



# Proposition 68 Grant Program



## Draft Grant Guidelines August 2018

Public Review Comments Due: October 10, 2018

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## ACRONYMS AND ABBREVIATIONS

CDFW	California Department of Fish and Wildlife
CEQA	California Environmental Quality Act
CGC	California Government Code
CLC	California Labor Code
CNRA	California Natural Resources Agency
CWAP	California Water Action Plan
CWC	California Water Code
FGC	Fish and Game Code
HRTW	Human Right to Water
NEPA	National Environmental Policy Act
PRC	Public Resources Code
SWRCB	State Water Resources Control Board
WRGB	Watershed Restoration Grants Branch

# 1 INTRODUCTION

## 1.1 Purpose

The mission of the California Department of Fish and Wildlife (CDFW) is to manage California's diverse fish, wildlife, and plant resources, and the habitats upon which they depend, for their ecological values and for their use and enjoyment by the public. These guidelines establish the process through which CDFW will award competitive grants with funds made available by Public Resources Code section 80132, subdivisions (d), (e)(2), and (g), for projects that improve a community's ability to adapt to the unavoidable impacts of climate change; improve and protect coastal and rural economies, agricultural viability, wildlife corridors, or habitat; develop future recreational opportunities; or enhance drought tolerance, landscape resilience, and water retention in accordance with statewide priorities (PRC §80130).

To accomplish this, CDFW is creating three focused grant opportunities:

- *Rivers and Streams Grants* – restoration of rivers and streams for fisheries and wildlife.
- *Southern Steelhead Grants* – restoration of Southern California Steelhead habitat.
- *Fish and Wildlife Improvement Grants* – improvement of conditions for fish and wildlife in streams, rivers, wildlife refuges, wetland habitat areas, and estuaries.

These guidelines include information regarding eligibility criteria, general program requirements, solicitation notices, submittal and evaluation of grant applications, and grant awards. Separate solicitations will provide detailed information regarding how to apply, program priorities, and evaluation criteria specific to each solicitation.

## 1.2 Background

These guidelines are based on the following legislation:

- Public Resources Code (PRC) section 80000 *et seq.* – California Drought, Water, Parks, Climate, Coastal Protection, and Outdoor Access For All Act of 2018 (Proposition 68); and
- Fish and Game Code (FGC) section 1501.5(b) – CDFW may grant funds for fish and wildlife habitat preservation, restoration, and enhancement to public agencies, Indian tribes, and nonprofit entities whenever CDFW finds that the grants will assist it in meeting its duty to preserve, protect, and restore fish and wildlife.

As per (PRC §80010[b]), CDFW is posting these draft guidelines on our [website](#) for 30 days and will hold three public meetings to consider public comment prior to finalizing them. The California Natural Resources Agency (CNRA) will post the final guidelines on

the bond accountability [website](#) along with a verification that the guidelines are consistent with applicable statutes (PRC §80010[c]).

### 1.3 Funding

Funding for competitive grants will be contingent upon fund availability. Proposition 68, passed by California voters in June 2018, amended the PRC to add, among other articles, section 80132, subdivisions (d), (e)(2), and (g), authorizing the Legislature to appropriate up to \$25,000,000 to CDFW to restore rivers and streams in support of fisheries and wildlife; up to \$30,000,000 to CDFW to restore Southern California Steelhead habitat; and up to \$30,000,000 to CDFW to improve conditions for fish and wildlife in streams, rivers, wildlife refuges, wetland habitat areas, and estuaries; respectively.

### 1.4 Program Purposes

Proposition 68 provides funding to CDFW to award grants to projects that improve a community's ability to adapt to the unavoidable impacts of climate change; improve and protect coastal and rural economies, agricultural viability, wildlife corridors, or habitat; develop future recreational opportunities; or enhance drought tolerance, landscape resilience, and water retention (PRC §80130). It is the intent of the people of California that these funds will be invested in projects that:

- Advance the purposes articulated in PRC section 80132;
- Provide public benefits that address the most critical statewide needs and priorities (PRC §80001[b][1]);
- Leverage private, federal, or local funding or produce the greatest public benefit (PRC §80001[b][2]);
- To the extent practicable, provide workforce training, contractor, and job opportunities for disadvantaged communities (PRC §80001[b][5]);
- To the extent practicable, measure greenhouse gas emissions reductions and carbon sequestrations associated with projects (PRC §80001[b][7]); and
- To the extent permissible under State General Obligation Bond Law and with the concurrence of the Director of Finance, up to five percent of funds available through Proposition 68 will be available for community access projects. (PRC §80008[c]).

## 2 ELIGIBILITY CRITERIA

Each CDFW Proposition 68 funding solicitation will provide detailed information on eligibility criteria and restrictions on the use of funds.

### 2.1 Eligible Grant Applicants

Eligible entities are limited to public agencies (federal, state, local), nonprofit organizations, federally recognized Indian tribes, and State Indian tribes listed on the Native American Heritage Commission's California Tribal Consultation List (FGC §1501.5[b]).

### 2.2 Grant Categories

CDFW will award grants for planning, implementation, and acquisition projects.

#### Planning

Planning grants fund planning efforts that develop a project to be ready for an implementation grant. Efforts may include program development, implementation strategy development, collecting baseline data, and project-specific activities such as design and environmental review.

#### Implementation

Implementation grants fund construction of restoration and enhancement projects and new or enhanced facilities. They are intended to support high priority shovel-ready projects that have advanced to the stage where planning, land tenure, and engineering are completed or nearly completed.

#### Acquisition

Acquisition grants fund purchases of real property interests or water rights. Acquisitions must be from willing sellers and not exceed fair market value, as confirmed by an appraisal approved by the Department of General Services Real Property Services Section.

### 2.3 Eligible Project Types

Examples of project types that may be eligible for funding are identified below for each of the grant opportunities. These are not exhaustive lists of eligible project types. Specifics concerning eligible project types may vary in each solicitation.

#### Rivers and Streams Grant Opportunities

Specifically, funding is available for subdivision (d) to restore rivers and streams in support of fisheries and wildlife, including, but not limited to, reconnection



of rivers with their flood plains, riparian and side-channel habitat restoration, and restoration and protection of upper watershed forests and meadow systems that are important for fish and wildlife resources.

- Restoring, protecting or enhancing riparian, and aquatic, habitat;
- Reconnecting historical flood plains;
- Installing or improving fish screens;
- Modernizing stream crossings, culverts, and bridges;
- Providing fish passage;
- Restoring river channels;
- Improving ecological functions;
- Improving local watershed management;
- Restoration and protection of upper watershed forests and meadow systems; and
- Removing sediment or trash.

### Southern Steelhead Grant Opportunities

Funding is available for subdivision (e)(2) for restoration of Southern California Steelhead habitat consistent with the Department of Fish and Wildlife's Steelhead Restoration and Management Plan and the National Marine Fisheries Service's Southern California Steelhead Recovery Plan.

- Providing fish passage;
- Modernizing stream crossings, culverts, and bridges; and
- Restoring or enhancing habitat.

### Fish and Wildlife Improvement Grant Opportunities

Funding is available for subdivision (g) for to improve conditions for fish and wildlife in streams, rivers, wildlife refuges, wetland habitat areas, and estuaries. Eligible projects include acquisition of water from willing sellers, acquisition of land that includes water rights or contractual rights to water, short- or long-term water transfers or leases, provision of water for fish and wildlife, or improvement of aquatic or riparian habitat conditions.

- Improve conditions for fish and wildlife in streams, rivers, wildlife refuges, wetland habitat areas and estuaries;
- Acquisition of water from willing sellers;
- Acquisition of land that includes water rights of contractual rights to water;
- Short- or long-term water transfers or leases;
- Provision of water for fish and wildlife; and
- Improvement of aquatic or riparian habitat conditions.

## 2.4 Specific Funding Requirements

### Rivers and Streams Grants

Funds authorized by PRC section 80132(d) for Rivers and Streams Grants will be administered in accordance through the Watershed Restoration Grants Branch (WRGB).

- These funds are available to restore rivers and streams in support of fisheries and wildlife, including, but not limited to, reconnection of rivers with their flood plains, riparian and side-channel habitat restoration activities, and restoration and protection of upper watershed forests and meadow systems that are important for fish and wildlife resources (PRC §80132[d]);
- Of the funds made available by PRC section 80132(d), at least \$5,000,000 shall be available for restoration projects in the Klamath-Trinity watershed for the benefit of salmon and steelhead (PRC §80132[d]);
- Priority will be given to projects supported by multi-stakeholder public or private partnerships, or both, using a science-based approach and measurable objectives to guide identification, design, and implementation of regional actions to benefit salmon and steelhead (PRC §80132[d]); and
- Funds available pursuant to this section shall not be expended to pay the costs of the design, construction, operation, mitigation, or maintenance of Delta conveyance facilities (PRC §80132[d] and CWC §79738[f]).

### Southern Steelhead Grants

Funds authorized by PRC section 80132(e)(2) for Southern Steelhead Grants will be administered in accordance through the WRGB.

- These funds are available for restoration of Southern California Steelhead habitat consistent with the CDFW Steelhead Restoration and Management Plan and the National Marine Fisheries Service's Southern California Steelhead Recovery Plan (PRC §80132[e][2]);
- Projects that remove significant barriers to steelhead migration and include other habitat restoration and associated infrastructure improvements shall be the highest priority (PRC §80132[e][2]);

### Fish and Wildlife Improvement Grants

Funds authorized by PRC section 80132(g) for Fish and Wildlife Improvement Grants will be administered in accordance through the WRGB.

- These funds are available to improve conditions for fish and wildlife in streams, rivers, wildlife refuges, wetland habitat areas, and estuaries (PRC §80132[g]).

Funds expended for the acquisition of a permanent dedication of water shall be in accordance with section 1707 of the California Water Code (CWC), where the State Water Resources Control Board (SWRCB) specifies that the water is in addition to water that is required for regulatory requirements as provided in subdivision (c) of section 1707 (CWC §79709[a]). The acquisition of long-term transfers of water shall be completed in accordance with CWC sections 1735, 1736 and 1737 (CWC §79709[b]);

### **3 GENERAL PROGRAM REQUIREMENTS**

#### **3.1 Conflict of Interest**

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

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

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

#### **3.2 Confidentiality**

Once the proposal has been submitted to CDFW, any privacy rights, as well as other confidentiality protections afforded by law with respect to the application package will be waived. Unsealed proposals are public records under the California Public Records Act (CGC section 6250 *et. seq.*).

#### **3.3 California Conservation Corps**

For restoration and ecosystem protection projects, applicants should consult with the California Conservation Corps (CCC) or a certified local conservation corps as to the feasibility of using their services as defined in section 14507.5 of the PRC to implement projects (PRC §80016). Each solicitation will include guidance for compliance with this provision. Preference for receipt of a grant will be provided to applications that include the use of services of the CCC or certified community conservation corps.

### **3.4 Labor Code Compliance**

State grants may be subject to California Labor Code (CLC) requirements, which include prevailing wage provisions. Certain State grants administered by the California Wildlife Conservation Board and CDFW are not subject to Chapter 1 (commencing with Section 1720) of Part 7 of Division 2 of the CLC. For more details, please refer to California Fish and Game Code Section 1501.5 and to the [Department of Industrial Relations \(DIR\) website](#). Grantee shall pay prevailing wage to all persons employed in the performance of any part of the project if required by law.

### **3.5 Environmental Compliance**

Activities funded under this grant program must be in compliance with applicable State and federal laws and regulations, including the California Environmental Quality Act (CEQA), National Environmental Policy Act (NEPA), and other environmental permitting requirements. The applicant is responsible for project compliance.

### **3.6 Water Law**

Funded projects that address stream flows and water use shall comply with the CWC, as well as any applicable State or federal laws or regulations. Any 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 SWRCB processes, timelines, and costs necessary for project approvals by SWRCB. 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 CDFW 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.

### **3.7 Signage**

Grantees will include signage, to the extent practicable, informing the public that the project received funds through CDFW from the California Drought, Water, Parks, Climate, Coastal Protection, and Outdoor Access For All Act of 2018 (PRC §80001[b][3]).

### **3.8 Monitoring Requirements**

All grant proposals must include a monitoring and reporting component that explains how the effectiveness of the project will be measured and reported. Each proposal will describe the type of monitoring to be conducted, what will be measured, sampling or survey methods, how the resulting data will be analyzed and reported, and how data will be managed. Project-specific performance measures are required.

All grantees will be required to provide periodic progress reports and a final report. Specifications concerning performance measures, monitoring requirements, data management, and reporting desired by CDFW or required by law will be provided in each solicitation or in the grant agreement.

## **4 GRANT PROCESS**

### **4.1 Solicitation Notice**

CDFW will solicit grant proposals with the release of a solicitation. Each solicitation will provide detailed information specific to that solicitation regarding the following: how to apply, including the start and end date of the application period; program priorities; evaluation criteria; and may also include minimum or maximum limitations on the dollar amount of grants to be awarded. Prior to finalizing the solicitation notice, CDFW will make a draft available on its website to solicit public comments for CDFW to consider. CDFW will post the final solicitation on its [website](#).

### **4.2 Proposal Submittal Process**

The application process will be conducted using the [CDFW WebGrants](#) system. Application forms and instructions will be included in each solicitation. All materials, including application, attachments and supporting documentation, must be received by CDFW no later than the deadline stipulated within the solicitation. Late submittals will not be accepted.

### **4.3 Proposal Review and Selection Process**

Proposals received by the deadline will be evaluated using the review process described below. Each solicitation may have variations in the review process and criteria; applicants should review the specific review process and criteria defined in each solicitation.

### 4.3.1 Administrative Review

Each proposal will be subjected to an administrative review, which will evaluate the eligibility and completeness of the application. Each application will first be evaluated for compliance with the eligibility criteria and completeness. All information requested in the solicitation must be provided and in the required formats. This review will use a “Pass/Fail” scoring method. Applications that are determined to be ineligible or incomplete will not be considered for funding.

### 4.3.2 Technical Review

All eligible and complete proposals will be evaluated and scored by technical reviewers. At least three technical reviewers will be assigned to each proposal and will include representatives from CDFW, including individuals from regional offices and headquarters, as appropriate. CDFW may request reviewers from other agencies or other outside experts to participate in the technical review. Individuals selected to serve as technical reviewers will be professionals in fields relevant to the proposed project. Technical reviewers will independently score proposals in accordance with the evaluation criteria documented in the solicitation. Table 1 presents a suite of review criteria that are meant to be broadly representative of the types of criteria upon which proposals will be evaluated. The specific review criteria and associated weighting factors established for each solicitation will vary.

Table 1. Example Review Criteria.

<p><b>1. Project Team Qualifications</b> Extent to which the proposal demonstrates that the project team has the qualifications, experience, and capacity to perform the proposed tasks.</p>
<p><b>2. Purpose and Background/Scientific Merit</b> Extent to which the proposal includes a clear description of the project’s primary objectives, sufficient rationale to justify the project need, and is based on best available science.</p>
<p><b>3. Community Support and Collaboration</b> Extent to which the proposed project demonstrates stakeholder support for the project.</p>
<p><b>4. Schedule and Deliverables</b> Extent to which the proposed schedule demonstrates the sequence and timing of project tasks, milestones, and deliverables and is sufficiently detailed and reasonable.</p>
<p><b>5. Budget</b> Extent to which the proposed budget is appropriate to the work proposed, cost effective, and sufficiently detailed to describe project costs and includes the CCC when appropriate.</p>
<p><b>6. Cost Share</b> Extent to which the proposal leverages other state funds or provides private, federal, or local funding match.</p>

**7. Environmental Compliance**

Extent to which the proposed approach to ensure compliance with all applicable environmental review and permitting requirements is feasible.

**8. Project Outcomes – Significance of the Benefits**

Extent to which the proposal provides sufficient analysis and documentation to demonstrate the significance of the expected project outcomes.

**9. Climate Change Considerations**

Applicant considered how future climate might affect the project's long-term benefits.

**10. Monitoring and Assessment**

Extent to which the proposal demonstrates a clear and reasonable approach for monitoring, assessing, and reporting the effectiveness of the project.

**4.3.3 Independent Scientific Review**

Depending on the scope and nature of each solicitation, the review process may be expanded to encompass an independent scientific review. In such instances, each eligible and complete proposal will be evaluated by at least two independent scientific reviewers. Independent scientific experts will be selected to review each proposal based on their expertise in the subject areas of the proposal. The approach and criteria upon which the independent scientific reviewers will evaluate the proposals will be documented in the solicitation.

**4.3.4 Selection Panel**

CDFW will convene a Selection Panel to review the scores and comments of all eligible and complete proposals. The Selection Panel may establish subcommittees to provide a preliminary ranking for Selection Panel deliberations. Representatives from other agencies and organizations may be invited to participate on the Selection Panel or its subcommittees. The Selection Panel will prepare a ranking list of the proposals and make funding recommendations. When developing the ranking list, the Selection Panel will consider the following items:

- Proposal review scores and comments;
- Subcommittee preliminary rankings;
- Availability of funds;
- Program purposes; and
- Balance and distribution of funding among priorities, project types and/or geographic area including potential to serve severely disadvantaged communities.

The Selection Panel may recommend modifications, including reducing grant amounts from that requested, in order to meet program priorities, funding targets and available funding limitations.

### 4.3.5 Director Review and Action

The Selection Panel's final recommendation will be presented to the Director of CDFW. The Director will consider the comments and recommendations from all levels of the review process and make the final funding decision. Following approval by the Director, the selected grant recipients will receive a commitment letter officially notifying them of their selection and grant amount.

## 4.4 Grant Agreement

Development of grant agreements will begin as soon as projects are approved by the Director of CDFW. Successful applicants will work with an assigned CDFW Grant Manager to develop the grant agreement. The applicant must agree to the [General Grant Provisions](#), available on CDFW's website for review. A project that does not have a grant agreement executed within six months of receiving an official funding notification may not be funded. In such situations, the applicant may apply to a future solicitation.

Grant agreements are not executed until signed by both the authorized representative of the grant recipient and CDFW. Work performed prior to an executed agreement will not be reimbursed.

### 4.4.1 Responsibility of the Grantee

The grantee will be responsible for carrying out the work agreed to and for managing finances, including but not limited to, invoicing, payments to subcontractors, accounting and financial auditing, and other project management duties including reporting requirements. All eligible costs must be supported by appropriate documentation. The solicitation will describe the documentation required to support cost claims. See Appendix C for additional state auditing requirements (refer to PRC§80012).

### 4.4.2 Invoicing and Payments

Grant agreements, with the exception of Acquisition grants, will be structured to provide for payment in arrears of work being performed. Funds cannot be disbursed until there is an executed grant agreement between CDFW and the project applicant. Payments will be made on a reimbursement basis (i.e., the grantee pays for services, products or supplies; submits an invoice that must be approved by CDFW Grant Manager; and is then reimbursed by CDFW). Funds for construction will not be disbursed until all of the required environmental compliance is complete.

### 4.4.3 Loss of Funding

Work performed under the grant agreement is subject to availability of funds through the State's normal budget process. If funding for the grant agreement is reduced, deleted, or delayed by the Budget Act or through other budget control actions, CDFW shall have the option to either: cancel the grant agreement, offer to the grantee a grant agreement amendment reflecting the reduced amount, or to suspend work. In the event of



cancellation or suspension of work, CDFW shall provide written notice to the grantee and be liable for payment for any work completed pursuant to the agreement up to the date of the written notice. CDFW shall have no liability for payment for work undertaken after such date. In the event of a suspension of work, CDFW may remove the suspension of work through written notice to the grantee. CDFW shall be liable for payment for work completed from the date of written notice of the removal of the suspension of work forward, consistent with other terms of the grant agreement. In no event shall CDFW be liable to the grantee for any costs or damages associated with any period of suspension invoked pursuant to this provision, nor shall CDFW be liable for any costs in the event that, after a suspension, no funds are available and the grant agreement is then cancelled based on budget contingencies.

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

- Lack of appropriated funds;
- Executive order directing suspension or cancellation of grant agreements; or
- CDFW or CNRA directive requiring suspension or cancellation of grant agreements.

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

- Failing to execute an agreement with CDFW within six months of receiving an official funding notification;
- Withdrawing from the grant program;
- Failing to acquire land at an approved fair market value;
- Losing willing seller(s);
- Failing to submit required documentation within the time periods specified in the grant agreement;
- Failing to submit evidence of environmental or permit compliance as specified by the grant agreement;
- Changing project scope without prior approval from CDFW;
- Failing to complete the project;
- Failing to demonstrate sufficient progress; or
- Failing to comply with applicable laws.

#### **4.4.4 Standard Conditions**

The [General Grant Provisions](#) outline the terms and conditions to which all grantees must agree in the grant agreement and may include information regarding audits, amendments, liability insurance and rights in data.

## APPENDIX A – USEFUL WEB LINKS

### California Department of Fish and Wildlife

Homepage: [www.wildlife.ca.gov/](http://www.wildlife.ca.gov/)  
 Grant Opportunities: [www.wildlife.ca.gov/Explore/Grant-Opportunities](http://www.wildlife.ca.gov/Explore/Grant-Opportunities)  
 State Wildlife Action Plan: [www.dfg.ca.gov/swap/](http://www.dfg.ca.gov/swap/)

### California Natural Resources Agency

Homepage: <http://resources.ca.gov/>  
 Bond Accountability: <http://bondaccountability.resources.ca.gov/p68.aspx>  
 California Water Action Plan: [http://resources.ca.gov/california\\_water\\_action\\_plan/](http://resources.ca.gov/california_water_action_plan/)

### California Department of Industrial Relations

Homepage: [www.dir.ca.gov/](http://www.dir.ca.gov/)

### CEQA Information

Summary: [www.wildlife.ca.gov/Conservation/CEQA/Purpose](http://www.wildlife.ca.gov/Conservation/CEQA/Purpose)  
 California State Clearinghouse Handbook: [http://opr.ca.gov/docs/SCH\\_Handbook\\_2012.pdf](http://opr.ca.gov/docs/SCH_Handbook_2012.pdf)  
 Environmental Information: <http://resources.ca.gov/ceqa/>

### Climate Change Information

CDFW's Climate Science Program: [www.dfg.ca.gov/Climate\\_and\\_Energy/Climate\\_Change/Safeguarding California: Reducing Climate Risk:](http://www.dfg.ca.gov/Climate_and_Energy/Climate_Change/Safeguarding_California:_Reducing_Climate_Risk)  
[http://resources.ca.gov/docs/climate/Final\\_Safeguarding CA Plan July 31 2014.pdf](http://resources.ca.gov/docs/climate/Final_Safeguarding_CA_Plan_July_31_2014.pdf)  
 National Fish, Wildlife, and Plants Climate Adaptation Strategy:  
[www.wildlifeadaptationstrategy.gov/pdf/NFWPCAS-Final.pdf](http://www.wildlifeadaptationstrategy.gov/pdf/NFWPCAS-Final.pdf)

### Enabling Legislation

California Drought, Water, Parks, Climate, Coastal Protection, and Outdoor Access For All Act of 2018 (Proposition 68) [Proposition 68](#)

### NEPA Information

U.S. Environmental Protection Agency: [www.epa.gov/compliance/basics/nepa.html](http://www.epa.gov/compliance/basics/nepa.html)

### State Water Resources Control Board

Homepage: [www.swrcb.ca.gov/](http://www.swrcb.ca.gov/)

## APPENDIX B – GLOSSARY OF TERMS

**Acquisition** – obtaining a fee interest or any other interest in real property, including, easements, leases, water, water rights, or interest in water obtained for the purposes of instream flows and development rights.

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

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

**Community Access** – engagement programs, technical assistance, or facilities that maximize safe and equitable physical admittance, especially for low-income communities, to natural or cultural resources, community education, or recreational amenities (PRC § 80002[b]).

**Disadvantaged Community** – a community with a median household income less than 80 percent of the statewide average (PRC § 80002[e]).

**Eligible costs** – expenses incurred by the grantee during the agreement performance period of an approved agreement, which may be reimbursed by CDFW.

**Eligible entity** – public agencies, nonprofit organizations, federally recognized Indian tribes, and state Indian tribes listed on the Native American Heritage Commission's California Tribal Consultation List, (FGC 1501.5(b)).

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

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

**Nonprofit organization** – an organization qualified to do business in California and qualified under section 501(c)(3) of Title 26 of the United States Code (PRC § 80002[j]).

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

**Proposal** – refers to the application for a project that is proposed for funding.

Proposition 68 – “California Drought, Water, Parks, Climate, Coastal Protection, and Outdoor Access For All Act of 2018” passed by California voters in June 2018, and as set forth in Division 45 of the Public Resources Code.

Public Agency - A political subdivision of the United States or a political subdivision of a United States state, including a federal agency, state agency, special district, joint powers authority, city, county, or public university.

Review Criteria – set of requirements used to evaluate a proposal for a specific solicitation.

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

Severely Disadvantaged Community - a community with a median household income less than 60 percent of the statewide average (PRC § 80002[n]).

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

## APPENDIX C – STATE AUDITING REQUIREMENTS

The list below details the documents or records that State Auditors may need to review in the event of a grant agreement being audited. Grant recipients should ensure that such records are maintained for each State funded project. For additional details including specific audit tasks performed during a bond audit, see the California Department of Finance Bond Accountability and Audits Guide and the Bond Audit Bulletins ([http://www.dof.ca.gov/Programs/OSAE/Audit\\_Memos/](http://www.dof.ca.gov/Programs/OSAE/Audit_Memos/)).

### State Audit Document Requirements

#### Internal Controls:

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

#### State Funding:

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

#### Agreements:

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

#### Invoices:

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

**Cash Documents:**

1. Receipts (copies of warrants) showing payments received from the State.
2. Deposit slips or bank statements showing deposit of the payments received from the State.
3. Cancelled checks or disbursement documents showing payments made to vendors, subcontractors, consultants, or agents under the grant agreement.

**Accounting Records:**

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

**Administration Costs:**

1. Supporting documents showing the calculation of administration costs.

**Personnel:**

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

**Project Files:**

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