data and visualization platform),*
- *Ecosystem parametric time series database (format compatible with data and visualization platform),*
- *Up to three (3) preliminary data visualizations for agricultural interpretation, and*
- *A brief technical memorandum (draft and final).*

**RESPONSIBLE PARTY:** Delta Conservancy Consulting Team

**FUNDING SOURCE:** Delta Conservancy Proposition 1 funding through a non-competitive agreement with SFEI-ASC and Flow West

**TOTAL TASK 2 COST = \$50,000**

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## **TASK 3. AGRICULTURE/LAND USE COMPONENT: SOLANO COUNTY**

The purpose of this task is to acquire and integrate diverse baseline data and information on land use and agriculture, its economic values, and sustainability needs, to be evaluated in concert with and to inform proposed ecosystem restoration projects and other proposed management actions in the YBCS. The baseline data and information integrated in this task will provide critical information to enable evaluation of the region's ecosystem, flood and other elements envisioned as part of the Phase 2 study.

**3.1. Conduct Stakeholder Outreach and Involvement:** County internal meetings and staff participation at agency oversight meetings covered under Project Administration and Coordination Task.

**3.1.1.** Conduct series of meetings to inform local residents, businesses, and representatives of other local governmental agencies about the various planning process in the Yolo Bypass/Cache Slough area; interviews with key stakeholder individuals, groups, agencies, and organizations to solicit information, stakeholder perspective, involvement and input on the potential impacts of these activities.

**3.1.2.** Develop a stakeholder contact information database, and maintain the database as additional parties are included; establish a Cache Slough Working Group stakeholder committee.

**3.1.3.** Preparation of agendas, information packets, meeting reports, minutes.

***COST: \$8,000;*** Outreach process envisions approximately 8 meetings, \$2,000 per meeting (8 meetings at \$2,000 = \$16,000 - \$8,000 cost share from Solano County).

***DELIVERABLE:*** Meeting summaries.

***RESPONSIBLE PARTY:*** Solano County Department of Resource Management

**3.2. Acquire and Integrate Agricultural Data and Information:**

**3.2.1.** Review and adapt data and information acquired for Solano County's Sustainable Groundwater Water Resources Evaluation. This data includes public / private lands, parcels, crop types, land uses, conservation easements, Williamson Act lands, and selected land surface elevations. This data has been integrated to support a water balance evaluation and will need to be re-organized for use in this agricultural evaluation, as well as for ease of use in the development of the LESA model described in Task 3.3.

**3.2.2.** Review and adapt data and information acquired for Solano County's Sustainable Groundwater Water Resources Evaluation. This data includes public/private lands, parcels, crop types, land uses, conservation easements, Williamson Act lands, and selected land surface elevations. This data has been integrated to support a water balance evaluation and will need to be re-organized for use in this agricultural evaluation, as well as for ease of use in the development of the LESA model described in Task 3.3.

**3.2.3.** Complete an interpretation of baseline agricultural conditions using data and information from Tasks 3.2.1 and 3.2.2 and other available data. This will require

# CACHE SLOUGH SCOPE OF WORK, 4TH DRAFT

development of basic visualizations (expected to include maps, time series plots, and other summary materials) that facilitate use of agricultural data and information in Task 5.

- 3.2.4.** Complete a data gap analysis that identifies missing data and categorizes it as either collected, collected but not readily available or not collected. For collected data that is not readily available, complete outreach, data formatting, or other tasks required to acquire the data, subject to a budget limitation of up to 50% of the entire task budget. New data will not be collected for this project. However, basic outlines for critical data collection will be completed to guide future data collection work.

**COST: \$50,000**

**DELIVERABLE:**

- *Agriculture and infrastructure spatial database (ESRI ArcGIS geodatabase, or equivalent format compatible with data and visualization platform),*
- *agriculture and infrastructure time series database (format compatible with data and visualization platform),*
- *Up to ten (10) preliminary data visualizations for agricultural interpretation, and*
- *A brief technical memorandum (draft and final).*

**RESPONSIBLE PARTY:** *Solano County Department of Resource Management*

**3.3. Develop Agricultural Impact Model and Framework: Land Evaluation and Site Assessment (LESA) and Indirect analysis using IMPLAN/Bureau model review of indirect impacts:** Solano County will first develop and utilize a Land Evaluation and Site Assessment (LESA) Model, as a tool to develop a more comprehensive understanding of the agricultural significance of parcels located within the study area. Creation of a new GIS layer using LESA will help the County and the collaborative partners develop a better understanding of the distribution of agricultural land resources within the study area, and would inform ecosystem restoration and flood planning efforts to be considered in Phase 2. The second subtask is key to attaining the broader range of economic considerations with a focus on indirect and induced effects complementing and completing the LESA work, using additional data sources such as IMPLAN and/or U.S. Bureau of Economic Analysis production data and other sources. This would include multiplier effects relative to the larger economy, such as business-to-business supplier purchases and consumption spending, applied to land used for different purposes, with varying LESA scores and with indirect and induced impacts. This analysis will enable the County to create a new, additional parcel-level GIS layer that reflects a more comprehensive economic look at agriculture within the study area.

- 3.3.1.** Develop a Land Evaluation and Site Assessment (LESA) Model for CSC with agency staff and a broad range of stakeholders.
- 3.3.2.** Develop rating factors
- 3.3.3.** Conduct model evaluation and application to parcels.
- 3.3.4.** Develop LESA GIS Layers

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- 3.3.5. Develop range of economic values for estimating the direct, indirect, and induced regional economic effects, using prior work and additional IMPLAN or US Bureau Economic models.
- 3.3.6. Develop economic impact multipliers for application to land used for different purposes, with varying LESA scores and with consideration to indirect and induced effects.
- 3.3.7. Conduct evaluation.
- 3.3.8. Create new GIS indirect economic effect layer(s).

**COST: \$140,000**

**DELIVERABLE:** *A Technical Memorandum:*

- *Model development and assumptions.*
- *Economic rating factors*
- *GIS Layers*

**RESPONSIBLE PARTY:** *Solano County Department of Resource Management*

**TASK 3 FUNDING SOURCE:** Delta Conservancy Proposition 1 funding through a non-competitive agreement with Solano County

**TOTAL TASK 3 COST = \$198,000**

**TASK 4. WATER RESOURCES INFRASTRUCTURE COMPONENT:** The purpose of this task is to produce analytical tools to identify and evaluate existing water resources infrastructure (water supply diversions, flood management and drainage facilities, etc.) in the CSC and their relationship (opportunity/constraint) to proposed land use changes in YBCS. Data and tools developed in this task will be essential to develop an operational reliability assessment of water resources infrastructure in and around the CSC.

- 4.1. **Identify resources:** Identify readily available literature and data related to existing water resources infrastructure in the CSC that may be influenced by proposed actions in the YBCS. Assign a division of responsibility between SCWA and DC Consultant Team for compilation of this literature and data.
- 4.2. **Acquire, compile, review, and summarize readily available literature and data.** Create an integrated database of existing water resources infrastructure and relevant monitoring/data collection locations that includes geospatial, time-series, and other relevant data types. Data types expected to include, but not be limited to, location of water supply, drainage, and flood management facilities, environmental monitoring data and locations (food production, ESA species), hydrodynamics (residence time, flow, velocity) water quality (DOC, Bromide, Chloride, Microcysts, etc.), and operation and maintenance practices.
- 4.3. **Perform basic interpretation.** Develop appropriate analytical and visualization tools to support an initial interpretation of compiled data and information. Develop categorical criteria to characterize

# CACHE SLOUGH SCOPE OF WORK, 4TH DRAFT

infrastructure in terms of programmatic extent and individual assets based on key variables, characteristics, etc.

- 4.3.1.** Identify data gaps that may hinder the overall effectiveness or accuracy of the operational reliability assessment and understanding of the existing conditions, potential impacts affecting local flood management and continued access to reliable water supplies.
  - 4.4.** Prepare and transmit data and information (as well as supporting analytics and visualization tools) for availability and use by the collaborative partnership.

**COST: \$75,000; with SCWA In-kind match.**

**DELIVERABLE:**

- *Water resource infrastructure spatial database (ESRI ArcGIS geodatabase, or equivalent format compatible with data and visualization platform),*
- *Water resources time series database (format compatible with data and visualization platform),*
- *Up to 10 (10) preliminary data visualizations for water resource infrastructure interpretation, and*
- *A brief technical memorandum (draft and final).*

**RESPONSIBLE PARTY:** DC Consulting Team w/ SCWA staff support.

**FUNDING SOURCE:** Delta Conservancy Proposition 1 funding through a non-competitive agreement with SFEI-ACS and Flow West

**TOTAL TASK 4 COST = \$75,000**

## **TASK 5. COLLABORATIVE BASELINE CONDITION AND ECOSYSTEM, LAND USE AND WATER**

**ASSESSMENT:** This task is envisioned as a series of workshops with the collaborative partners using a consensus based approach to assess data sets, screen the baseline condition to map, and explore overlays of readily available information collected in Tasks 2, 3 and 4 as an initial step in developing a regional strategy, and defining next steps and information needs to complete the restoration strategy envisioned in Phase 2. The results of this initial assessment will inform the Phase II scope and breadth.

**5.1. Provide Integrated Data Management System.** A visualization and knowledge management platform to support integrated assessment of the existing condition and proposed management actions in the CSC.

**5.1.1.** Incorporate component data and information (as well as supporting analytics and visualization tools) provided from the conclusion of Tasks 2, 3, and 4.

**5.1.2.** Develop tools, as required to conduct a collaborative assessment, to visualize and initiate analysis of integrated data sets and information.

**5.2. Present component interpretation findings.** Each agency will have the opportunity to present interpretation results from the conclusion of Tasks 2, 3, and 4.

**5.2.1.** Summarize findings in Phase I report.

**5.3. Develop Baseline Condition Mapping.**

# CACHE SLOUGH SCOPE OF WORK, 4TH DRAFT

- 5.4. Conduct Baseline Condition Assessment.
- 5.5. Prepare Baseline Condition Assessment report.
- 5.6. Refine Phase II scope of work as necessary.
- 5.7. Final report documenting achievements, needed information and next steps.
- 5.8. Conduct 6 to 8 facilitated collaborative workshops to assess baseline and initial interpretation of ecosystem, land use and water priority areas in preparation for Phase 2 analysis. This includes administrative costs associated with coordination of workshops.

**COST: \$125,000 (\$75 for 5.1-5.6 and \$50 for 5.7&5.8)**

**DELIVERABLE:**

- *Master spatial database (ESRI ArcGIS geodatabase, or equivalent format compatible with data and visualization platform),*
- *Master time series database (format compatible with data and visualization platform),*
- *Baseline data visualizations for baseline interpretation, and*
- *Draft Baseline Condition Assessment, Revised Phase II Scope.*

**RESPONSIBLE PARTY:** Delta Conservancy Consulting Team

**FUNDING SOURCE:** Delta Conservancy Proposition 1 funding through a non-competitive agreement with SFEI-ACS and Flow West (\$75,000) and Federal funding for Request for Bid competitive process (up to \$50,000)

**TOTAL TASK 5 COST = \$125,000**

**TOTAL PHASE I COST: \$518,000**

# CACHE SLOUGH SCOPE OF WORK, 4TH DRAFT

## PHASE II: STRATEGY DEVELOPMENT

The purpose of this project is to develop a restoration strategy for the Cache Slough Complex (CSC) that identifies areas for habitat restoration and projects that would be eligible for Proposition 1 funding. The goal of Phase II is to identify an implementable suite of potential multi-beneficial programmatic solutions and projects, eligible for Proposition 1 implementation funding, that produce a strategy to integrate and balance ecological restoration opportunities to maximize their effectiveness while avoiding and/or minimizing their impacts on existing land use, agriculture, regional economics, local values, and continued operation and maintenance of critical water supply and flood management infrastructure.

Based on the conclusions, recommendations, and considerations presented from Phase I, the intent of Phase II is to evaluate multi-objective approaches to achieve the planning objectives and vision for the region. This effort is envisioned as a series of workshops with the collaborative partners working on a consensus based approach for a landscape-scale short and longer-term vision for the CSC. Data analysts will participate in workshops to support the collaborative partners by accessing relevant information in real time to support the collaborative partners in their deliberations.

The collaborative partners will develop conceptual actions that can be virtually implemented through the visualization tools to determine their effectiveness through focused sensitivity analyses of key parameters and objective performance measures.

The results of this regional planning effort will be a series of strategic actions for achieving the planning objectives and vision. The collaborative partners will assist in capturing the decision points and resulting strategies that evolve in developing a consensus for a preferred strategy. A draft document will be presented for consideration and comment. The release of a final plan will be consensus driven.

### **TOTAL PHASE II COST:**

**A rough estimate of Phase II costs, based on current understanding that will be modified in Phase I, is between \$400,000 and \$800,000**

### **TOTAL PROJECT COST:**

**\$900,000 to \$1,300,000**

# SOLANO COUNTY WATER AGENCY



June 20, 2016

Mr. Jim Provenza, Chair  
Delta Conservancy Board  
1450 Halyard Drive, Suite 6  
West Sacramento, CA 95691

RE: Proposed Cache Slough Complex Scope of Work

Dear Jim:

The Solano County Water Agency is pleased to support the Delta Conservancy's proposed Cache Slough Complex scope of work (SOW) for ecosystem restoration planning in the Cache Slough Complex (Complex), and urges the Delta Conservancy Board to fund the SOW.

The Complex is an integral part of the Yolo Bypass/Cache Slough Region and the focus of many short and long term ecosystem restoration planning activities by federal, state and local entities. In addition to providing significant habitat restoration opportunities, the geographic region encompassed by the CSC supports long standing agricultural operations, provides essential water supplies for local agricultural operations and the municipal and industrial needs of Solano and Napa counties, and is an integral part of the Sacramento River Flood Control System. To truly be successful, the federal, state and local habitat restoration activities that are and will be occurring in the Complex must be integrated with the aforementioned concurrent land uses.

We believe the proposed SOW is at the very least, a positive step toward addressing ongoing and future habitat restoration activities in the Complex in a programmatic and integrated fashion, and appreciate Mr. Campbell Ingram's efforts to develop the proposed Cache Slough Complex scope of work. Please do not hesitate to call me or Mr. Thomas Pate at 707-451-6090 if you have any questions.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Roland A. Sanford'.

Roland A. Sanford  
General Manager

810 Vaca Valley Parkway, Suite 203  
Vacaville, California 95688  
Phone (707) 451-6090 • FAX (707) 451-6099  
www.scwa2.com



Meeting Date: June 27, 2016  
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1450 Halyard Drive, Suite 6  
West Sacramento, CA 95691  
[www.deltaconservancy.ca.gov](http://www.deltaconservancy.ca.gov)

*Request for Approval to Enter into an Agreement for Strategic Planning Consulting Services*

June 27, 2016

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**RECOMMENDATIONS**

Staff recommends Board authorization for the Executive Officer to enter into an agreement in the amount of up to \$100,000 for consulting services to support the update of the Conservancy's Strategic Plan. A Request for Offer (RFO) solicitation process is underway to select a qualified professional contractor.

**PROJECT DESCRIPTION**

The Conservancy Board adopted the first Strategic Plan in 2012, with the expectation that it would be reviewed after two years and updated after five years. The attached scope of work outlines the process for updating the Strategic Plan, which will include seeking Board and public input through a series of workshops, making appropriate revisions, and producing a final draft for Board consideration. The revision process is expected to take no more than 12 months with final adoption next summer.

**BUDGET**

The total project cost for the project should not exceed \$100,000. The funding source is FY15/16 General Funds.

**Contact Person:**

Campbell Ingram, Executive Officer  
Sacramento-San Joaquin Delta Conservancy  
Phone: (916) 375-2089

## **SCOPE OF WORK - ATTACHMENT 1**

### **Update to the Delta Conservancy's Strategic Plan**

#### **1. BACKGROUND**

The Delta Conservancy was created by legislation in 2010 to lead efforts that advance environmental protection in the Delta and the economic well-being of Delta residents. The Conservancy's goal is to implement projects that will result in integrated ecosystem, environmental, and economic benefits. To reach that goal, the Conservancy works in collaboration with local communities, interested groups and state and federal agencies to seek creative opportunities to address challenges and reach agreement for moving these efforts forward. The Conservancy strives to ensure that programs and projects are prioritized and funded in a balanced manner according to geography and our legislative responsibilities.

In 2012, the Delta Conservancy developed and adopted its Strategic Plan. The Delta Conservancy Board of Directors agreed to reevaluate the Strategic Plan in 5 year intervals, with the first interval ending in 2017. The Delta Conservancy recognizes the need for reviewing and revising its Strategic Plan to document existing processes and identify approaches for effective project selection and administration in the future. Transparency in Delta Conservancy operations and project ranking and selection processes should be an overlying goal of the Delta Conservancy Strategic Plan.

The review and revision of the Strategic Plan will assist the Delta Conservancy in all current and future processes by:

- Articulating clear goals and objectives both for the organization and its programs
- Defining strategies that adhere legal mandates but also ensure a transparent, integrated process for ranking and selecting projects across program areas
- Establishing metrics for measuring, monitoring, and reporting the activities and progress of Delta Conservancy program areas

#### **2. PROJECT OBJECTIVES**

The Delta Conservancy is soliciting proposals from qualified strategic planning firms to:

- 2.1 Develop a work plan and toolkit for Stakeholder and Public Involvement in the strategic planning review and revision process
- 2.2 Review and revise the Delta Conservancy's strategic plan
- 2.3 Oversee the process of gathering input on the Delta Conservancy's strategic plan

#### **3. TERM OF AGREEMENT**

- 3.1 The term of this Agreement shall commence upon June 30, 2016 or upon the date the Agreement is executed by the Delta Conservancy and DGS – CMAS, whichever comes first and continues through June 30, 2018.

- 3.2 This Agreement may be amended to extend the term of the Agreement only upon written approval by both parties.

#### **4. PROJECT TASKS AND DELIVERABLES**

##### **TASK 1 – COMPLETE WORK PLAN**

Prior to undertaking the tasks described below, the Contractor will develop a comprehensive work plan and supporting documentation to cover budgets, schedules, reporting, and cost tracking. This work plan will include details on how the Contractor will work with the Delta Conservancy staff, stakeholder groups and the general public.

The Contractor will work with the Delta Conservancy staff to develop a toolkit to include in the Work Plan including; interview protocols, draft agendas for public meetings and stakeholder interviews, specifications for website strategic plan information and online comment gathering to be displayed on the Delta Conservancy website, to solicit and integrate input from stakeholders and the general public throughout the review and revision of the Strategic Plan.

The Contractor will design, conduct and facilitate public meetings at a minimum of two venues within the legal Delta, and will also present the revised Strategic Plan to the Delta Conservancy Board at a minimum of two public meetings.

- *Deliverables: Work Plan and Toolkit for Stakeholder and Public Involvement*
- *Timeline: Within 30 days after the contract is signed*

##### **TASK 2 - COMPLETE REVIEW/REVISION OF INTRODUCTION/ABOUT THE CONSERVANCY**

The introduction should address the need for a Strategic Plan. In addition, the Contractor will review and document existing history and background information on the Delta Conservancy's programs, policies and procedures in an Introduction section to the Strategic Plan.

- *Deliverables: Draft Update of Introduction/About the Conservancy*
- *Timeline: The Introduction/About the Conservancy section should be completed by September 30, 2016*

##### **TASK 3 – COMPLETE REVIEW/REVISION OF PRIORITIES, GOALS, OBJECTIVES, AND STRATEGIES SECTIONS**

The Contractor will work with the Delta Conservancy staff and stakeholders to review the Vision Statement, Goals and Objectives, and Strategies to guide the organization and operations of the Delta Conservancy into the future together with strategies to achieve the stated goals. The goals and objectives, and strategies will focus on priorities, processes and procedures that ensure transparency and provide opportunities to integrate new and innovative resource information as it is developed.

- *Deliverables: Draft Priorities, Goals, Objectives, and Strategies Sections*
- *Timeline: The Future Operations section should be completed by November 30, 2016*

#### **TASK 4 – COMPLETE REVIEW/REVISION OF IMPLEMENTATION AND ACCOUNTABILITY/MONITORING**

This section will focus on measurement tools to quantify and record the benefits of the Delta Conservancy-funded projects, accountability (between Grantees and the Delta Conservancy), and mandated and elective monitoring and reports.

- *Deliverables: Description of Measurement and Monitoring tools and reports and Strategies for Implementation*
- *Timeline: The Accountability and Monitoring section should be completed by January 31, 2017*

#### **TASK 5 – ASSEMBLE SECTIONS INTO A DRAFT UPDATE TO THE STRATEGIC PLAN**

The Contractor will take all the information gathered to date and sections written, and prepare a Draft Update to the Strategic Plan for public circulation, review and comment.

- *Deliverables: A Draft Update to the Strategic Plan*
- *Timeline: A Draft Update to the Strategic Plan should be completed by the March 22, 2017 Delta Conservancy Board Meeting*

#### **TASK 6 – CIRCULATE THE DRAFT UPDATE TO THE STRATEGIC PLAN FOR PUBLIC COMMENT**

The Contractor will circulate the Draft Strategic Plan for public review using conventional methods that will include conducting public meetings at a minimum of two venues throughout the legal Delta.

- *Deliverables: A revised Draft Update to the Strategic Plan based on Integration of Public Comment*
- *Timeline: The public review and revised Draft Update to the Strategic Plan should be completed by April 30, 2017.*

#### **TASK 7 – PRODUCE AND PRESENT A FINAL UPDATE TO THE STRATEGIC PLAN**

The Contractor will produce a Final Draft Update to the Strategic Plan and present it at the May 24, 2016 Delta Conservancy board meeting. Following the meeting the Contractor will make any additional recommended revisions to the plan and submit a Final Update to the Strategic Plan to the Delta Conservancy.

- *Deliverables: A Final Update to the Strategic Plan delivered to the Delta Conservancy*
- *Timeline: The Final Update to the Strategic Plan should be completed by, and*

presented at, the May 24, 2016 Board Meeting with edits based on Board input due to the Conservancy by June 15, 2016.

**5. ACCEPTANCE CRITERIA**

It is the Delta Conservancy’s sole determination as to whether a deliverable has been successfully completed and acceptable to the Delta Conservancy. Each associated task and deliverable must be accepted by the Delta Conservancy before invoices will be processed for payment. Acceptance criteria shall consist of the following:

- 5.1 Reports are completed as specified and approved.
- 5.2 All deliverables must be in a format that can be used by the Delta Conservancy.
- 5.3 If a deliverable is not accepted, the Delta Conservancy shall provide the rationale in writing within 30 days of receipt of the deliverable.
- 5.4 If disputing an invoice for a set of deliverables, the Delta Conservancy shall provide notification of dispute and rationale within 10 days of receipt of the invoice.
- 5.5 Invoices must be linked to specific deliverables, provide exact time spent developing each deliverable, and the hourly billing rate.

**6. STATE RESPONSIBILITIES**

Provide access to any documents or information as necessary for the contractor to complete the tasks identified in the Delta Conservancy’s Agreement. Additionally, Delta Conservancy staff will be available to meet with the Contractor as needed to review goals and objectives in respect to development of the strategic plan.

**7. POINTS OF CONTACT**

<b>Contractor – Contract Manager:</b>	
Name, Title:	<i>[To be completed upon agreement award.]</i>
Address:	
Telephone Number:	
Fax Number:	
E-mail address:	

<b>State – Contract Manager:</b>	
Name, Title:	<i>[To be completed upon agreement award.]</i>
Address:	
Telephone Number:	
Fax Number:	
E-mail address:	

**8. BUDGET AND REPORTING**

Progress on deliverables is to be substantiated by a monthly report from the contractor. The contractor is expected to work closely with Delta Conservancy staff and partners in a collaborative team spirit. Additional Budget Details and Payment Provisions are further explained in Attachment 2. The scope of this Agreement shall not exceed \$100,000.

## **BUDGET DETAIL AND PAYMENT PROVISIONS - ATTACHMENT 2**

### **1. BUDGET DETAIL**

The Contractor agrees to perform and complete the work described in Attachment 1, Scope of Work within the total budget not to exceed \$100,000.

### **2. INVOICE AND PAYMENT**

- A. For tasks satisfactorily rendered, in accordance with the terms and conditions of this Agreement including the Attachment 1, Attachment 2, and Attachment 3; and upon receipt and approval of invoice(s), the Sacramento-San Joaquin Delta Conservancy (Delta Conservancy) agrees to reimburse Contractor for actual expenditures for said tasks, no more frequently than monthly in arrears, in accordance with the rates specified in Attachment 3 – Cost Worksheet. The Delta Conservancy will not accept an invoice for which work has not been approved or is outside of the agreement term and will return the invoice as a disputed invoice to the Contractor.
- A. The Delta Conservancy will only reimburse for expenses incurred during the agreement period.
- B. Progress on tasks and deliverables is to be substantiated in the monthly reports from the Contractor.
- C. Invoices shall be submitted not more frequently than monthly in arrears and only after the Contractor receives notice of satisfactory completion or acceptance of work progress by the Conservancy's Project Manager. Contractor shall submit one (1) original invoice to the address below:

Sacramento-San Joaquin Delta Conservancy  
1450 Halyard Drive, Suite 6  
West Sacramento, CA 95691

Invoices must be printed on Contractor's letterhead and must be signed by an authorized official, employee or agent certifying that the expenditures claimed represent actual expenses for the task performed under this agreement. Invoices must also at a minimum include the following information:

- Contract agreement number
- Invoice number
- Invoice date
- Performance period
- Description of the work performed
- Itemized cost breakdown by Task and Deliverable at the same or greater level of detail as indicated in this agreement
- Original receipts of actual out-of-pocket expenses (must be pre-approved by the Conservancy Program Manager)
- Total dollar amount being billed for the statement period, within the term of the agreement

- Contractor's signature

In addition, the Contractor will be required to build the cost of travel into hourly rates as proposed, and must meet State of California travel reimbursement standards.

- D. Monthly invoices submitted for payment must be submitted within 30 days following the end of each calendar month in which the work was performed and costs incurred in the scope of the Agreement, unless the agreement has reached the expiration/termination date (see item 5 below, "Timely Submission of Final Invoice") or alternate deadline that is agreed to in writing by the Conservancy Program Manager.

Undisputed invoices shall be paid within 45 days of the date received by the Conservancy's Contracted Fiscal Services, Accounts Payable Unit.

Costs and/or expenses deemed unallowable are subject to recovery by the Conservancy, see item 7 below, "Recovery of Overpayments".

- E. Invoices shall be paid based on actual expenses incurred and shall not exceed the total amount of this agreement. In the event actual expenditures differ from the estimated amounts of the budget, the Contractor's Project Representative and the Conservancy's Program Manager may re-negotiate specific line-item amounts provided the overall total project cost does not exceed the total agreement value. See Budget Modifications in # 7 below.

### **3. STATE BUDGET CONTINGENCY CLAUSE**

- A. It is mutually agreed that if the Budget Act of the current year and/or any subsequent years covered under this agreement does not appropriate sufficient funds for the program, this agreement shall be of no further force and effect. In this event, the State shall have no liability to pay any funds whatsoever to Contractor or to furnish any other considerations under this agreement and Contractor shall not be obligated to perform any provisions of this agreement.
- B. If funding for any fiscal year is reduced or deleted by the Budget Act for purposes of this program, the State shall have the option to either cancel this agreement with no liability occurring to the State, or offer an agreement amendment to Contractor to reflect the reduced amount.
- C. If funding for any fiscal year is not obligated by the funder, the State shall have the option to either cancel this agreement with no liability occurring to the State, or offer an agreement amendment to the Contractor to reflect the reduced amount.

### **4. PROMPT PAYMENT CLAUSE**

Payment will be made in accordance with, and within the time specified in, Government Code, Chapter 4.5, commencing with Section 927. An incomplete/disputed invoice will be returned to Contractor per Government Code, Chapter 4.5, Section 927.6. Time specified for prompt payment in Government Code, Chapter 4.5, Section 927.4 commences upon submittal of a completed/undisputed invoice.

## **5. TIMELY SUBMISSION OF FINAL INVOICE**

- A. A final undisputed invoice shall be submitted for payment no more than ninety (90) calendar days following the expiration or termination date of this agreement, unless a later or alternate deadline is agreed to in writing by the Conservancy Program Manager. The final invoice must be clearly marked "**FINAL INVOICE**", thus indicating that all payment obligations of the State under this Agreement have ceased and that no further payments are due or outstanding.
- B. The State may, at its discretion, choose not to honor any delinquent final invoice if the Contractor fails to obtain prior written State approval of an alternate final invoice submission deadline. Written State approval shall be sought from the Conservancy Program Manager prior to the expiration or termination date of this agreement.

## **6. REVIEWS**

Each party reserves the right to review service levels and billing procedures as these impact charges against this agreement.

## **7. BUDGET MODIFICATIONS**

- A. Changes to the line-item budget within a task may be made (not to exceed 10% of the line item) without formal amendment and not to exceed the total dollar amount of the agreement provided the Contractor adequately documents the need for the changes and all of the following requirements are met:
  - The Contractor submits a written request for budget modification and explains the need for change(s) and specifically identifies item(s) to be reduced or increased.
  - The Conservancy approves such changes in writing prior to implementation. The Conservancy shall have thirty (30) calendar days from receipt of the request to approve or deny the request for the exchange of funds between line items.
- B. Any budget change not meeting the above conditions, including the addition of the new line items, shall be by formal agreement amendment.

## **8. RECOVERY OF OVERPAYMENT**

- A. Contractor agrees that claims based upon a contractual agreement or an audit finding and/or audit finding that is appealed and upheld, will be recovered by the State and/or federal government by one of the following options:
  - I. Contractor's remittance to the State of the full amount of the audit exception within 30 days following the State's request for repayment; or
  - II. A repayment schedule which is agreeable in writing to both the State and the Contractor.
- B. The State reserves the right to select which option will be enforced and the Contractor will be notified by the State in writing of the claim option to be utilized.

If the Contractor has filed a valid appeal regarding the report of audit findings, recovery of the overpayments will be deferred until a final administrative decision on the appeal has been reached.

**Meeting Date: June 27, 2016**  
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1450 Halyard Drive, Suite 6  
West Sacramento, CA 95691  
[www.deltaconservancy.ca.gov](http://www.deltaconservancy.ca.gov)

## ***Future Board Meeting Schedule and Format*** **June 27, 2016**

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### **RECOMMENDATION**

Staff recommends the following for future Conservancy Board Meetings:

- The Board extends its meeting time to 1 p.m. in order to accommodate occasional extra time needed to conduct business.
- Board members should hold the morning of the 4<sup>th</sup> Wednesday of every month for regular and potential extra Board meetings.
- The Board should hold 1-2 meetings per year in the Delta, rotating locations. These meetings would be held in the evening.
- The Board should hold an annual “Conservancy Board Retreat” to connect with our mandates, strategic plan and evaluate overall Conservancy performance.

### **BACKGROUND**

Board members and staff have discussed the potential need to make changes to the Conservancy’s current board meeting schedule and meeting location. Several important informational agenda items have been removed from recent board meeting agendas due to lack of time.

Currently, the Conservancy Board meets on the fourth Wednesday of every other month from 9 a.m. to 12 p.m. at the Conservancy’s office in West Sacramento. When circumstances arise, or business needs to be expedited, the Board has met on the off-months between regularly scheduled meetings.

### **OPTIONS**

There are two options for creating additional time for the Board to conduct its business. The first option is to meet more frequently. This is challenging due to Board Member’s busy schedules and additional workloads on limited Conservancy staff. The other option is to lengthen the time of the currently scheduled Board Meetings. Staff believes that an extra hour during the Board meeting should be sufficient for the Board to conduct all of its business. Since the hour is only there in case the Board needs it, Board Members time can be best managed without adding extra meetings to their schedules.

**Meeting Date: June 27, 2016**

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The Board typically meets in January, March, May, July, September, and November, with periodic extra meetings to address time sensitive issues. We would like to propose that Board continue to meet on this every other month schedule but that members also reserve the morning of the 4<sup>th</sup> Wednesday of every month to allow extra meetings to be scheduled as needed.

In the first few years of existence the Board met in a variety of locations throughout the Delta. The purpose of the offsite meetings was for the Conservancy to establish a presence in the community and improve public participation, and to a lesser extent make travel more equitable for members in the south Delta. Currently, both the Delta Protection Commission (every meeting) and the Delta Stewardship Council (at least two times per year) meet within different areas of the Delta. The Board should consider having at least 1-2 meetings per year in the Delta rotating to different locations. In order to provide increased access to the public, it is recommended that these meetings be held during the evening.

It would be valuable for the Board to meet once per year to focus on the Board and overall Conservancy performance. This would be an opportunity to reconnect with our enabling language and mandates, our strategic plan and our past and future performance. To comply with Bagely Keene Act requirements, these meetings would need to be publically noticed and public members could attend.

**Contact Person:**

Campbell Ingram

Sacramento-San Joaquin Delta Conservancy

Phone: (916) 375-2089

Meeting Date: June 27, 2016  
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## July 27, 2016 **PROPOSED AGENDA**

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Staff is seeking input from the Board regarding additional agenda items for the July 27, 2016 meeting scheduled to be held in the Conservancy offices in West Sacramento, *or* for future Conservancy Board meetings.

A tentative list of agenda items includes:

- **Executive Officer's Report**
  - **Proposition 1 Grant Program Update**
  - **Delta Stewardship Council Delta Plan Update**
  - **California Water Fix and Eco Restore Updates**
  - **Delta Protection Commission Update**
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**Contact Person:**

Brandon Chapin, Board Liaison  
Sacramento-San Joaquin Delta Conservancy  
Phone: (916) 375-2090