

SUSTAINABLE GROUNDWATER
MANAGEMENT (SGM)
GRANT PROGRAM



LandFlex Grant Program Guidelines

January 2023

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CALIFORNIA NATURAL RESOURCES
AGENCY'S
DEPARTMENT OF WATER RESOURCES -
DIVISION OF REGIONAL ASSISTANCE



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FOREWORD

The California Department of Water Resources (DWR) is administering the LandFlex Grant Program (LandFlex) through DWR's Sustainable Groundwater Management (SGM) Grant Program. LandFlex (referred to as Ag Drought Relief) will award funds authorized by the California Budget Act of 2021 (Stats. 2021, ch. 44, § 25). This document contains DWR's Guidelines and scoring criteria (Guidelines) for LandFlex.

Climate change means that California needs to plan for a hotter, drier future. Long-term drought, fueled by climate change, has adversely affected the State's water supplies, which includes groundwater availability. In response to the Governor's *California's Water Supply Strategy, Adapting to a Hotter, Drier Future*, DWR will launch the LandFlex Program as a new and innovative tool to protect vulnerable drinking water wells. LandFlex will provide incentives to farmers to limit groundwater pumping in areas near communities reliant on vulnerable drinking water wells before they go dry. LandFlex combines traditional short-term following incentives with the elimination of long-term unsustainable groundwater pumping, a unique approach to groundwater resilience.

LandFlex is a program that will provide \$25 million in block grants to local government agencies to grant to farmers who limit agricultural water use. Local government agencies will work directly with farmers in critically overdrafted (COD) basins (as identified in Bulletin 118) to identify lands that would reduce pumping impacts to nearby drinking water wells. Through financial incentives to farmers, LandFlex will provide multiple community benefits such as drinking water well relief, groundwater overdraft prevention, and climate resilience.

This document is not a standalone document and the applicant will need to refer to the Eligibility Criteria Self-Certification Form, draft Agreement language, and application form located on the LandFlex website at www.water.ca.gov/landflex. **Potential applicants are highly encouraged to read the Agreement template prior to deciding to submit an application.**

GRANT PROGRAM WEBSITE AND OTHER USEFUL LINKS

This document, as well as other pertinent information about the SGM Grant Program, can be found at the following link: www.water.ca.gov/landflex.

Other useful links are identified below.

SGM Grant Program: www.water.ca.gov/sgmgrants.

URC Technical Assistance Program (URC TA Program): www.water.ca.gov/urctaprogram.

Sustainable Groundwater Management Act (SGMA):
https://leginfo.legislature.ca.gov/faces/codes_displayexpandedbranch.xhtml?tocCode=WAT&division=6.&title=&part=2.74.&chapter=&article=

Groundwater Sustainability Plan (GSP) Regulations:
[https://govt.westlaw.com/calregs/Browse/Home/California/CaliforniaCodeofRegulations?guid=I74F39D13C76F497DB40E93C75FC716AA&originationContext=documenttoc&transitionType=Default&contextD ata=\(sc.Default\)%20](https://govt.westlaw.com/calregs/Browse/Home/California/CaliforniaCodeofRegulations?guid=I74F39D13C76F497DB40E93C75FC716AA&originationContext=documenttoc&transitionType=Default&contextD ata=(sc.Default)%20)

SGMA Portal:
<https://sgma.water.ca.gov/portal/#intro>

Disadvantaged Community (DAC) and Economically Distressed Area (EDA) Mapping Tools:
<https://water.ca.gov/Work-With-Us/Grants-And-Loans/Mapping-Tools>

CalEnviroScreen 3.0:

<https://oehha.ca.gov/calenviroscreen/report/calenviroscreen-30>

E-MAIL LIST

In addition to the website, DWR will distribute information via e-mail. If you are not already on the SGM Grant Program's e-mail list, please use the following link to be added to the list:

<https://water.ca.gov/Work-With-Us/Grants-And-Loans/Sustainable-Groundwater> and click the "Subscribe" button on the right side of the webpage.

CONTACT INFORMATION

For questions about this document, or other technical issues regarding LandFlex, please contact DWR's Division of Regional Assistance at (916) 902-7131 or by e-mail at: SGWP@water.ca.gov.

APPLICATION DEADLINE

The application will open on January 17, 2023 and will close on February 3, 2023. The solicitation will be open for 14-business days.

TABLE OF CONTENTS

I.	Introduction	6
1.	Authority	6
2.	Background.....	6
3.	Program Intent and Objectives	6
II.	Funding	7
III.	Eligibility.....	7
1.	Eligible Applicants	7
2.	Eligible Cost for Reimbursement	8
3.	Eligibility Criteria.....	9
IV.	General Program Requirements	12
1.	Conflict of Interest	12
2.	Confidentiality	12
3.	Labor Code Compliance	13
4.	Compliance with the California Environmental Quality Act (CEQA) and Other Environmental Laws 13	
5.	Competitive Bidding and Procurement	13
6.	Indemnify and Hold Harmless.....	14
7.	Executive Order N-6-22 – Russia Sanctions.....	14
V.	Solicitation Process and Schedule.....	14
VI.	Application Instructions	15
1.	What to Submit	17
2.	How to Submit.....	17
VII.	Application and Award Process.....	17
1.	Application Reviews.....	17
2.	Sample Authorizing Resolution.....	19
VIII.	Application Review	22
IX.	Award Process	22
1.	Grant Award Caps To Growers	35

LIST OF TABLES

Table 1 – Schedule for LandFlex Grant Solicitation.....	14
Table 2 – LandFlex Eligibility Checklist	15
Table 3 – Grant Application Checklist.....	18
Table 4 – Application Evaluation Criteria	23
Table 5 – Dry Well Criteria for Growers	35
Table 6 – URC Criteria for Growers	35

ACRONYMS AND ABBREVIATIONS USED IN THIS PROPOSAL SOLICITATION PACKAGE

COD	Critically Overdrafted (Basin)
DAC	Disadvantaged Community
DWR	Department of Water Resources
EnvDAC	Environmentally Disadvantaged Community
FAB	Financial Assistance Branch
FE-SWRP	Functionally Equivalent Stormwater Resource Plan
GB	Gigabyte
GIS	Geographic Information System
GRanTS	Grants Review and Tracking System
GSA	Groundwater Sustainability Agency
GSP	Groundwater Sustainability Plan
IRWM	Integrated Regional Water Management
MHI	Median Household Income
OEHHA	Office of Environmental Health Hazard Assessment
PSP	Proposal Solicitation Package
SB	Senate Bill
SDAC	Severely Disadvantaged Community
SGM	Sustainable Groundwater Management
SGMA	Sustainable Groundwater Management Act
SWRP	Stormwater Resource Plan

I. INTRODUCTION

The LandFlex Grant Program (LandFlex) 2023 Guidelines (Guidelines) provide the process and general procedures that DWR will use to administer solicitations, submittal and review of grant applications, and award of grants funded by the 2021 Budget Act. The Guidelines may be used for future grant solicitations if future funding is provided for LandFlex.

1. Authority

DWR is administering the LandFlex solicitation using funds authorized by the California Budget Act of 2021 (Stats. 2021, ch. 44, § 25) (Budget Act) and utilizing authority pursuant to the Drought Relief Statute (Wat. Code, § 13198 et seq.). The Drought Relief Statute authorized specified state agencies, defined as implementing agencies, subject to an appropriation for these purposes, to make grants and direct expenditures for interim or immediate relief in response to conditions arising from a drought scenario to address immediate impacts on human health and safety and on fish and wildlife resources to provide water to persons or communities that lose or are threatened with the loss or contamination of water supplies.

2. Background

With the implementation of SGMA and the impacts of the current drought conditions, groundwater overdraft is impacting domestic drinking water supply. Many Groundwater Sustainability Agencies (GSAs) in basins with COD conditions are in their second year of implementation of their respective GSPs, adopted locally and submitted to DWR in January 2020, or with an Alternative to a GSP (Alternative) in January 2017. The GSPs or Alternatives in these basins have recognized the imbalance of groundwater recharge and groundwater extractions that have resulted in overdraft conditions. Many GSPs have identified projects and management actions to bring these basins back into balance and avoid undesirable results.

Management actions may include land fallowing which reduces immediate demand on groundwater and groundwater allocation plans that limit groundwater extraction over time. These allocation plans are based on an estimate of the sustainable yield which can then be allocated to groundwater pumpers to achieve the groundwater sustainability goal. However, SGMA does not require immediate results and allows basins 20 years to achieve their sustainability goal (2040 for COD basins).

3. Program Intent and Objectives

Extreme drought conditions and agricultural groundwater overdraft impact the availability of drinking water for many communities dependent on shallow domestic wells. Several GSAs within COD basins have adopted mechanisms to measure, account for, and phase out groundwater overdraft by 2040. GSAs, growers, underrepresented communities (URCs), and the State share a common interest in immediate relief for vulnerable domestic wells, as well as the permanent elimination of groundwater overdraft on these same lands. LandFlex aims to facilitate this shared interest. The \$25 million program provides financial incentives for growers to actively participate in the protection of community drinking water resources. LandFlex will also provide land use decision flexibility and greater financial certainty to growers as they adjust in response to ongoing SGMA implementation. LandFlex is significantly different and unique from other fallowing programs in that it requires participating GSAs to have a groundwater allocation plan, that includes a quantified volume

of overdraft pumping, in place and currently being implemented as of Water Year (WY) 2022 (October 1, 2021- September 30, 2022), as well as a measurable accountability method (i.e., evapotranspiration or groundwater well metering accounting methodology) to account for reduction in groundwater use.

II. FUNDING

The Budget Act of 2021 (Stats. 2021, ch. 240, § 80) for the State of California allocated \$25 million in funding (\$23.3 million after DWR administrative costs and technical assistance provider contracts) to LandFlex. Approximately, \$23.3 million is available for grant awards to GSAs, member agencies of a GSA, or an entity with an approved Alternative. DWR retains discretion to utilize additional funds for state operations, if needed.

DWR anticipates awarding approximately 2 – 3 applicants with approximately \$7.7 to \$11.6 million each to work with growers within their basins. Measurable results that indicate the acre-feet per year saved per basin must be provided at the end of the grant cycle.

DWR is reserving approximately \$460,000 of the available funding for separate agreements to Technical Assistance Providers (TAPs) to identify and engage growers and underrepresented communities with vulnerable drinking water wells, and to assist GSAs with program implementation.

Details of grower eligibility and selection criteria are provided in Appendix E of these Guidelines.

III. ELIGIBILITY

Applications for the grant solicitation must meet all applicable eligibility criteria to be considered for grant funding as described below. Additional eligibility requirements are described below and identified in Eligibility Requirement Self-Certification form found on the LandFlex website (www.water.ca.gov/landflex).

1. Eligible Applicants

Eligible applicants for LandFlex must be a GSA, a member agency of a GSA, or an agency with an approved Alternative and, that is within a COD Basin. Eligible applicants have adopted and actively implemented a groundwater pumping allocation plan that includes a quantified volume of allowed annual overdraft pumping. Lastly, the eligible applicant must have implemented a remote sensed evapotranspiration (ET) accounting method (e.g., OpenET, LandIQ, or similar) or demonstrate use of an equivalent alternative accounting method (e.g., groundwater well metering accounting methodology) that includes data from WY 2022 and WY 2023 to measure reduction in groundwater use on acres enrolled in LandFlex.

The grant applicant is the agency submitting the application (e.g., GSA). The grant applicant is also the same agency that would enter into an agreement with the state should the application be successful.

Any unused program funds may be used to augment existing LandFlex agreements or as part of future LandFlex solicitations.

2. Eligible Cost for Reimbursement

Only eligible costs incurred after the December 9, 2022 and on or before March 31, 2025 will be eligible for reimbursement. Applicants who can demonstrate cashflow problems to the satisfaction of DWR's Financial Assistance Branch (FAB) management may be provided advance payment of up to 25 percent of the grant funds awarded. This is a one-time payment of up to 25 percent. After the applicant has provided expense reports demonstrating the advance payment has been expended, the applicant will then begin the regular quarterly invoicing and progress report submittal processes.

Specific costs associated with travel are eligible for reimbursement if the travel expenses are reasonable, justifiable, and necessary for the successful completion of the project. Allowable travel expenses include mileage for automobiles, lodging, and per diem. Allowable rates for travel are limited to the requirements specified by the California Department of Human Resources (<http://www.calhr.ca.gov/employees/pages/travel-reimbursements.aspx>). No travel outside the State of California shall be reimbursed. Travel expenses must be clearly identified within the budget table provided in the application and cannot exceed those cost estimates provided in the application. Prior approval for all travel expenses must be pre-approved (e.g., prior to the expenses being incurred by the Grantee or their consultant/contractor) by the DWR Grant Manager.

Examples of ineligible project costs can include, but are not limited to, the following:

- Costs incurred prior to the draft guidelines release date (December 9, 2022).
- Gifts of public funds to a private person or entity (e.g., gift certificates and other incentives to attend public meetings, complete surveys, etc.).
- Purchasing of low-flow and/or high-density appliances.
- Water markets and trading programs.
- Purchases of water supplies.
- Rebate programs.
- Replacement of existing funding sources for ongoing programs.
- Purchase of real property or interests in real property.
- Food and drink for attendees of workshops, meetings, trainings, etc.
- Payment of principal or interest of existing indebtedness or any interest payments.
- Costs incurred as part of any necessary response to cleanup activities required under the Comprehensive Environmental Response, Compensation, and Liability Act; Resource Conservation and Recovery Act; Hazardous Substances Account Act; or other applicable law.
- Federal and state taxes.
- Expenses incurred in preparation of this or any other grant solicitation proposal.
- Expenses incurred in preparation of this or any other grant solicitation proposal.
- Purchase of equipment not an integral part of the project
- Establishing a reserve fund
- Replacement of existing funding sources for ongoing programs
- Support of existing punitive regulatory agency requirements and/or mandates in response to negligent behavior
- Overhead/Indirect/Markup – Indirect Costs means those costs that are incurred for a common or joint purpose benefiting more than one cost objective and are not readily assignable to the funded project (i.e., costs that are not directly related to the funded project). Examples of Indirect Costs include but are not limited to: central service costs; general administration of the Grantee; non-project-specific accounting and personnel services performed within the Grantee's organization; depreciation or use

allowances on buildings and equipment; the costs of operating and maintaining non-project-specific facilities; tuition; conference fees; and, generic overhead or markup. This prohibition applies to the applicant and any subcontract or sub-agreement for work on the funded project that will be reimbursed with grant funds from DWR.

NOTE: Water Code section 10562(b)(7) requires that all projects that include stormwater and dry weather runoff capture be listed in a SWRP or Functionally Equivalent SWRP (FE-SWRP) and the SWRP or FE-SWRP must be incorporated into an adopted Integrated Regional Water Management Plan (IRWM) for the region the project is located. The State Water Board defines stormwater as “the temporary surface water runoff and drainage generated by immediately preceding storms” and defines stormwater and dry weather runoff capture as “to intercept, store, manage, and use stormwater and dry weather runoff, thereby reducing the volume of runoff exiting a site”. All proposals using stormwater runoff, dry weather runoff, and potential peak flows should review Water Code section 10562 and the State Water Board’s SWRP Guidelines. Applicants should consult their legal counsel regarding this topic.

3. Eligibility Criteria

Applicants must meet all applicable eligibility criteria listed below to be considered for funding. Additional eligibility criteria may be applicable to specific appropriations of funding. Grantees must continue to meet these requirements throughout the term of their grant agreement to continue receiving grant funds. A Grantee that fails to meet these requirements may result in a suspension of processing invoices until the eligibility criteria are met. DWR reserves the right to terminate a grant agreement where a Grantee does not meet the eligibility requirements outlined in the grant agreement.

- ❖ **Agricultural Water Management Plan (AWMP).** An agricultural water supplier shall adopt and submit an AWMP in accordance with the Agricultural Water Management Planning Act (Water Code § 10800 et seq.) to be eligible for SGM Grant Program funding. The 2015 AWMPs were due to DWR by December 31, 2015. For additional information regarding AWMP and to request technical assistance, please visit the Water Use and Efficiency website listed in Appendix A.
- ❖ **California Statewide Groundwater Elevation Monitoring (CASGEM) Compliance.** Water Code section 10920 et seq., establishes a groundwater monitoring program designed to monitor and report groundwater elevations in all or part of a basin or subbasin. Information on the requirements of the CASGEM Program can be found at the CASGEM link listed in Appendix A. DWR has established high, medium, low, and very low priority groundwater basins, as well as CASGEM monitoring entities. Water Code section 10927 identifies potential CASGEM monitoring entities. Applicants who match the list for potential CASGEM monitoring entities, and whose jurisdictional boundaries include high or medium priority basins with no CASGEM monitoring entity, will not be eligible for a SGM Grant Program award pursuant to Water Code section 10933.7(a). Consistent with Water Code section 10933.7(b), if the entire service area of the grant applicant is demonstrated to be a DAC, as defined in Appendix B, the project will be considered eligible for grant funding notwithstanding CASGEM compliance. A Grantee that is a monitoring entity for the basin or subbasin must provide proof of data submittal twice a year to the assigned Grant Manager for the grant to maintain continuing eligibility.

Water Code section 10927 identifies GSAs as entities that may assume responsibility for the monitoring and reporting of groundwater elevations as required by section

10920 et seq. Following a GSA's submittal of a GSP, compliance with this section is required to continue through the monitoring and reporting of groundwater elevations as required by the GSA per the GSP regulations (Cal. Code Regs., tit. 23, § 350 et seq.), rather than the previously defined monitoring entity and the groundwater level data must be submitted through the SGMA Portal at SGMA Groundwater Management (SGMA) Portal - Department of Water Resources (ca.gov).

- ❖ **Climate Change.** Applicants seeking funding shall demonstrate that the applicant's project contributes to addressing the risks in the region to water supply and water infrastructure arising from climate change (Water Code § 79742(e)). To the extent practicable, applicants shall measure the amount of greenhouse gas emissions reduced and carbon sequestered resulting from the implementation project funded by the SGM Grant Program. (Public Resources Code § 80001(b)(7)).
- ❖ **Consistency with the Delta Plan.** For projects occurring, in whole or in part, within the Sacramento-San Joaquin Delta or Suisun Marsh, successful applicants shall engage in early consultation with the Delta Stewardship Council (Council) regarding the Council's regulatory policies that may be potentially applicable to the project and the consistency of the project with the Delta Plan. Any project that is determined to be a "covered action" within the meaning of the Sacramento-San Joaquin Delta Reform Act of 2009 (Delta Reform Act; Water Code, § 85000 et seq.), shall be subject to the filing with the Council of a "Certification of Consistency" that provides detailed findings regarding the project's consistency with the Delta Plan in accordance with the Delta Reform Act and the Council's regulatory policies.
- ❖ **Groundwater Management Compliance.** For groundwater implementation projects that directly affect groundwater levels or quality, the applicant must self-certify that one or more option below has been/is being satisfied. A local agency that does not prepare, adopt, and submit its Groundwater Management Plan (GWMP) in accordance with groundwater planning requirements established under Division 6 of the Water Code (Water Code § 10000 et seq.) is ineligible to apply for implementation grant funds until the plan is prepared and submitted in accordance with the requirements of Division 6 of the Water Code. The groundwater management plan requirement shall not apply to a water replenishment district formed pursuant to Water Code section 60000 et seq., or to a local agency that serves or has authority to manage an adjudicated groundwater basin (Water Code § 79742(b)).

The passage of the SGMA (Water Code § 10720 et seq.) changes grant eligibility related to groundwater management compliance. Various SGMA requirements become effective over time. Applicants will need to maintain continuing eligibility with the most current SGMA requirements as they come into effect. Applicants with groundwater projects must follow specific instructions contained in the solicitation PSPs on what to submit for groundwater management eligibility as SGMA is implemented.

- **SGMA** – SGMA (Water Code § 10720 et seq.) specifies actions for COD groundwater basins, high and medium priority basins, and low and very low priority basins. Groundwater project proponents must demonstrate how their project is consistent with SGMA efforts in the basin. To be eligible to receive Implementation grant funds, applicants must be from a medium or high priority basin with either:

- An adopted GSP that has been submitted to DWR for review and assigned for review by DWR, or
 - An approved Alternative.
- **GWMP Compliance** – The applicant and the project proponent responsible, if different, must meet one of the following conditions (Water Code § 10753.7 (b)(1)):
 - Conform to the requirements of an adjudication of water rights in the subject groundwater basin.
 - For projects in a high or medium priority basin, as designated by DWR, a GWMP that complies with Water Code section 10753.7 must have been prepared, implemented, and adopted before January 1, 2015. If the GWMP was not adopted by January 1, 2015, then the project(s) is (are) not eligible to receive funding (Water Code § 10750.1 (a)). However, this does not apply to a plan submitted as an alternative pursuant to Water Code section 10733.6, unless DWR has not determined that the alternative satisfies the objectives of Water Code, Part 2.74 (commencing with § 10720) on or before January 31, 2020, or DWR later determines that the plan does not satisfy the objectives (Water Code § 10750.1(c)).
 - Participate or consent to be subject to a GWMP, basin-wide management plan, or other Integrated Regional Water Management (IRWM) Program or plan that meets the requirements of Water Code section 10753.7.
 - For projects located in low or very low priority groundwater basins, as designated by DWR, without an existing GWMP, the proposal must commit to adopting, within one-year of the grant application submittal date, a GWMP that meets the requirements of Water Code section 10753.7 or a GSP that meets the requirements of Water Code section 10727 et seq.
- ❖ **Open and Transparent Water Data.** Recipients of State funds through grants or contracts for research or projects relating to the improvement of water or ecological data shall, as a condition of the receipt of a grant or contract, adhere to the protocols developed pursuant to subdivision (a) for data sharing, transparency, documentation, and quality control (Water Code § 12406(b)).
 - ❖ **Public Utilities and Mutual Water Companies.** A project(s) proposed by a public utility regulated by the Public Utilities Commission, or a mutual water company shall have a clear and definite public purpose and shall benefit the customers of the water system and not the investors.
 - ❖ **Stormwater Resource Plan (SWRP) Compliance.** Water Code section 10563(c) requires the development of a SWRP or functionally equivalent plan for stormwater and dry weather runoff capture projects to receive grant funds through these provisions. The requirement is waived for DACs with a population of 20,000 or less and that is not a co-permittee for a municipal separate stormwater system national pollutant discharge elimination system permit issued to a municipality with a population greater the 20,000. Please see Appendix B for the definitions of “stormwater” and “stormwater and dry weather capture”.

- ❖ **Surface Water Diversion Reporting Compliance.** A diverter of surface water is not eligible for a water grant or loan awarded or administered by the State unless it complies with surface water diversion reporting requirements outlined in Part 5.1 (commencing with § 5100) of Division 2 of the Water Code.
- ❖ **Sustainable Water Use and Demand Reduction.** Water Code section 10608 et seq. conditions the receipt of a water management grant or loan for urban water suppliers on gallons per capita per day reduction targets with the end goal of a 20% reduction by 2020.
- ❖ **Urban Water Management Plan (UWMP).** An urban water supplier shall adopt and submit an UWMP in accordance with the Urban Water Management Planning Act (Water Code § 10610 et seq.) to DWR to be eligible for SGM Grant Program funding. Eligible Urban Water Suppliers must have a 2015 UWMP that has been verified as complete by DWR before a grant agreement will be executed. The 2015 UWMPs were due to DWR by July 1, 2016. In addition, per Executive Order B29-15, urban water suppliers must provide the State Water Resources Control Board (SWRCB) with monthly information on water usage, conservation, and enforcement on a permanent basis.
- ❖ **Water Metering Compliance.** Any urban water supplier applying for State grant funds for wastewater treatment projects, water use efficiency projects, drinking water treatment projects, or for a permit for a new or expanded water supply, shall demonstrate that they meet the water meter requirements in Water Code § 525 et seq.

IV. GENERAL PROGRAM REQUIREMENTS

For all applicants awarded funding by DWR, the applicant will need to execute a grant agreement with the State. It is highly recommended that applicants review the grant agreement template prior to submission of their application. If applicants are not able to abide by the terms and conditions contained therein, the applicant should not apply. A grant agreement template is available on the LandFlex website at www.water.ca.gov/landflex. The following is a partial list of requirements that will be contained within any grant agreement:

1. Conflict of Interest

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

As part of the conflict-of-interest requirements, individuals working on behalf of a Grantee may be required by the State to file a Statement of Economic Interests (Fair Political Practices Commission Form 700) if it is determined that an individual is a consultant for Political Reform Act purposes.

2. Confidentiality

Applicants should be aware that when submitting a proposal to the State, they will waive their rights to the confidentiality of the contents of the proposal. Once a decision on an

application has been made by DWR, the proposal is subject to disclosure pursuant to the California Public Records Act (Gov. Code, § 6250 et seq.).

The locations of all funded projects, including fallowed lands, must be reported to DWR and will be available to the public. Project information may be shared to the public through internet-accessible databases, search engines, and websites. DWR uses Global Positioning System coordinates for project and sampling locations.

Water Code section 12415 (b)(1) requires data related to reservoir operations, groundwater use, groundwater levels, urban water use, and land use to be integrated into a Statewide water data platform. Once approved for funding, all water data related to a funded project will be submitted to the developed water data platform and subject to public release.

3. Labor Code Compliance

As part of the grant agreement, the Grantee shall agree to be bound by all the provisions of the Labor Code regarding prevailing wages, and shall monitor all contracts subject to reimbursement from the grant agreement to assure that the prevailing wage provisions of the Labor Code are being met. Current Department of Industrial Relations (DIR) requirements may be found at: <http://www.dir.ca.gov/lcp.asp>. Before applying, applicants are urged to consult with their legal counsel regarding Labor Code compliance. DWR will not advise applicants on Labor Code compliance. For more information, please refer to DIR's Public Works Manual at: <http://www.dir.ca.gov/dlse/PWManualCombined.pdf>. The Grantee will also affirm that it is aware of the provisions of Section 3700 of the Labor Code, which requires every employer to be insured against liability for workers' compensation or to undertake self-insurance.

4. Compliance with the California Environmental Quality Act (CEQA) and Other Environmental Laws

All activities funded pursuant to the Program must comply with the CEQA (Pub. Resources Code, § 21000 et seq.). Any work that is subject to CEQA and funded under a grant agreement shall not proceed until documents that satisfy the CEQA process are received by DWR, and DWR has completed its CEQA compliance. Alternatively, a funded GSA shall notify DWR if they believe their activities will not be considered a project under CEQA, or that their activities qualify for a CEQA exemption. DWR must ensure the adequacy of the CEQA documents before it can provide funding; therefore, early coordination between the lead agency and DWR during the preparation of the CEQA documents will help expedite DWR's review and approval process.

If CEQA compliance by the GSA or lead agency is not complete at the time a grant agreement is executed by the parties, once DWR has considered the environmental documents, it may decide to require changes, alterations, or other mitigation to the project; or to not fund the project. Should the State decide to not fund the project, the grant agreement shall be terminated. Any work subject to CEQA that proceeds prior to DWR's review and approval process being completed, will not be reimbursed and the amount will be reduced from the award amount.

5. Competitive Bidding and Procurement

A GSA's contracts with other entities for the acquisition of goods, services, and construction with funds provided by the State must be in writing and shall comply with all applicable laws and regulations regarding the securing of competitive bids and undertaking competitive

negotiations. If a GSA does not have a written policy to award contracts through a competitive bidding or sole source process, Department of General Services’ State Contracting Manual rules must be followed and are available at: <https://www.dgs.ca.gov/OLS/Resources/Page-Content/Office-of-Legal-Services-Resources-List-Folder/State-Contracting>. Applicants with questions regarding competitive bidding requirements should be directed to their counsel. DWR will not advise applicants on competitive bidding requirements.

6. Indemnify and Hold Harmless

As part of the grant agreement, grantees shall indemnify and hold harmless the State, its officers, agents, and employees from any and all liability from any claims and damages (including inverse condemnation) arising from the planning, design, construction, repair, replacement, rehabilitation, maintenance, and operation of the project, and any breach of the grant agreement.

7. Executive Order N-6-22 – Russia Sanctions

On March 4, 2022, the Governor issued Executive Order N-6-22 (the EO) regarding Economic Sanctions against Russia and Russian entities and individuals. The EO may be found at: <https://www.gov.ca.gov/wp-content/uploads/2022/03/3.4.22-Russia-Ukraine-Executive-Order.pdf>. “Economic Sanctions” refers to sanctions imposed by the U.S. government in response to Russia’s actions in Ukraine, as well as any sanctions imposed under State law. By applying or proposal, the Applicant represents that it is not a target of Economic Sanctions. Should the State determine that the Applicant is a target of Economic Sanctions or is conducting prohibited transactions with sanctioned individuals or entities, that shall be grounds for rejection of the Applicant’s application or proposal; rescission of any award made to an Applicant prior to execution of a grant agreement; or, if determined after execution or a grant agreement, shall be grounds for termination by the State.

V. SOLICITATION PROCESS AND SCHEDULE

The solicitation period is listed in the table below. These dates are estimated and are subject to change. Any change or update to the schedule will be posted on the LandFlex website. Updates may also be sent through email announcements. To be placed on the SGM Grant Program email contact list, please use the link listed in the Foreword.

TABLE 1 – SCHEDULE FOR LANDFLEX GRANT SOLICITATION

Milestone or Activity	Tentative Schedule ¹
Post Draft Guidelines for public comments	December 9, 2022
Public comments end	December 29, 2022
Final 2023 Guidelines posted to the public and Grant Solicitation Opens	January 17, 2023
Applicant Workshop	January 19, 2023
Grant Solicitation Closes	February 3, 2023
Final Award List Posted	February 20, 2023
Executed Grant Agreements	March/April 2023

¹ Dates are subject to change and will be determined based on number of applications received, amount of funds requested, and number of grant awards given.

An applicant workshop will be conducted to address questions and to provide general assistance to potential applicants preparing grant applications. Details of the workshop will be

provided via the LandFlex website and the SGM Grant Program’s email distribution list. In addition to the informational workshop, Applicants are encouraged to seek assistance from DWR staff in understanding LandFlex requirements. Questions can be submitted via to sgwp@water.ca.gov.

VI. APPLICATION INSTRUCTIONS

This section provides instructions for preparing and applying and consists of two subsections: A. What to Submit and B. How to Submit. It is important that applicants follow the Application Instructions to ensure that their application will address all the required elements. Applicants are reminded that once the application has been submitted to DWR, any privacy rights as well as other confidentiality protections afforded by law with respect to the application package, will be waived. Prior to beginning the application, applicants should verify that they meet the Eligibility Criteria outlined above.

TABLE 2 – LANDFLEX ELIGIBILITY CHECKLIST

Criteria Type	Eligibility Criteria	Place to Provide Information	Criteria Met (Yes, No)
Applicant Eligibility	Is the applicant eligible?	Self-Certification Form	
	Agricultural Water Management Compliance Link: https://water.ca.gov/Programs/Water-Use-And-Efficiency (2015 and/or 2020 AWMPs are applicable).	Self-Certification Form	
	California Statewide Groundwater Elevation Monitoring (CASGEM) Compliance Link: https://water.ca.gov/Programs/Groundwater-Management/Groundwater-Elevation-Monitoring--CASGEM . Basin Prioritization information can be found at: https://water.ca.gov/Programs/Groundwater-Management/Basin-Prioritization	Self-Certification Form	
	Climate Change Compliance	Self-Certification Form	
	Consistency with the Delta Plan	Self-Certification Form	
	Groundwater Management Compliance, SGMA Compliance	Self-Certification Form	
	Open and Transparent Water Data	Self-Certification Form	
	Public Utilities and Mutual Water Companies Compliance	Self-Certification Form	
	SWRP Compliance SB 985 Link: https://www.waterboards.ca.gov/water_issues/programs/grants_loans/swrp/	Self-Certification Form	
	Surface Water Diverter Compliance	Self-Certification Form	
	Sustainable Water Use and Demand Reduction Compliance	Self-Certification Form	
	Urban Water Management Compliance Link: https://water.ca.gov/Programs/Water-Use-And-Efficiency/Urban-Water-Use-Efficiency/Urban-Water-Management-Plans . (2015 and/or 2020 UWMPs are applicable).	Self-Certification Form	
	Water Metering Compliance	Self-Certification Form	

Proposal Eligibility	Application submitted by a GSA, member agency of a GSA, or entity with an approved Alternative located within an eligible COD basin?	Self-Certification Form	
	Has the applicant provided assurances all work and costs associated with that work will end on or before April 30, 2024?	Self-Certification Form	
	Does the applicant have a groundwater pumping allocation plan that has been adopted and is currently being implemented?	Self-Certification Form	

1. What to Submit

Applications will be accepted no earlier than the grant solicitation start date of January 17, 2023. Applicants must submit a complete LandFlex Application form no later than February 3, 2023, by 5:00 PM PST (Table 1). The grant solicitation will be open no more than 14-business days. Any application after the closing date and time or any materials beyond those listed below will not be reviewed.

A complete grant application consists of the following:

- Authorizing Resolution if available (See Appendix A)
- Application form (See Table 4 and LandFlex website)
- Self-Certification Form (See LandFlex website)
 - Support letter from GSA, if applicable
 - Proof of adoption and implementation of a groundwater pumping allocation plan/schedule

2. How to Submit

Applicants must use the application form available on the Program website and submit a complete application to DWR using the e-mail address SGWP@water.ca.gov.

Each applicant will receive an email acknowledging receipt of the application. If the applicant does not receive acknowledgement, please contact the SGM Grant Program staff to ensure the application was received.

VII. APPLICATION AND AWARD PROCESS

1. Application Reviews

All applications will first be screened for eligibility and completeness in accordance with Table 3 (Grant Application Checklist) and based upon the Eligibility Criteria Self-Certification form submitted within the application. The information provided will be used in determining eligibility and completeness.

All complete and eligible applications will be evaluated and scored based on the evaluation questions presented in Table 4 (Application Evaluation Criteria). DWR's funding recommendation may vary from the grant funding requests.

Following funding awards, DWR will execute a grant agreement with the Grantee. Grant agreements are not executed until signed by both the authorized representative of the Grantee and DWR. The Grantees have approximately three months to obtain an executed grant agreement after the grant award notification letter is sent by DWR. The exact date for grant agreement execution will be outlined in the grant award notification letter. DWR reserves the right to withdraw an award due to lack of responsiveness on the part of the applicant.

Note: The information listed below is what DWR will be requiring as part of the application form. Please be prepared to provide answers during the form submittal process. Please note that the application form Table 3 may be reworded, combined, or separated as the information is transferred into our online application form. SGM Grant Program staff may make clarifying or editorial changes to the application form following approval. Table 3 is subject to change depending on the final application preparations. No substantive changes will be made to the evaluation criteria and scoring scheme.

TABLE 3 – GRANT APPLICATION CHECKLIST
APPLICANT INFORMATION TAB
<i>The following information is general and applies to the applicant and the overall proposal. Applicants must enter all information listed in the Information Tab of Table 3.</i>
<u>Organization Name</u> : Provide the name of the Agency/Organization responsible for submitting the application. Should the proposal be successful, this Agency/Organization will be the Grantee.
<u>Point of Contact</u> : Please type the First Name, Last Name, Email Address, Phone Number, Division Name, Address, City, State, and Zip of the Point of Contact person. Should the proposal be successful, this person will be the Point of Contact for the Agreement.
<u>Point of Contact Position Title</u> : Provide the title of the Point of Contact person. (Maximum Character Limit: 50)
<u>Proposal Name</u> : Provide the title of the proposal. This title cannot be changed for the life of the grant and should NOT include the grant solicitation title anywhere . (Maximum Character Limit: 50)
<u>Proposal Objective</u> : Provide the objective of the proposal. The objective should include the project description, purpose, goals, and targets of the proposed project. The reader should be able to understand what is being proposed (project description), where the project will be located, the purpose/why the project is needed, and how (goals and targets) those needs will be met. (Maximum Character Limit: 2,000)
GEOGRAPHIC INFORMATION <i>DWR requests latitude and longitude in degrees, minutes, and seconds. You may use converters on the web, such as https://www.fcc.gov/media/radio/dms-decimal</i>
<u>Latitude</u> : Enter the latitude at the location that best represents the proposal area. This should be taken from the center of the proposal site.
<u>Longitude</u> : Enter the longitude at the location that best represents the proposal area. This should be taken from the center of the proposal site.
<u>County(-ies)</u> : Provide the County(ies) in which the proposal is located.
<u>Groundwater Basins</u> : Provide the groundwater basin as listed in the current version of DWR Bulletin 118 (https://water.ca.gov/Programs/Groundwater-Management/Basin-Boundary-Modifications) in which the proposal is located.
<u>Hydrologic Regions</u> : Provide the hydrologic region(s) in which the proposal is located.
<u>Watershed(s)</u> : Provide the name of the watershed(s) the groundwater basin underlies (Maximum Character Limit: 250) A map of California watershed can be found at the following link: https://www.conservation.ca.gov/dlrp/grant-programs/watershed/Documents/CALFED_Watershed_Map[1].pdf . If the groundwater basin covers multiple watersheds, you may only provide one "Unique Watershed Number" as listed on the watershed map and should be the one that the majority of the Project is located.
LEGISLATIVE INFORMATION
Enter the State Assembly, State Senate, and U.S. Congressional Districts in which the groundwater basin is located. Maps of these districts are found at: https://findyourrep.legislature.ca.gov/ and https://www.census.gov/mycd/
PROPOSAL INFORMATION
<u>Proposal Name</u> : Provide the title of the proposal (Maximum Character Limit: 150) DO NOT include the solicitation name in the Project name (e.g., SGMA Implementation – Planning and Projects). The proposal name will remain the same for the life of the grant and must match identically with all invoices and timesheets that will be provided in invoicing if the Project is selected for funding.
<u>Implementing Organization</u> : This should be GSAs, member agencies of GSAs, or agencies with an approved Alternative.
<u>Proposed Start Date</u> : The Start Date should be on or after December 9, 2022.
<u>Proposed End Date</u> : The End Date should be before April 30, 2024.
<u>Project Description</u> : Provide a generalized description of the proposal. (Maximum Character Limit: 2,000)

QUESTIONS TAB

The answers to these questions will be used in scoring and ranking the proposal.

Q.1. Dry Wells: What is the total number of high density (>80th percentile) sections of domestic wells susceptible to going dry within a GSA boundary (e.g., Public Land Survey System section which equals 1 square mile)?

Q.2. Dry Wells: What is the number of domestic wells in the GSA boundary that are susceptible to running dry?

Q.3. Dry Wells: What is the number of reported dry wells located within the GSA boundary in the past 24 months?

Q.4. Communication and Engagement Plan (CEP): Does the applicant have a CEP that includes identifying, outreaching, and engaging URCs (e.g., Tribes, small farmers, etc.) that includes identifying and addressing the URCs needs, risks, and vulnerabilities with respect to the implementation of SGMA?

Q.5. Fallowing Plan: Did the applicant provide a Fallowing Plan that identifies the use of cover crops, regenerative/indigenous farming, or similar methods that ensure the fallowed land will not increase degradation of the air or water quality due to the fallowed land? Or applicant has an equivalent plan (e.g., land repurposing plan) that identifies the above information for fallowed land.

Q.6. Multi-Benefits Reporting: Did the applicant provide a method(s) to identify and quantify benefits achieved with the implementation of the grant agreement? Has the proposed monitoring method(s) been proven to provide actual benefits claimed?

Q.7 Certification: By submitting the application, the applicant and its authorized representative are certifying that:

- a) The applicant is an eligible entity;
- b) The applicant is located in a COD basin and has a groundwater pumping allocation plan and groundwater basin is currently in overdraft and can quantify the amount of overdraft for the basin;
- c) Applicant is aware that, once the proposal is submitted in GRanTS, any privacy rights and other confidentiality protections offered by law with respect to the application package and project location are waived;
- d) Applicant is aware that, if the proposed Project is chosen for funding, any privacy rights and other confidentiality protections offered by law with respect to any portion of the grant (including the Agreement, all deliverables, all invoices, and backup documentation supporting the invoices, and all reporting requirements outlined within the agreement) are waived;
- e) Applicant agrees to the Start and End Dates provided in this application and will complete the project within the dates provided; and
- f) **Applicant, and their attorney, has read and agrees to all the Terms and Conditions of the Agreement template.**

Application Form	<i>The application form will include links to fill out the Self-Certification form and provide the ability to upload documents into the form before it is submitted to DWR for review, scoring, and ranking.</i>
Documents to Upload	ATTACHMENT TITLE
Resolution	Authorizing Documentation (e.g., adopted resolution using example provided below)
Eligibility Criteria Self-Certification Form	Eligibility Criteria Self-Certification Form (link within the application form) <ul style="list-style-type: none"> • Must include a support letter from the GSA (if applicable) and • Proof of adoption and implementation of a groundwater pumping allocation plan.

2. Sample Authorizing Resolution

The applicant must provide an adopted resolution that has been adopted by the applicant’s governing body designating an authorized representative to submit the application, execute an agreement with the State of California for the LandFlex Program grant, to submit invoices and progress reports, and to execute amendments, if applicable. An adopted resolution must be provided before DWR can enter into an agreement with the Grantee. If a resolution cannot be adopted prior to the application submittal, provide a draft with the application and note when an adopted resolution is expected.

If an entity is acting on behalf of a GSA (e.g., a water district, irrigation district, city, county, etc. that is a member agency of the GSA), then the applicant will need to provide a resolution

using the recommended language below. However, a second resolution is required from the GSA governing body stating that the applicant entity can apply for a grant on their behalf.

The following text provides an example of the resolution that must be submitted to fulfill this requirement. DWR requires using this language as provided and to not edit any part except where highlighted.

RESOLUTION NO. [xxxx]
A RESOLUTION OF THE [GOVERNING BODY] OF THE [AGENCY NAME]
AUTHORIZING THE GRANT APPLICATION, ACCEPTANCE, AND EXECUTION
FOR THE [PROJECT TITLE]

WHEREAS, [Agency Name] proposes to implement [Project Title];
WHEREAS, [Project Title] is being implemented in response to a drought scenario, as defined by Water Code section 13198(a) and is intended to: (1) address immediate impacts on human health and safety; (2) address immediate impacts on fish and wildlife resources; or, (3) provide water to persons or communities that lose or are threatened with the loss or contamination of water supplies;
WHEREAS, [Agency Name] has the legal authority and is authorized to enter into a grant agreement with the State of California; and
WHEREAS, [Agency Name] intends to apply for grant funding from the California Department of Water Resources for the [Project Title];
THEREFORE, BE IT RESOLVED by the [Governing Body] of the [Agency Name] as follows:

1. That pursuant and subject to all of the terms and provisions of Budget Act of 2021 (Stats. 2022, ch. 44, § 25), the [Agency Name] [Title of Authorized Representative], or designee, is hereby authorized and directed to prepare and file an application for funding with the Department of Water Resources, and take such other actions necessary or appropriate to obtain grant funding.
2. The [Agency Name] [Title of Authorized Representative], or designee, is hereby authorized and directed to execute the grant agreement with the Department of Water Resources and any amendments thereto.
3. The [Agency Name] [Title of Authorized Representative], or designee, is hereby authorized and directed to submit any required documents, invoices, and reports required to obtain grant funding.

CERTIFICATION

I hereby certify that the foregoing Resolution was duly and regularly adopted by the [Governing Body Name] of the [agency name] at the meeting held on [date], motion by [member name] and seconded by [member name], motion passed by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

[Printed Name]
[Title], [Governing Body]

Attest:

[Printed Name]
[Secretary/Clerk]

VIII. APPLICATION REVIEW

All applications will first be screened for eligibility and completeness in accordance with Section VI of the 2023 Guidelines. The information provided by applicants will be used in determining eligibility and completeness.

All complete and eligible applications will be evaluated, scored, and ranked based on the evaluation questions presented below in Table 4 – Application Evaluation Criteria. Please note that the application and/or review questions outlined in Table 4 – Application Evaluation Criteria may be reworded, combined, or separated as the information is transferred into our online application form. SGM Grant Program staff may make clarifying or editorial changes to the application following Guideline approval. Table 4 – Application Evaluation Criteria is subject to change depending on the final preparations of the application templates. No substantive changes will be made to the evaluation and scoring criteria.

IX. AWARD PROCESS

Funding will be allocated to proposals using the proposal score, professional judgement, and available funding. The grant awards are estimated to range from approximately \$7.7 to \$11.6 million depending upon the number of awarded applications.

Following funding awards, DWR will execute an Agreement with the Grantee. Agreements are not executed until signed by both the authorized representative of the Grantee and DWR. The Grantees have approximately six months to obtain an executed Agreement after the grant award notification letter is sent by DWR. The exact date for Agreement execution will be outlined in the grant award notification letter. DWR reserves the right to withdraw an award due to lack of responsiveness on the part of the applicant.

Please note that the agreement terms do require awarded applicants to incorporate several requirements and considerations into the following program. Please review Exhibit D - Standard Conditions of the agreement located on the LandFlex website at www.water.ca.gov/landflex.

The following evaluation criteria will be used by DWR to rank and score eligible applicants to receive funding under LandFlex. DWR may consider other state priorities, as necessary, to determine final awards.

TABLE 4 – APPLICATION EVALUATION CRITERIA			
Section Name	Questions	Possible Points	Scoring Guidance
Dry Wells	What is the total number of high density (>80 th percentile) sections of domestic wells susceptible to going dry within a GSA boundary (e.g., Public Land Survey System section which equals 1 square mile)?	15	<ul style="list-style-type: none"> • 15pts – >20 high density sections • 10pts – 10-19 high density sections • 5pts – 5-9 high density sections • 1pt – <4 high density sections
Dry Wells	What is the number of domestic wells in the GSA boundary that are susceptible to running dry?	15	<ul style="list-style-type: none"> • 15pts – >500 wells • 10pts – 200-499 wells • 5pts – 100-199 wells • 1pt – <99 wells
Dry Wells	What is the number of reported dry wells located within the GSA boundary in the past 24 months?	15	<ul style="list-style-type: none"> • 15pts – >200 wells • 10pts – 100-199 wells • 5pts – 50-99 wells • 1pt – <50 wells
CEP	Does the applicant have a Communication and Engagement Plan (CEP) that includes identifying, outreaching, and engaging URCs (e.g., Tribes, DACs, SDACs, small farmers, or other URCs) that includes identifying and addressing the URC’s needs, risks, and vulnerabilities with respect to the implementation of SGMA?	10	<ul style="list-style-type: none"> • 10pts – CEP identifies and addresses all URCs needs, risks, and vulnerabilities • 7pts – CEP identifies some URCs and addresses those needs, risks, and vulnerabilities • 5pts – CEP identifies URCs but does not address any URCs needs, risks, or vulnerabilities • 1pts – CEP but does not identify any URCs
Fallowing Plan	Does the applicant provide plans that identifies the use of cover crops, regenerative/indigenous farming, or similar methods that ensure the fallowed land will not increase in air quality or water quality degradation as a result of fallowed land? Or applicant has an equivalent plan (e.g., land repurposing plan) that identifies the above information for fallowed land.	10	<ul style="list-style-type: none"> • 10pts – has a plan and is implementing in other areas of basin • 7pts – has a plan but has not implemented the plan • 5pts – plan has started but is not completed • 1pts – applicant has just begun developing a plan but will require similar methods on fallowed land • 0pts – applicant has not started a plan and does not intend to require
Multi-Benefits Reporting	Did the applicant provide a method(s) to identify and quantify benefits achieved with the implementation of the grant agreement? Have the proposed monitoring methods been proven to provide the actual benefits claimed?	10	<ul style="list-style-type: none"> • 10pts – monitoring methods proven and will provide post-implementation data • 5pts – monitoring methods are not proven but seem reasonable to provide post-implementation data • 0pts – methods unproven and not reasonable to provide post-implementation data
Total Range of Possible Points		0-75	
Total Points Overall Project:			
TOTAL FUNDING RECOMMENDED:			\$

APPENDIX A: USEFUL WEB LINKS

DWR

Homepage:	http://www.water.ca.gov/
SGM Grant Program:	https://water.ca.gov/sgmgrants
Financial Assistance Programs:	https://water.ca.gov/Work-With-Us/Grants-And-Loans
DAC and EDA Mapping Tools and Data:	https://water.ca.gov/Work-With-Us/Grants-And-Loans/Mapping-Tools
2016 IRWM Plan Update Status;	https://water.ca.gov/Work-With-Us/Grants-And-Loans/IRWM-Grant-Programs/Plan-Review-Process
Plan Standards Review Tool:	
Water Metering Self-Certification Form:	https://water.ca.gov/-/media/DWR-Website/Web-Pages/Work-With-Us/Grants-And-Loans/IRWM-Grants/Files/IRWM-Grant-Program-Resources/Forms/wateruseprojectcert_a.pdf
California Water Plan:	https://water.ca.gov/Programs/California-Water-Plan
Water Use and Efficiency Branch:	https://water.ca.gov/Programs/Water-Use-And-Efficiency
Urban Water Management Plans:	https://water.ca.gov/Programs/Water-Use-And-Efficiency/Urban-Water-Use-Efficiency/Urban-Water-Management-Plans
Agricultural Water Management Plans:	https://water.ca.gov/Programs/Water-Use-And-Efficiency/Agricultural-Water-Use-Efficiency
General Groundwater Management:	https://water.ca.gov/Programs/Groundwater-Management
Economic Modeling and Analysis Tools:	https://water.ca.gov/Library/Modeling-and-Analysis/Statewide-models-and-tools/Economic-Modeling-and-Analysis-Tools
Climate Change Website:	https://water.ca.gov/Programs/All-Programs/Climate-Change-Program
SGMA website:	https://water.ca.gov/Programs/Groundwater-Management/SGMA-Groundwater-Management
SGMA Data Viewer	https://sgma.water.ca.gov/webgis/?appid=SGMADataViewer#currentconditions

SWRCB

Homepage:	http://www.waterboards.ca.gov
Stormwater Resource Plan Guidance:	http://www.waterboards.ca.gov/water_issues/programs/grants_loans/swgp/docs/rop1/swrp_finalguidelines_dec2015.pdf
CEDEN:	http://www.ceden.org/
Impaired Water Bodies:	https://www.waterboards.ca.gov/rwqcb5/water_issues/tmdl/impaired_waters_list/
GAMA:	http://www.swrcb.ca.gov/gama
SAFER Dashboard:	https://www.waterboards.ca.gov/safer/safer_data.html

Regional Water Quality Control Plans (Basin Plans)

All Regions:	https://www.waterboards.ca.gov/plans_policies/
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CEQA

California State Clearinghouse Handbook:	http://opr.ca.gov/docs/SCH_Handbook_2012.pdf
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Climate Change Information

DWR Accessory Climate Change Guidance for IRWM:

<https://water.ca.gov/-/media/DWR-Website/Web-Pages/Programs/All-Programs/Climate-Change-Program/Files/IRWM-Climate-Change-Accessory-Guidance.pdf>

California Climate Change Portal:

<http://www.climatechange.ca.gov/>

AB 32 Scoping Plan:

<http://www.arb.ca.gov/cc/scopingplan/scopingplan.htm>

Safeguarding California: Reducing Climate Risk:

<http://resources.ca.gov/climate/safeguarding/>

California Climate Adaptation Planning Guide:

<http://resources.ca.gov/climate/safeguarding/local-action/>

Sea Level Rise Guidance:

http://www.opc.ca.gov/webmaster/ftp/pdf/agenda_items/20180314/Item3_Exhibit-A_OPC_SLR_Guidance-rd3.pdf

Cal-Adapt:

<http://cal-adapt.org/>

Department of Industrial Relations

Labor Compliance Programs:

<http://www.dir.ca.gov/lcp.asp>

Department of Industrial Relations Public Works Manual:

<http://www.dir.ca.gov/dlse/PWManualCombined.pdf>

Tribal Consultation

STATE

California Native American Heritage Commission:

<http://www.nahc.ca.gov/>

Governor's Tribal Advisor Office:

<http://tribalgovtaffairs.ca.gov/>

Office of Planning and Research Tribal & CEQA Resources:

<http://opr.ca.gov/ceqa/updates/ab-52/>

TRIBAL

Karuk Tribal Consultation Policy:

http://www.karuk.us/images/docs/hr-files/18-04-05_consultation_policy_FINAL_clean.pdf

Rincon Band of Luiseño Indians Consultation Ordinance:

https://docs.wixstatic.com/ugd/db3091_ca0215dd0fe14939bf25c156c7354fc2.pdf

FEDERAL

U.S. Fish & Wildlife Service Tribal Consultation Handbook:

http://www.fws.gov/carlsbad/TribalRelations/Tribal_Consultation_Handbook_2013.pdf

U.S. Census Bureau

Homepage:

<http://www.census.gov>

American Community Survey:

<http://www.census.gov/acs>

DAC Reports and Studies

DAC Reports and Studies:

<https://water.ca.gov/Work-With-Us/Grants-And-Loans/IRWM-Grant-Programs/Proposition-1/DAC-Involvement-Program>

(See "Related Publications")

APPENDIX B: DEFINITIONS

- Acquisition** – obtaining an interest in real property including easements, leases, water, water rights, or interest in water obtained for the purposes of instream flows and development rights.
- Agricultural Water Supplier** – a water supplier, either publicly or privately owned, provided water to 10,000 or more irrigated acres, excluding the acreage that received recycled water; also include a supplier or contractor for water regardless of the basis of right that distributes or sells water for ultimate resale to customers (Water Code § 10608.12(a)).
- Allocation Plan** – A plan developed by GSAs to authorize either temporary or permanent limits, controls, regulation, or suspension on groundwater extractions in a way that is consistent with the provision of a GSP. The Allocation Plan shall not be construed to be a final determination of rights to extract groundwater from the basin or any portion of the basin. (Water Code § 10726.4)
- Alternative** – an alternative to a Plan described in Water Code section 10733.6 (§ 351 Definitions).
- 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.
- Application** – the electronic submission to DWR that requests grant funding for a proposal that the applicant intends to implement.
- Basin** – a groundwater basin or subbasin identified and defined in Bulletin 118 or modified pursuant to Chapter 3 (commencing at §10722 of the Water Code).
- Bulletin 118** – means “California’s Groundwater: Bulletin 118” updated in 2020, as it may be subsequently update or revised in accordance with Water Code section 12924.
- California Native American Tribe** – the term “state Indian tribes” means Indigenous Communities of California, which are on the contact list maintained by the Native American Heritage Commission, including those that are federally non-recognized and federally recognized, and those with allotment lands, regardless of whether they own those lands. Additionally, because some water bodies and Tribal boundaries cross State borders, this term may include Indigenous Communities in Oregon, Nevada, and Arizona that are impacted by water in California.
- Capital Improvement Project** – a project(s) that helps maintain or improve an asset; often referred to as infrastructure; new construction, expansion, renovation, or replacement for/of an existing facility or facilities; the addition of a permanent structural change or the restoration of some aspect of a property that will either enhance the property’s overall value, prolong its useful life, or adapt it to new uses. The useful life for state funded projects is a minimum of 15 years.
- Component** – multiple components can collectively makeup a single proposal/project to achieve the proposed objective. For example, a proposed planning proposal/project could include components to 1) install a monitoring well for identifying data gaps; 2) install weather stations in a stream for identifying data gaps; and 3) completing development of a GSP, including data results from the previous components.
- Disadvantaged Area** – refers to the collective group of disadvantaged communities.

Disadvantaged Community – a community with an annual median household income that is less than 80% of the Statewide annual median household income (Public Resources Code § 80002(e)).

Federally Recognized Indian Tribes – means a federally recognized Tribe is an American Indian or Alaska Native Tribal entity that is recognized as having a government-to-government relationship with the United States, with the responsibilities, powers, limitations, and obligations attached to that designation, and is eligible for funding and services from the Bureau of Indian Affairs (Bureau of Indian Affairs).

Floodplain – Any land area subject to inundation by floodwaters from any source as a result of a 100-year (1 percent chance of exceedance in a given year) or 200-year (0.5 percent chance of exceedance in a given year) event, as determined by the Central Valley Flood Protection Plan, Federal Emergency Management Agency, or U.S. Army Corps of Engineers.

Governing Body – means the legislative body of a groundwater sustainability agency.

Grantee – a grant recipient.

Groundwater – refers to water beneath the surface of the earth within the zone below the water table in which the soil is completely saturated with water but does not include water that flows in known and definite channels.

Groundwater Recharge – the augmentation of groundwater, by natural or artificial means.

Groundwater Sustainability Agency – means one or more local agencies that implement the provisions of this part. For purposes of imposing fees pursuant to Chapter 8 (commencing with §10730) or acting to enforce a groundwater sustainability plan, “groundwater sustainability agency” also means each local agency comprising the groundwater sustainability agency if the plan authorizes separate agency action (Water Code § 10721(j)).

Groundwater Sustainability Plan – a plan of a groundwater sustainability agency proposed or adopted pursuant to this part (Water Code § 10721(j)).

In-Kind Contributions – work performed by the Grantee that furthers the scope of the grant, the cost of which is considered local cost share in-lieu of actual funds from the Grantee.

Integrated Watershed Management – A coordinated effort among agencies and organizations to manage watersheds or groundwater basins for sustainability.

Land Fallowing – Refers to either lands that are set aside for a period of time ranging from one to five years before it is cultivated again or lands usually under permanent crops or pastures that are not being used for such purposes for a period of at least one year. Under this program, fallowed lands will reduce groundwater use by the complete cessation of irrigation (except for what is required for health of cover crops), and should include the cultivation of temporary crops, or cover crops, regenerative/indigenous farming, or other methods (e.g., groundwater recharge including but not limited to, percolation ponds) that ensure air quality or water quality degradation will not increase as a result of the lands being fallowed. All cover crops must meet local standards for dust mitigation.

Land Subsidence – Land subsidence is a gradual settling or sudden sinking of the Earth’s surface due to movement of earth materials. (*United States Geological Service Fact Sheet-165-00 December 2000*)

Mutual Water Company – a private corporation or association organized for the purposes of delivering water to its stockholders and members at cost, including use of works for conserving, treating, and reclaiming water (Public Utilities Code §§ 2725-2729).

Nonprofit Organization – any nonprofit corporation qualified to do business in California and qualified under § 501(c)(3) of the Internal Revenue Code. (Public Resources Code § 80002(j))

Overdraft – the condition of the groundwater basin or aquifer where the average annual amount of water extracted exceeds the average annual supply of water to a basin or aquifer.

Overdraft Allocation - Quantified amount of groundwater pumping allocation that exceeds the sustainable or native yield (ac-ft/acre) and is contributing to conditions of long-term overdraft. Overdraft allocations (i.e., "transition water") are being used as growers transition to the sustainable yield allocations to meet groundwater sustainability goals. Overdraft allocations are not transferable or bankable within or outside of the basin and under LandFlex must be permanently eliminated.

Project and Proposal – for purposes of the Guidelines and PSPs, these two terms are interchangeable and refers to all the supporting documentation submitted that details the Project and actions that are proposed for funding pursuant to an application for a grant. The application will describe a single proposal/project. However, each application can contain multiple components that collectively makeup a single proposal/project.

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

Public Agency – any State agency or department, special district, joint powers authority, city, county, city and county, or other political subdivision of the State.

Public Utility – as defined in Public Utilities Code section 216.

Recharge Area – the area that supplies water to an aquifer in a groundwater basin.

Reimbursable Costs – costs that may be repaid by State grant funds. Reimbursable costs must be incurred after the effective date listed for the specific solicitation in the Guidelines, and may include the reasonable costs of engineering, design, land and easement, legal fees, preparation of environmental documentation, environmental mitigation, project-related mileage, and project implementation including administrative costs and incidental costs directly related to the funded project.

Costs that are **not reimbursable** with grant funding include, but are not limited to:

- a. Costs incurred prior to the eligible cost date.
- b. Gifts of public funds to a private person or entity (e.g., gift certificates and other incentives to attend public meetings, complete surveys, etc.).
- c. Purchasing of low-flow and/or high-density appliances.
- d. Water markets and trading programs.
- e. Purchases of water supplies.
- f. Rebate programs.
- g. Replacement of existing funding sources for ongoing programs.
- h. Purchase of real property or interests in real property.
- i. Food and drink for attendees of workshops, meetings, trainings, etc.
- j. Payment of principle or interest of existing indebtedness or any interest payments.

- k. Costs incurred as part of any necessary response to cleanup activities required under the Comprehensive Environmental Response, Compensation, and Liability Act; Resource Conservation and Recovery Act; Hazardous Substance Account Act; or other applicable law.
- l. Federal and state taxes.
- m. Expenses incurred in preparation of this or any other grant solicitation proposal.
- n. Purchase of equipment not an integral part of the project
- o. Establishing a reserve fund
- p. Replacement of existing funding sources for ongoing programs
- q. Support of existing punitive regulatory agency requirements and/or mandates in response to negligent behavior
- r. Overhead/Indirect/Markup – Indirect Costs means those costs that are incurred for a common or joint purpose benefiting more than one cost objective and are not readily assignable to the funded project (i.e., costs that are not directly related to the funded project). Examples of Indirect Costs include but are not limited to: central service costs; general administration of the Grantee; non-project-specific accounting and personnel services performed within the Grantee’s organization; depreciation or use allowances on buildings and equipment; the costs of operating and maintaining non-project-specific facilities; tuition; conference fees; and, generic overhead or markup. This prohibition applies to the applicant and any subcontract or sub-agreement for work on the funded project that will be reimbursed with grant funds from DWR.

San Joaquin Valley – Subbasins within the San Joaquin valley are defined as those groundwater basins with the “San Joaquin Valley” Basin Title according to the most recent version of Bulletin 118.

Scoring Criteria – set of requirements used by DWR to evaluate a proposal for a given program or for funding.

Selection Panel – group of DWR representatives at the supervisory or management level assembled to review and consider proposal evaluations and scores developed by the Technical Reviewers and to make initial funding recommendations. Other agencies, such as the SWRCB or Regional Water Quality Control Board, representatives at the supervisory or management level may also be invited to participate on the Selection Panel.

Severely Disadvantaged Community – is a community with a median household income of less than 60% of the Statewide average. (Public Resources Code § 80002(n)).

Stormwater – according to the SWRCB’s SWRP Guidelines, stormwater is the temporary surface water runoff and drainage generated by immediately preceding storms.

Stormwater and Dry Weather Runoff Capture – according to the SWRCB’s SWRP Guidelines, stormwater and dry weather runoff capture is defined as to intercept, store, manage, and use stormwater and dry weather runoff, thereby reducing the volume of runoff exiting a site.

Sustainable Groundwater Management – the management and use of groundwater, in a manner that can be maintained during the planning and implementation horizon without causing undesirable results.

Sustainable Yield – the maximum quantity of water, calculated over a base period representative of long-term conditions in the basin and including any temporary surplus, that can be withdrawn annually from a groundwater supply without causing an undesirable result. (Water Code § 10721(v)).

Technical Reviewers – a group of DWR representatives assembled to evaluate the technical competence of a proposed project and the feasibility of the project being successful if implemented. Other agencies, such as SWRCB or the regional water quality control boards, representatives may also be invited to participate as technical reviewers.

Underrepresented Community – SDAC, DAC, Tribes, and more, described below, will collectively be referred to as an Underrepresented Community. Refer to Appendix E for more information.

Undesirable Result – one or more of the following effects caused by groundwater conditions occurring throughout the basin (Water Code § 10721(w)):

1. Chronic lowering of groundwater levels indicating a significant and unreasonable depletion of supply if continued over the planning and implementation horizon. Overdraft during a period of drought is not sufficient to establish a chronic lowering of groundwater levels if extractions and recharge are managed as necessary to ensure that reductions in groundwater levels or storage during a period of drought are offset by increases in groundwater levels or storage during other periods.
2. Significant and unreasonable reduction of groundwater storage.
3. Significant and unreasonable seawater intrusion.
4. Significant and unreasonable degraded water quality, including the migration of contaminant plumes that impair water supplies.
5. Significant and unreasonable land subsidence that substantially interferes with surface land uses.
6. Depletions of interconnected surface water that have significant and unreasonable adverse impacts on beneficial uses of the surface water.

Urban Water Supplier – supplier, either publicly or privately owned, that provides water for municipal purposes, either directly or indirectly, to more than 3,000 customers or supplying more than 3,000 acre-feet of water annually (Water Code § 10617).

Water Quality – refers to the chemical, physical, biological, and radiological characteristics of water. It is a measure of the condition of water relative to the requirements of one or more biotic species and/or any human need or purpose. Temperature, turbidity, pH, dissolved oxygen, flow levels, and/or depth to groundwater alone or combined does not constitute water quality monitoring for CEDEN and/or GAMA. Certain physical and chemical properties of water quality monitoring may not require a monitoring plan.

APPENDIX C: NATIVE AMERICAN TRIBE NOTIFICATION

Public Resources Code § 21080.3.1 requires the CEQA lead agency to consider project effects on Tribal cultural resources and to conduct consultation with California Native American Tribes. DWR recommends using the Office of Planning and Research's (OPR) procedures for Tribal consultation for General Plans and Specific Plans as guidance to meeting the Native American Tribe Notification requirement. The notification processes a lead agency uses may include the following steps:

- ❖ Determine if the proposed project is a project under CEQA.
- ❖ If the project will use a negative declaration or an Environmental Impact Report to comply with CEQA and the CEQA document was not adopted by March 1, 2009, Tribal notification is required prior to adoption of the CEQA document.
- ❖ To determine which Tribes may have traditional lands located within the project area, send a request to the Native American Heritage Commission (NAHC) using the NAHC request form which can be found at the following link: <http://nahc.ca.gov/resources/forms/>. Expect a reply within 30 days.
- ❖ Once Tribal information from NAHC is received, notify Tribes of the project nature and project location.
- ❖ Solicit input from Tribes that respond to the notification.
- ❖ Consider Tribal input to the project prior to adoption of a Negative Declaration or Environmental Impact Report.

The above notification process follows OPR's procedures for Tribal consultation for General Plans and Specific Plans. Further information on Tribal consultation can be found at the following link: <http://www.opr.ca.gov/ceqa/updates/ab-52/>

Contact information for the NAHC is as follows:

Tribal Advisor
Office of Governor Gavin Newsom
Executive Secretary, Native American Heritage Commission
1550 Harbor Blvd. Suite 100
West Sacramento, California 95691
(916) 373-3710
(916) 373-5471
nahc@nahc.ca.gov
<http://nahc.ca.gov/>

APPENDIX D: ADVANCED PAYMENT

Water Code section 13198.4 authorizes advanced payment of up to 25% by DWR to eligible entities (Grantees and/or Local Project Sponsors) for eligible projects. Eligible projects listed in Water Code section 13198(c), must benefit a county and/or watershed included in Governor's state of emergency drought proclamations or a drought scenario determined by the State Water Board as set forth in Water Code section 13198(a) to be eligible for advanced payment. The following outlines the general requirements for advanced payment eligibility, application process, accountability reporting, and default provisions. **Additional details regarding the specific requirements for advanced payment will be provided in individual grant agreements.**

Process to Apply for Advanced Payment

Following award notification and within 90 calendar days of execution of a grant agreement with DWR, should a Grantee wish to apply for advance payment, the Grantee shall provide DWR proof of its cash flow issues justifying advance payment. Failure to provide its request for advance payment within 90 calendar days of execution of the grant agreement shall result in the forfeiture of the right to request or receive advanced payment for the grant. A request for advance payment shall include the following:

- Description of each Grantee's cash flow needs (an explanation of why the entity does not have enough funding to cover its liabilities for the project).
- Description of each Grantee's financial capacity to administer the advanced funds and complete the project once the advanced funds have been expended.
- Statement acknowledging that advanced funds will be placed in a non-interest-bearing account.
- A Funding Plan (template will be provided) that includes:
 - a. Project Budget.
 - b. Anticipated quarterly schedule for project, showing how the advanced payment funds will be expended including associated activities and deliverables.
 - c. Any reimbursable funds expended to date.
- Any other information that DWR may deem necessary.

Within 60 days of receiving all required information and that information being deemed adequate at the sole discretion of DWR, DWR may authorize payment of up to 25 percent of the grant award for the qualified project.

The Grantee will be responsible for the timely distribution of the advanced funds to any individual Growers, if applicable.

Accountability Report Requirements

Upon receipt of advanced payment, there are requirements and responsibilities that must be met by the Grantee. The Grantee shall, on a quarterly basis, provide an Accountability Report to DWR regarding the expenditure and use of the advanced grant funds that

provides, at a minimum, the following information:

- An itemization as to how advanced payment funds have been expended, including documentation that advanced funds were spent on eligible reimbursable costs.
- An updated Funding Plan with project itemization and a quarterly schedule describing how any remaining advanced payment funds will be expended.
- Documentation that the funds were placed/remain in a non-interest-bearing account, and the dates of withdrawals of funds from that account during the reporting period.
- Proof of distribution of advanced funds to Growers, if applicable.

Default of Advanced Payment Obligations

Any of the following actions will be considered a default on the advanced payment obligations and shall result in DWR requesting the Grantee return all or a portion of the advanced funds and may result in a breach of the grant agreement:

- Failure to expend the advanced funds within the timeframe agreed to by DWR and the Grantee when the advanced payment request was approved unless an extension has been approved by DWR.
- Failure by Grantee to submit complete and accurate quarterly Accountability Reports by the required due dates, unless otherwise approved by DWR.
- Failure to deposit funds in a non-interest-bearing account.
- Use of Advance Payment funds for ineligible expenses and/or activities not consistent with the grant agreement.
- Inappropriate use of funds, as deemed by DWR.
- Failure to comply with any other term of the executed grant agreement.

If advanced funds are not fully expended by project completion or by the grant agreement termination date, whichever is earlier, the unused grant funds shall be returned to DWR within 60 calendar days.

APPENDIX E – GROWER SCORING CRITERIA

Growers who meet the following eligibility requirements will be ranked and prioritized by the Grantee based on the Grower Scoring Criteria for subawards below.

A. ELIGIBILITY REQUIREMENTS – GROWER APPLICATION INFORMATION

- Proof of Farmed Acreage to be fallowed using Farm Service Agency's 2021 FSA-578 or 2021 Acreage Report/CCC-576 (small farm applications)
- Local average estimate of ET by crop provided by the GSA accounting. ET value will be based on the local average ET per crop data provided by the GSA and accounts only for irrigation water pumped from a groundwater well (not water from rainfall or loss to inefficiencies such as runoff, deep percolation, or irrigation system inefficiencies). This initial figure of crop ET will be used to assist the GSA and TAPs in estimating an applicant's groundwater savings (in acre-feet) to the basin. If using groundwater well meters as a form of accounting, reporting must be provided in acre-feet.
- Proof of Lease (if applicable)
- Proof of Enrollment Cap (up to a total of 40 acres enrolled or 25% of total acreage whichever is greater). FSA Form 578: Partnership acreage is calculated separately.
- No farming entity (e.g., individual, LP, or LLC) having a 3-year average Adjusted Gross Income (AGI) >\$2.5 million will be permitted in the program. FSA Form 1132 will be required to verify.
- Payment limitation per each awarded grower will be \$2.5 million
- Duration of fallowing will be for a period of 12 months. GSA will determine start date for grower fallowing; start dates to be confirmed by DWR. If future funding becomes available for this program, at the end of the current contract there may be an option for growers to opt into a rolling contract - to be determined based on amount of future funding available.
- Grantee will require the selected grower under contract to permanently eliminate any overdraft allocations above sustainable yield associated with the enrolled acreage. These overdraft allocations are not transferable or bankable within or outside of the basin.
- While a Grantee may collect and review grower application information, all grower application information must be reviewed and confirmed by the TAPs for veracity.

B. FULL APPLICATION INFORMATION AND SCORING CRITERIA

Grantees must use the minimum criteria listed below to identify which grower will be selected into the basin's LandFlex program. The Grantees will determine the final score and rank for each grower application. This information will be identified using tools, such as, DWR's SGMA Data Viewer (<https://sgma.water.ca.gov/webgis/?appid=SGMADataViewer#currentconditions>) for proximity to dry domestic wells and the State Water Control Board's SAFER Dashboard (https://www.waterboards.ca.gov/safer/safer_data.html) that identifies public water systems at risk and identification of domestic wells and state small water systems at risk.

Minimum Grower Selection Criteria includes:

1. Land being fallowed in proximity to dry, shallow, domestic wells that were reported to DWR within the last 24 months ranging from:

TABLE 5 – DRY WELL CRITERIA FOR GROWERS	
Distance from Dry Well	Points
0 to 0.5 mile of a reported dry domestic well	15
0.6 to 1 mile of a reported dry domestic well	10
1.1 to 2.5 miles of a reported dry domestic well	5
>2.5 miles of a reported dry domestic well	1

2. Proximity of proposed enrolled lands to URCs as determined by the URC Technical Assistance Program’s mapping tools (www.water.ca.gov/urctaprogram), or proximity to other communities identified by the appropriate TAP as likely to benefit from program investments:

TABLE 6 – URC CRITERIA FOR GROWERS	
Distance to URC	Points
Property within 0 to 0.5 mile of a URC	15
Property within 0.6 to 1 mile of a URC	10
Property within 1.1 to 2.5 miles of a URC	5
Property >2.5 miles of a URC	1

In addition to the grower scoring criteria above, Grantees, in coordination with the appropriate TAPs, can provide more stringent criteria, as needed, to further refine *grower proximity to each other in order to have a measurable impact to the basin*, as well as to align with the projects and management actions being implemented to achieve the sustainability goal for their GSP and basin and on-the-ground conditions.

1. Grant Award To Growers

Incentive payments for each enrolled acre have three inseparable components. Each component is an investment in a distinct but complementary public benefit:

- **Domestic Well Drought Relief.** To achieve immediate relief of drought-related pressure on shallow domestic wells, LandFlex will provide up to a cap of \$350 for each acre-foot of water kept in the groundwater basin for a period of 12 months. GSAs will determine a locally appropriate payment amount per acre-foot. Each acre-foot of saved groundwater must be verified by the GSA using locally adopted and state-approved methods of evapotranspiration or groundwater well metering measurement and reporting.
- **Sustainable Yield Acceleration.** LandFlex will provide a one-time payment of \$1,000 for each acre-foot of permanent overdraft eliminated, based on a GSA’s WY 2023 overdraft allocation plan. For example, a grower whose GSA has established a 2.2 acre-feet/acre (per year) overdraft allocation would receive \$2,200 (\$1,000 x 2.2) as a total one-time payment for each enrolled acre. The GSA will ensure that all overdraft allocations associated with each enrolled acre during and after WY 2023 is permanently eliminated and accounted for in GSP updates and consistent with LandFlex program requirements. The GSA-determined Sustainable Yield allocation will remain unaffected.
- **Transition to Sustainability.** To facilitate beneficial agricultural land practices associated with immediate and long-term elimination of overdraft pumping, LandFlex will provide a one-time land-use transition payment that will vary based on the current uses of enrolled acres, such as row crops, dairy feedstock, and permanent tree crops. Removal and on-farm mulching of orchards, purchase of upcycled agricultural waste for dairy feed replacement, and cover cropping for air quality and pollinator habitat are examples of actions eligible for

the Transition to Sustainability payment component. Payments are based on UC Cooperative Extension economic data and other public agency sources.

- Row Crops: \$250 per acre
- Dairy Feed Replacement: \$2,000 per acre
- Permanent Orchard & Vine Removal: \$2,800 per acre

Transition practices must be submitted with the grower application process and verified as acceptable documentation before issuance of final payment (i.e., visual, invoices, photo evidence of transition practice, etc.).

APPENDIX F: GRANTEE AND TAP ROLES AND RESPONSIBILITIES

The Grantees (i.e., GSAs) will enter into an agreement with DWR for the work described within the grant agreement. The Grantees and the TAPs will be required to coordinate and collaborate for the life of the agreement. Below is an outline of the specific roles and responsibilities that is expected and required.

Grantees:

The Grantees will be selected by DWR based upon the GSA scoring criteria provided in Table 4. Approximately two to three Grantees will be selected by DWR to provide subgrant awards to growers in their basin. The Grantees will be required to:

- Demonstrate the program's measurable goal of water savings to the groundwater basin, Grantee shall not combine any other funding with LandFlex funds to facilitate this goal. Achieving accelerated and quantifiable SGMA sustainable yield targets is a unique feature of LandFlex.
- Ensure that water savings is quantified consistently across all fallowed lands and the GSA maintains a general accounting (acre-feet) of water kept in the basin.
- Coordinate with DWR and the TAPs to develop outreach materials for growers' awareness and understanding of the program.
- Provide information to all interested growers on LandFlex, in coordination to the TAPs operating in their basin.
- Coordinate with the TAPs as needed to review the grower applications received through the grower application portal. DWR requires a minimum of four coordination meetings between the Grantee and the TAPs.
- Grantees, in coordination with the TAPs, will rank all eligible grower applications based upon the grower scoring criteria (either using, at a minimum, DWR's grower criteria or additional criteria the Grantee develops in coordination with the TAPs). Grantees, in coordination with DWR and the TAPs, will have final approval over which growers are selected based on scoring and availability of funding to achieve maximum water savings results.
- DWR requires Grantees to work with the TAPs and to use state-sponsored mapping tools to ensure most effective investments of funding for benefit of vulnerable communities within their basins.
- Demonstrate that outreach has been conducted to those areas at greatest risk of losing drinking water supplies. Before outreach is conducted, grantees must coordinate with DWR and the TAPs to develop outreach materials for URCs with vulnerable drinking water wells.
- Grant agreement requirements include a minimum of three years of post-grant monitoring and reporting to the SGM Grant Program's email address. Grantees will be required to determine benefits within their basin such as water savings and resulting land use changes including crop decisions being made post fallowing. Additionally, program analyses to determine specific drinking water benefits in proximity to vulnerable communities.

TAPs:

Four TAPs have been pre-selected by DWR to assist the Grantees throughout the life of the grant. These are the California Alliance for Family Farmers, Self-Help Enterprises, Western United Dairies, and Almond Alliance. These 501(3)c organizations represent a diverse, statewide cross-section of agriculture and community interests, and offer the greatest potential reach to growers having production land to voluntarily fallow under LandFlex that will produce an ET savings, as well as knowledge of URCs who have domestic well drinking water supply issues. The TAPs, will:

- Work in coordination with the Grantee to ensure expediency of LandFlex implementation and to provide resources and coordinated development of materials for outreach and engagement to growers and URCs.
- Work in coordination with the Grantees on the grower scoring criteria to determine if additional criteria is needed beyond the minimum provided by DWR.
- Develop an application portal for the growers to access to complete and submit a full application. TAPs will conduct a completeness review of the grower application to determine if the grower meets the eligibility requirements for funding.
- TAPs will pre-score growers based on grower criteria provided by Grantees. All scores will be reviewed and confirmed by the Grantee.
- Ensure, in coordination with DWR staff and Grantees, broad and diverse range of agricultural growers have access to technical support services to better develop a comprehensive understanding of LandFlex, its requirements, application process, and the needs of URCs are voiced.

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*CALIFORNIA NATURAL RESOURCES AGENCY'S
DEPARTMENT OF WATER RESOURCES -
DIVISION OF REGIONAL ASSISTANCE*

