

# Flood Partnership: Real-time Data Grant Program

Guidelines and Proposal Solicitation Package

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Department of Water Resources  
Division of Flood Management  
Hydrology and Flood Operations Branch

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# 1 INTRODUCTION

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## 1.1 Background

The need to improve public safety and achieve other benefits through integrated flood management is urgent due to more people living and working in flood-prone areas, better understanding of system deficiencies, and possible changes in flood magnitude and frequency from a changing climate. In 2018, the Department of Water Resources (DWR) launched the Flood Partnership, in collaboration with the Governor's Office of Emergency Services (Cal OES) and the Federal Emergency Management Agency (FEMA). The Flood Partnership is intended to reduce the risk and consequences of flooding in California by strengthening the collaboration, data sharing, and funding resources that are already in place; and by identifying and addressing unmet needs.

As part of the Flood Partnership, California began the long process of improving the coordination and alignment of federal, State, and local agencies in planning for and responding to flood emergencies, on a watershed-by-watershed basis. To encourage this increased level of coordination and alignment, DWR has set up funding programs to assist this effort. DWR is also planning on assisting other agencies in identifying other non-DWR sponsored grant and funding assistance programs and assisting in obtaining funding assistance from those programs.

Success in the long term depends on applying the Flood Partnership vision throughout all its activities. This vision is to reduce the risk and consequences of flooding in California communities through improved alignment of public agencies at the federal, State, regional and local level.

The following goals are set to achieve the Flood Partnership vision:

- Improved coordination and alignment between regulatory dam safety and operational flood risk management programs to strengthen public safety, emergency preparedness, and emergency response in floodplains; and to inform emergency management from a watershed perspective.
- Enhanced partnerships in post-fire watershed assessments between the California Department of Forestry and Fire Protection, U.S. Forest Service, U.S. Geological Survey, California Geological Survey, Cal OES, and FEMA.
- Increased communication between California dam operators and all relevant local, State and federal agencies in order to exchange timely data about reservoir operations and dam safety in an efficient manner.

- Increased understanding and awareness by land use agencies and their respective elected officials regarding the need to publicly address the risk and consequences of development in floodplains.
- Improved accessibility and availability of information about all available funding sources for public agencies responsible for flood management and flood-related emergency services.
- Increased access to new funding sources for flood management and emergency services agencies, resulting in stronger programs and projects to reduce the risk and consequences of flooding in their communities.

## 1.2 Guidelines

One Flood Partnership goal is to increase communication between dam/reservoir owners and operators and the flood emergency community that includes forecasters and flood emergency responders. These guidelines have been prepared to provide the framework for supporting the activities of collecting and sharing real-time or hourly to sub-hourly reservoir data that is greatly important to help reduce the flood risk and consequences in California.

These guidelines have been prepared to provide:

- Clear guidelines and project solicitation materials to ensure accuracy and understanding for project proponents seeking grants;
- Publicly vetted guidelines to allow stakeholders an opportunity to provide input on program implementation; and
- Review and approval of submitted project applications by DWR management.

## 1.3 Real-time Data Grant Program

California has an extensive water management system which is used to control the State's water resources and protect communities from flooding. More than 1,250 dams make up a significant portion of this water management system. Many California communities lie downstream of dams with ungated spillways that do not report real-time water surface elevations.

The Real-time Data Grant Program was created to help fund projects to achieve the goals and vision of the Flood Partnership. The Reservoir Gaging at Ungated Spillways (RGUS) project is one of the first Flood Partnership projects and will be funded by the Real-time Data Grant Program. The RGUS project was created to support the Flood Partnership goal of increased communication between dam/reservoir owners and operators and the downstream flood and emergency managers before and during high water events. The RGUS Project was identified as a gap in our current flood warning

system. With additional telemetry on reservoirs with ungated spillways, the Flood Operations Center would be able to quickly quantify discharges through the ungated spillways and use that information to complement the network of river gages. This will provide important information to the flood emergency response community during periods of heavy precipitation and allow partners and technical stakeholders, including the National Weather Service, to better calibrate hydrologic models, and provide more timely and accurate notification of downstream flows.

The objective of the RGUS project is to install real-time reservoir elevation gages at 20 or more dams that have ungated spillways. The outcomes of RGUS will include:

- Reduced flood risks to these communities;
- Improved early notification and warning to these communities;
- Improved river and reservoir inflow forecasting;
- Improved data for calibration of hydrologic models and development of flood frequency studies; and
- Early warning of potential dam failures (e.g., sudden drop in elevation readings); and
- Expansion of existing real-time reservoir gaging network (useful for reports, media inquiries, etc.).

Along with fulfilling one of the Flood Partnership goals, RGUS fits strategically with

- DWR's 2019 Strategic Plan Goal 9: Provide Effective Flood Emergency Response;
- CA Water Resilience Portfolio – Action #22.6; and
- Senate Bill 19 – Water Resources: Stream Gages.

## 2 DEFINITIONS AND ACRONYMS

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**Agreement or Funding Agreement:** An agreement entered into by a successful Applicant or Project sponsor and the State to provide funds for the Project.

**Applicant:** A California public agency, or joint powers authority consisting of more than one public agency that applies for funding, which has primary responsibility for operating or maintaining dams.

**Cal OES:** The California Governor's Office of Emergency Services.

**CDEC:** The California Data Exchange Center.

**CEQA:** The California Environmental Quality Act.

**CRS:** The Community Rating System under the National Flood Insurance Program of the Federal Emergency Management Agency

**Contractor:** A contractor performing the project work for the Funding Recipient to be paid for with funds from an agreement executed pursuant to these *Guidelines*.

**DSOD:** The Division of Safety of Dams.

**DWR:** The California Department of Water Resources.

**Eligible Project Costs or Eligible Costs:** The reasonable and necessary actual costs associated with implementing a project selected pursuant to these *Guidelines*.

**FEMA:** The Federal Emergency Management Agency.

**F-CO:** The Forecast-Coordinated Operations Program.

**FIRO:** The Forecast Informed Reservoir Operations Program.

**Funding Recipient:** A public agency in California duly organized, existing and acting pursuant to the laws thereof, which is the signatory to a Funding Agreement, and its successors and assigns, which has primary responsibility operating and maintaining dams.

**Limit on State Funds:** The maximum amount of State funds that will be expended on the Project, as set forth in the Funding Agreement.

**FEMA:** The Federal Emergency Management Agency.

**Project:** A project for work to be funded under these *Guidelines*.

**Project Completion Report:** A report prepared by the funding recipient certifying that the project is completed in compliance with scope of work, budget, and schedule.

**Project Description:** The document each Applicant must provide with their application package that describes the proposed Project in detail.

**Program:** The Real-time Data Grant Program.

**Quarterly Progress Report:** A report by the Applicant on the status of the Project required on a quarterly basis.

**RGUS:** Reservoir Gaging at Ungated Spillways

**Statement of Costs:** A statement of Eligible Project Costs incurred each quarter, as further described in the Funding Agreement.

**Scope of Work:** After a project is selected and before a Project Funding Agreement is signed, the Applicant must develop a Scope of Work that provides detailed plans and information about how the Project will be implemented.

**State:** The State of California, acting by and through the Department of Water Resources.

**Ungated Spillways:** A spillway on a dam that is without a gate that can be operated to control the outflow of water.



## 3 FUNDING

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### 3.1 Funding Sources

Funding for this Grant Program will be provided through one or both of the following:

- Proposition 68 (California Drought, Water, Parks, Climate, Coastal Protection, and Outdoor Access for All Act of 2018)
- General Fund

### 3.2 Project Funding

DWR will provide approximately \$3.5 million during the first round of the Real-time Data Grant Program. DWR may seek additional funds for future rounds for this Grant Program. Applicants will file a complete grant application package with DWR. DWR will not revise the grant application package requirements during any period in which project proposals are being solicited. Sample grant application documents are attached in Appendix A.

### 3.3 Program Directed Activities

DWR will use program funds for Direct Expenditures or Directed Action activities that fulfill the intent of the funding source used. Direct expenditure projects are proposed by DWR either on its own initiative or in response to a solicitation from a California public agency. DWR will apply these guidelines as it deems applicable and appropriate. Direct expenditure projects must address an interest of the State and may be proposed and approved at any time.

## 4 PROGRAM ELIGIBILITY AND REQUIREMENTS

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Below are general requirements to apply for grant funding under the Real-time Data Grant Program. All applications must meet the following criteria to be considered eligible for funding.

### 4.1 Grant Eligibility

California public agencies that own or have primary responsibility for a dam under the jurisdiction of the Division of Safety of Dams are eligible to apply. Public agencies include counties, cities, water districts, flood control districts, irrigation districts, municipal utility districts, service districts, Joint Power Authorities, or other local government entities in California. The geographic scope of this grant is statewide.

### 4.2 General Grant Requirements

Grantees will be required to comply with, but are not limited to, the following requirements listed below:

- Before authorizing project work, applicants must complete required environmental documents and permits, if applicable.
- Grantees are required to sign, as a part of the grant contract, indemnity provisions, labor compliance language, prevailing wages provisions, and other grant requirements. Details of these provisions are discussed in this document.
- Grantees are required to prepare quarterly progress reports to ensure funds are utilized according to the approved project scope, schedule, and budget.
- All expenses within a funded grant agreement must be supported with documentation, with reimbursements approved only for eligible expenses pursuant to program guidelines, and contained within the approved project budget.
- After the Project is completed, an audit may be conducted to confirm that expenditures were made according to the established plan and achieved the desired outcome.
- Upon Project completion, the grantee's project manager must verify that the Project complies with all applicable current laws and regulations and submit documents verifying project completion, summarizing total project costs, and additional funding sources used, as applicable.

- Prior to approval of the final invoice by DWR, the local agency must submit a project completion report which includes a description of completed work, a copy of all project deliverables, and a final statement of costs.

### 4.3 Eligible Grant Activities and Tasks

This is a direct Grant Program designed to achieve the objective and goals of the Flood Safety Partnership. The typical activities funded under the first round of this Grant Program include:

- Purchase and installation of equipment needed for collecting, storing, transmitting, and sharing of real-time reservoir elevation data with the California Data Exchange Center (CDEC). Specifications and standards for real-time data collection will be included in the final Grant Guideline.
- Purchase and installation of equipment needed for collecting, storing, transmitting, and sharing of real-time hydro-meteorological data with CDEC.

The grant, for the future rounds, may also be used by the grantee to:

- Strengthen partnerships between dam owners/operators and flood/emergency managers through flood exercises, training, and emergency action planning;
- Promote and increase participation in the Forecast-Coordinated Operations (F-CO) and Forecast Informed Reservoir Operations (FIRO) programs;
- Improve coordination between dam owners/operators, State and federal agencies, and downstream flood/emergency managers before and during high water events;
- Increase awareness and understanding among emergency management agencies about the role that reservoirs play in reducing downstream flood risks;
- Facilitate information sharing and coordination between dam owners, floodplain managers, and emergency managers to maximize National Flood Insurance Program (NFIP) Community Rating System (CRS) points and improve flood warning and planning.

### 4.4 Conflict of Interest and Confidentiality

Applicants will be subject to State and Federal conflict of interest laws. Failure to comply with these laws, including business and financial disclosure provisions, will result in the application being rejected and any subsequent contracts being declared void. Other legal action may also be taken. Applicable statutes include, but are not limited to, Government Code § 1090, and Public Contract Code §§ 10410 and 10411.

Applicants should note that by submitting an application, they will waive their rights to the confidentiality of that application. All applications (those selected and those not selected) will become public documents once the selection process is complete.

## 4.5 Labor Compliance and Prevailing Wages Provisions

Grantees are bound by all the provisions of the Labor Code regarding prevailing wages and shall monitor all contracts funded by grant funds to assure that the prevailing wage provisions of the Labor Code are being met. Pursuant to Labor Code § 3700, Grantees and/or their contractors are required to be insured against liability for workers' compensation or to undertake self-insurance. For additional information on Labor Code compliance, please refer to the Department of Industrial Relations website at: <https://www.dir.ca.gov/public-works/prevailing-wage.html>. Before applying, applicants are urged to seek legal counsel regarding California Labor Code compliance.

## 4.6 Contract Indemnity Provisions

Applicants will agree to indemnify the State and its officers, agents, and employees against and to hold the same free and harmless from any and all claims, demands, damages, losses, costs, expenses, or liability due or incident to, either in whole or in part, and whether directly or indirectly, arising out of the Project, including, without limitation, any incident arising out of post-project operation and maintenance.

## 4.7 Competitive Bidding and Procurement

A Grantee's contracts with other entities for the acquisition of goods and services and construction of public works 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 Grantee does not have a written policy to award contracts through a competitive bidding or sole source process, the 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>.

## 4.8 California Environmental Quality Act (CEQA)

All activities funded pursuant to the Program must comply with CEQA (Pub. Resources Code, § 21000 et seq.). Any work that is subject to CEQA and funded under a funding agreement shall not proceed until documents that satisfy the CEQA process are received by DWR, and DWR has completed its CEQA compliance. Any work funded under the Program that is subject to CEQA shall not proceed until and unless approved by DWR; such approval is fully discretionary. If CEQA compliance by the grantee is not complete at the time a funding 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 funding agreement shall be terminated.

## 5 GRANT APPLICATIONS

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### 5.1 Application Package

A complete application will contain all the elements listed below. DWR staff will review each application for acceptability and completeness. If information is not relevant to a proposal, the applicant should clearly state the reason why the information was not provided. Applications not containing all required information or acceptable reasons for omission will not be further reviewed or considered for funding. Please refer to Appendix A for detailed information and examples of application submittal documents. The following documents must be submitted:

- A1. Application Cover Letter
- A2. Application Cover Sheet
- A3. Applicant Information
- A4. Agency Resolution
- A5. Applicant's Authority and Capability
- A6. Environmental Information Form
- A7. Project Scope of Work
- A8. Project Schedule
- A9. Project Budget
- A10. Statement of Financial Capability
- A11. Maintenance Plan

## 5.2 Application Submittal

Applications will be accepted after \_\_\_\_\_, 2024.

Applicants must submit two hard copy applications to DWR, one of which must contain the original wet signed documents.

An electronic copy must also be provided to DWR via a compact disc, flash drive, or through FTP/cloud services. Electronic copies should be in a Microsoft Word compatible format or in a searchable PDF format with content copying enabled. Files can also be emailed to [RDDGprogram@water.ca.gov](mailto:RDDGprogram@water.ca.gov).

Hardcopy applications should be mailed to the Program Manager at the following address:

Boone Lek  
Operations Support Section  
Hydrology and Flood Operations Branch  
DWR Division of Flood Management  
3310 El Camino Avenue, Suite 200  
Sacramento, CA 95821-9000

## 6 REVIEW CRITERIA AND AWARD PROCESS

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This Section describes the process for project review, evaluation, and selection. DWR will review all timely submittals for completeness after grant applications are submitted. Grant applications that are not substantially complete will not be further reviewed. DWR may contact proponents of grant applications that are substantially complete but are missing some items for additional information.

### 6.1 Acceptability and Completeness

The Program Grant Review Team will review each grant application and evaluate the subject Project. DWR may request that the applicant provide clarification of existing information to better evaluate the merits of the Project.

The Program Grant Review Team will review the grant application package for completeness and for project eligibility. Each grant application will be reviewed for completeness considering:

- a. All required application forms are submitted and complete.
- b. An electronic application package has been submitted in Microsoft Word or PDF format.
- c. Applications do not exceed 100 pages using Arial font size 12. (Note: 100 pages limit only applies to parts A1-A11; it does not include attachments)

The Grant Review Team will evaluate each grant application taking into consideration any relevance to Water Code section 106.3, The Human Right to Water. While it is unlikely that any application will impact areas addressed in the bill, due consideration will be given to each application's potential impacts on the safety, affordability, and accessibility of water. Any applications which pose a significant violation to this human right will be removed from consideration.

### 6.2 Review Criteria

The Grant Review Team will evaluate each grant application based on the following criteria which reflect and support DWR and the Flood Partnership priorities. Criteria consist of items a) through d) below.

- a) Dams with ungated spillways
- b) Dams without real-time (hourly or sub-hourly) elevation data (above and below the spillway) transmitted to CDEC

- c) Dams not owned by the State, Federal, or private entities
- d) Dams with downstream hazard classification status of Extremely High, High, or Significant as designated by the Division of Safety of Dams (DSOD)

### 6.3 Funding and Awards

If requested funds for all qualified projects exceed the amount of available funds, DWR may reduce funding for selected projects based on program priorities, information provided in the application, and/or additional discussion with the applicant.

After evaluations of the projects, the Program Manager will submit the recommendations to the Management Review Team for review and approval. The Management Review Team consists of managers from DWR's Division of Flood Management.

The Management Review Team may recommend one of the following:

- a. Allocating any or all of the available funds to grants for projects on the list.
- b. Holding over the remaining available funds for allocation in the subsequent funding years.
- c. Allocating partial funding to one or more of the projects on the list currently being funded

The list of approved projects will be posted on the program's website.

Upon approval of each grant application, DWR staff will begin the process of developing a funding agreement with the project applicant (grantee). The grantee and DWR must enter into a funding agreement before any funds will be disbursed.

DWR Program Manager:

Mr. Boone Lek, Manager  
Operations Support Section  
Hydrology and Flood Operations Branch  
Department of Water Resources  
3310 El Camino Ave, Suite 200  
Sacramento, CA 95821-9000



## 7 GRANT ADMINISTRATION

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This Section describes the process that will occur once a project has been selected for funding. This includes developing and signing a grant funding agreement.

### 7.1 Agreement Execution

Before DWR enters into a funding agreement the grantee will submit a detailed work plan (based on the information provided for project evaluation) including a proposed scope of work, list of deliverables, budget, and project schedule satisfactory to DWR.

The funding agreement will not be processed and executed until a detailed final work plan and associated documents are approved by the Program Manager. To assist the grantee in developing the detailed final work plan, DWR may talk to or meet with the grantee as needed. Grantees shall provide detailed cost estimates and quantities, billable hours, a revised timeframe with required completion durations, and other information as needed. Cost estimates shall include separated step funding with subtask amounts.

The agreement will be signed by the grantee. If a DWR-approved agreement is not executed within six months of the date the grant is awarded, the grant may be withdrawn.

### 7.2 Invoicing and Payments

The grantee will provide reimbursement invoice requests to DWR for work completed within an invoicing period. DWR will retain approximately 10 percent of each disbursement, as specified in the agreement, to ensure completion of the project. The retention will be paid upon submittal of the project completion report by the grantee and approval by DWR.

Although grant funds will be disbursed as provided in the agreement to reimburse costs incurred by the grantee, costs will not be reimbursed or paid until the following conditions are met:

- a. An agreement is fully executed.
- b. For project activities that could affect the environment, the grantee complies with all applicable requirements of CEQA and other environmental laws.
- c. All required permits are obtained.

State funds will be paid to the grantee(s) in arrears generally on a quarterly reimbursable basis, but in no event more often than monthly, at DWR's discretion, subsequent to submittal and approval of credit or reimbursement requests (invoices) and progress reports.

### 7.3 Reporting

Each quarter and as a prerequisite to payment of each invoice, the grantee will be required to submit a progress report in sufficient detail to substantiate reimbursable expenses. The report will be a key item in evaluating requests for credit or reimbursements, and a credit or reimbursement request must coincide with a report submittal. Progress reports will include the following:

- a. Records of expenditures
- b. Description of project activities and task completions since the previous report
- c. Status of the project relative to the progress schedule
- d. Key issues that must be resolved
- e. Upcoming events, meetings, milestones expected for the next quarter

The first progress report shall be made at the end of the first complete calendar quarter after the date of execution. Progress reports will be submitted quarterly thereafter. DWR will monitor progress and may suspend all payments indefinitely if, in the opinion of DWR's Manager of the Division of Flood Management, it appears the grantee is in breach of the agreement to such an extent that ultimate achievement of project objectives may be significantly compromised. If payments are suspended, the grantee will be given three months to cure the breach or DWR may terminate the funding agreement. Decisions to suspend payments or agreement termination may be appealed to the Director of DWR.

### 7.4 Amendments

Amendments to agreements shall require the approval of all parties. Amendments are required for the following circumstances:

- a. Change in schedule (e.g., time extension)
- b. Change in scope of work
- c. Change in total budget or transfer of funds between tasks that exceeds 20

percent of DWR approved budget for either task (less than 20 percent does not require a formal amendment but does require DWR's Program Manager's written approval).

- d. Change to any of the agreement provisions
- e. Change in parties to the agreement

## 7.5 Project Closeout

The grantee shall submit a Project Completion Report within ninety (90) calendar days of completion of all tasks associated with the project. The report shall include a description of work done, a description of expenditures, a final schedule showing actual work completed versus planned work, copies of any final documents or reports generated or utilized during the project, and a discussion of problems that occurred during the work and how the problems were resolved.

DWR will notify the sponsor that the project is complete and will release any remaining retained funds when the following criteria are satisfied:

- The work is completed to the satisfaction of DWR.
- DWR has approved all products and deliverables required by the project and agreement as provided by the grantee.
- The grantee has provided, and DWR has approved, a Project Completion Report as described above.

## 7.6 Audits and Record Keeping

All grantee records and documents pertaining to the grant will be maintained by the grantee until three years after the final payment of grant funds is made. All grantee records and documents pertinent to the grant will be available for inspection and audit by DWR or other State representative during normal business hours while the project is active and for three years after final payment of grant funds.

## 7.7 Eligible Project Costs

State funding may only be used for eligible project costs. These include the reasonable costs of environmental evaluation, project management, studies, design, land and easement acquisition, legal fees, preparation of environmental documentation, environmental mitigations, monitoring, project construction, and construction management. Reimbursable administrative expenses are the necessary costs incidental but directly related to the funded project, including the portion of overhead and administrative expenses that are directly related to the project. Eligible project costs include those eligible costs incurred after the date of the execution of the funding agreement with DWR.

Note that only incurred project costs are reimbursed by DWR. Advanced funds will not be provided. Costs that are not eligible include:

- A. Operation and maintenance costs
- B. Routine maintenance
- C. Vegetation / habitat maintenance costs
- D. Purchase of equipment that is not an integral part of the funded project
- E. Establishment of a reserve fund
- F. Support of existing agency requirements and mandates
- G. Payment of principal or interest on existing indebtedness, any interest payments, or costs associated with project financing
- H. Costs incurred as part of any necessary response and 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
- I. Duplicate work to obtain new data that the State already has available, unless previously approved by the State or waived by the State
- J. Any federal or state taxes
- K. Expenses incurred in preparation of the proposal or an application for this or another program
- L. Any indirect costs. 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 Funding Recipient; non-project-specific accounting and personnel services performed within the Funding Recipient's organization; depreciation or use allowances on buildings and equipment; the costs of operating and maintaining non-project-specific facilities; tuition and conference fees; and, generic overhead or markup. This prohibition applies to the Funding Recipient and any subcontract or sub-agreement for work on the funded project that will be reimbursed with grant funds from DWR.

## APPENDIX A - SAMPLE DOCUMENTS & FORMS

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### ATTACHED ARE SAMPLES AND RESOURCES FOR PROJECT PROPOSALS

The following documents must be submitted with your application.

Below is a checklist.

- A1. Application Cover Letter
- A2. Application Cover Sheet
- A3. Applicant Information
- A4. Agency Resolution
- A5. Applicant's Authority and Capability
- A6. Environmental Information Form
- A7. Project Scope of Work
- A8. Project Schedule
- A9. Project Budget
- A10. Statement of Financial Capability
- A11. Maintenance Plan Outline

## A1. Application Cover Letter

**[Date]**

Mr. Boone Lek, Section Manager  
Operations Support Section  
Hydrology and Flood Operations Branch  
Department of Water Resources  
3310 El Camino Ave, Suite 200  
Sacramento, CA 95821-9000

**Subject: Grant Application for Real-time Data Program**

Dear Mr. Lek:

**[Agency Name]** herewith submits two hard copies and an electronic version of an application for a Directed Grant in the amount of **[\$[Requested Amount]** to plan, design, and implement a Reservoir Gaging at Ungated Spillways Project for **[Project Location]**.

This application is pursuant to an authorizing resolution of the governing body of **[Agency Name]** dated **[Date]**. The application includes the following forms and supporting materials:

- A1. Application Cover Letter
- A2. Application Cover Sheet
- A3. Applicant Information
- A4. Agency Resolution
- A5. Applicant's Authority and Capability
- A6. Environmental Information Form
- A7. Project Scope of Work
- A8. Project Schedule
- A9. Project Budget
- A10. Statement of Financial Capability
- A11. Maintenance Plan Outline

The work plan, budget, and schedule for this application are being prepared by **[Agency]** in consultation with staff from the Division of Flood Management, Hydrology and Flood Operation Branch, Operations Support Section. We appreciate the help provided by DWR

and your staff. Please call me at **[Contact Phone Number]** or email me at **[Contact Email]** if you have any questions during your review.

Sincerely,

**[Name]**  
**[Title]**  
**[Department]**  
**[Agency]**

Enclosure(s)

1. **[Enclosure 1]**
2. **[Enclosure 2]**
3. **[Enclosure 3]**
4. **[Enclosure 4]**

## A2. Application Cover Sheet

### Part A - Organizational, Financial, and Legal Information

State of California, The Natural Resources Agency, Department of Water Resources  
Application for a Directed Grant under Proposition 68 (California Drought, Water, Parks,  
Climate, Coastal Protection, and Outdoor Access for All Act of 2018), or the General  
Fund.

**[The AGENCY NAME]**  
**[legal name of entity applying for the grant]**

**[Mailing address of local entity]**

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of the County of **[Agency County]**, State of California, does hereby apply to the  
California Department of Water Resources for a grant in the amount of **[\$Project  
Costs]** plus **[\$Application Cost]** application costs for the planning and implementation  
of the following program under the:

**[Project Title]**

By \_\_\_\_\_ Date \_\_\_\_\_  
**[Signature of authorized representative; see Section A-4]**

\_\_\_\_\_  
**[Print or type name of authorized representative]**

**[Title]**

**[Phone Number]**

**[Fax Number]**

**[E-mail]**



### A3. Applicant Information

APPLICANT INFORMATION		
<u>Name</u> (Name of Lead Agency)		
Type of Organization		
Mailing Address		Physical Address
Telephone	Fax	Email
POINT OF CONTACT (Project Manager)		
Name		Title
Telephone	Fax	Email
ALTERNATE POINT OF CONTACT		
Name		Title
Telephone	Fax	Email
MEMBERS OF CONGRESS		
Name		District No.
Name		District No.
STATE SENATORS		
Name		District No.
Name		District No.
MEMBERS OF STATE ASSEMBLY		
Name		District No.
Name		District No.
AGENCY OFFICERS		
(List Names and Titles of Agency Officers)		

## A4. Agency Resolution

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION OF THE [GOVERNING BODY]  
OF THE [AGENCY NAME]  
AUTHORIZING THE  
GRANT APPLICATION FOR THE  
[PROJECT TITLE]**

WHEREAS, **[Agency Name]** proposes to implement **[Project Title]**; and

WHEREAS, **[Agency Name]** intends to apply for grant funding from the California Department of Water Resources for the project costs;

NOW, 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 California Proposition 68 (California Drought, Water, Parks, Climate, Coastal Protection, and Outdoor Access for All Act of 2018), or the General Fund, application by this Agency be made to the California Department of Water Resources to obtain a grant for the **[Project Title]**.
2. The **[Agency Name]** agency **[Title]**, or designee is hereby authorized and directed to prepare the necessary data, make investigations, sign, and file such application with the California Department of Water Resources, execute a funding agreement, and take such other actions as necessary or appropriate to obtain the grant funding.

PASSED AND ADOPTED by the **[Governing Body]** of the **[Agency Name]** on the **[Day]** day of **[Month]** 2022 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

\_\_\_\_\_  
**[Printed Name]**  
**[Title], [Governing Body]**

Attest:

\_\_\_\_\_  
**[Secretary/Clerk]**

## A5. Applicant's Authority and Capability

Have the applicant's attorney answer the following four questions pertaining specifically to this grant application. For each question, cite statutory authority or other references.

1. Does the applicant have the legal authority to enter into a grant contract with the State of California?

Cite the statutory authority under which the applicant may obtain funds for the purpose, amount, and duration requested.

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2. What is the statutory authority under which the local public entity was formed and is authorized to operate?

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3. Is the applicant required to hold an election before entering into a funding contract with the State?

\_\_\_\_\_ Yes \_\_\_\_\_ No

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4. Will a funding agreement between the applicant and the State of California be subject to review and/or approval by other government agencies?

\_\_\_\_\_ Yes \_\_\_\_\_ No

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\_\_\_\_\_  
*(Signature of attorney representing the applicant)*

\_\_\_\_\_  
*(Applicant's name)*

## A6. Environmental Information Form

Grantees are responsible for complying with all applicable laws and regulations for their projects, including the California Environmental Quality Act (Please see CEQA Process document in Appendix B). Work that is subject to the California Environmental Quality Act (CEQA) shall not proceed under this Agreement until documents that satisfy the CEQA process are received and approved by DWR. Such approval is fully discretionary and shall constitute a condition precedent to any work for which it is required. Once CEQA documentation has been completed, DWR will consider the environmental documents and decide whether to continue to fund the project or to require changes, alterations or other mitigation (see CEQA Process document in Appendix B for details)

Grant Recipient: \_\_\_\_\_

Project Manager: \_\_\_\_\_

Phone Number: \_\_\_\_\_

Address: \_\_\_\_\_

1. Is this project exempt from CEQA compliance? Yes  No  (if no – skip to #2)

If “yes,” provide reasons for exemption. Cite the CEQA Article, Section and Title of the CEQA exemption, if appropriate.

CEQA statutory exemptions:

[http://ceres.ca.gov/topic/env\\_law/ceqa/guidelines/art18.html](http://ceres.ca.gov/topic/env_law/ceqa/guidelines/art18.html)

CEQA categorical exemptions:

[http://ceres.ca.gov/topic/env\\_law/ceqa/guidelines/art19.html](http://ceres.ca.gov/topic/env_law/ceqa/guidelines/art19.html)

Check appropriate box below:

Lead Agency has already filed a Notice of Exemption (NOE) with the State Clearinghouse and/or County Clerk. (Attach copy of NOE, receipt of payment of DFW fees, and, if applicable, a copy of Board Resolution)

Lead Agency will file a NOE with the State Clearinghouse and/or County Clerk.

Provide estimated date: \_\_\_\_\_

Lead Agency will NOT file a NOE with the State Clearinghouse and/or County Clerk.

*If Lead Agency chooses not to file a NOE, sufficient documentation and information must be submitted to the Project Manager, along with this form, to allow DWR to make its own CEQA findings.*

2. If the project will require CEQA compliance, identify the Lead Agency.

CEQA Lead Agency: \_\_\_\_\_

3. Please check types of CEQA documents to be prepared:

- Initial Study
- Negative Declaration / Mitigated Negative Declaration
- Environmental Impact Report

4. Please describe the status of the CEQA documents, expected date of completion, and estimated cost, if requesting DWR funds relating to CEQA compliance:

Status: \_\_\_\_\_

Date of Completion: \_\_\_\_\_

Estimated Costs: \_\_\_\_\_

5. If the CEQA document has been completed, please provide the name of the document and the State Clearinghouse number if available. Submit two copies to the Program Manager.

\_\_\_\_\_

6. Please list all environmental permits you must obtain to complete the project: (Attach additional pages as necessary)

**Type of Permit Required**

**Permitting Agency**

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

7. This form was completed by:

\_\_\_\_\_  
Print or Type Name

\_\_\_\_\_  
Phone Number

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

DWR received environmental documents.

DWR made findings.

## **A7. Project Scope of Work**

The scope of work will describe in detail the project concept and tasks. Provide project deliverables, opportunities, and constraints by describing the extent of the proposed work, the methods planned to perform the work, and the potential for discovery of critical conditions requiring additional work.

Describe each task fully and correlate tasks to the items and quantities in the budget. Tasks should be listed numerically and include subtasks where necessary. The scope of work will include a discussion of the following:

- 1. Introduction**
- 2. Background**
- 3. Description of the Proposed Project**
- 4. Description of the Project Tasks**

Detailed description of the Project tasks, subtasks, and deliverables. Tasks and subtasks shall be numerically listed consistently with the tasks and subtasks in the project schedule and budget. Each task shall have corresponding deliverables that provide evidence that the task has been completed.

- 5. Project Opportunities and Constraints**

If desired, include a discussion of any relevant opportunities and constraints.

## A8. Project Schedule

Provide a project schedule based on the project task breakdown (preferably in a Microsoft Project or Excel Gantt chart). The schedule should display the number of calendar days needed to complete the project. Explicitly state the expected start and completion date of the project in this section. Below is an example.

	Description	2020			2021									
		Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	July	Aug	Sept	Oct
1	Grant Contract	■	■	■										
2	Permit				■	■	■							
3	Procure Equipment							■	■					
4	Construction									■	■	■		
5	Connection to CDEC												■	
6	Closeout Grant Contract													■

## A9. Project Budget

### 1. Budget

Briefly discuss the estimated project cost and financial resources to be utilized in meeting those costs. Provide a table detailing all costs. The task and subtasks shown in the budget should match the scope of work and schedule. Below is an example.

Task	Description	Hardware	Software	Installation	Total Cost	Grant Request
1	Gage hardware and structure	\$25,000		\$7,500	\$32,500	\$32,500
2	Meteorological gage additions and improvements	\$5,455		\$1,500	\$6,955	\$6,955
3	Real-time data sharing software		\$5,000	\$1,000	\$6,000	\$6,000
4	Project Management (5% of subtotal)	\$1,523	\$250	\$500	\$2,273	-
5	Contingency (10% of sub-total)	\$3,045	\$500	\$1,000	\$4,545	\$4,545
<b>TOTAL</b>		<b>\$35,023</b>	<b>\$5,750</b>	<b>\$11,500</b>	<b>\$52,273</b>	<b>\$50,000</b>

### 2. Financial Resources

List all sources of project funding and their current status. Below is an example.

Source	Amount	Describe Status of Funds
DWR	<b>\$50,000</b>	This amount is being requested and is contingent on award.
Local Agency	\$2,273	The county has reserved these funds for the project.
Third Party	\$5,000	The third party has reserved these funds for the project.
<b>Total</b>	<b>\$57,273</b>	



## A10. Statement of Financial Capability

Lead agencies will be required to submit a Statement of Financial Capability. The Statement of Financial Capability should demonstrate that the grantee has the financial resources to adequately fund their portion of overall project costs and a reasonable contingency of at least 10 percent. The Statement of Financial Capability must be prepared by a person qualified to perform such financial analyses.

The Statement of Financial Capability should include:

1. A signed, one-page letter from the lead agency's treasurer, chief financial officer, or similar position stating that the lead agency has the financial resources to adequately fund their portion of overall project costs and a reasonable contingency of at least 10 percent. Include a short synopsis of financial statements for the last three years of an applicant's operations.
2. An analysis that depicts the projected revenues and expenditures for the project. Applicant must demonstrate that there is sufficient funding to cover the Applicant's stream of costs through the life of the project/grant.
3. List of funding sources and evidence of the Applicant's authority to use the identified source or sources of funds.
4. Information on the Applicant's ability to obtain additional third party funds (if necessary).
5. Comparable data for a third party together with evidence of its legal commitment to the applicant, if the applicant is relying on third party contributions.

## **A11. Maintenance Plan Outline (Minimum of 7 years)**

1. Resources & Procedure for Maintenance Plan
  - a. Personnel allocated to perform maintenance
  - b. Required equipment for maintenance
  - c. Procedure
    - i. Description of maintenance procedures
    - ii. Frequency of maintenance procedures
2. Funding
  - a. Approximate funding amount required for regular maintenance
  - b. Reference budget location that accounts for cost of maintenance

## **APPENDIX B - ADDITIONAL REFERENCE DOCUMENTS**

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**THE FOLLOWING DOCUMENT HAS BEEN ATTACHED TO PROVIDE ADDITIONAL  
INFORMATION FOR THE APPLICANT**

## B1. CEQA Process for Financial Assistance Programs

This Policy and Procedure (P&P) establishes the process that Department of Water Resources (DWR) Financial Assistance Programs must follow with regard to the California Environmental Quality Act (CEQA) processes, regardless of whether the programs are funded by bond funds or funds from other sources. The CEQA (Public Resources Code § 21000 et seq.) was adopted in 1970. Its basic purposes are to:

- Inform governmental decision makers and the public about the potential significant environmental effects of proposed activities;
- Identify ways that environmental damage can be avoided or significantly reduced; require changes in projects through the use of alternatives or mitigation measures when feasible; and
- Disclose to the public the reasons why a project was approved if significant environmental effects are involved.

CEQA applies to projects undertaken, funded, or requiring an issuance of a permit by a public agency. The analysis of a project required by CEQA usually takes the form of an Environmental Impact Report (EIR) or a Negative Declaration (ND).

A “project” means the whole of an action that has a potential for resulting in physical change to the environment, and is an activity that may be subject to several discretionary approvals by governmental agencies. A “project” may include construction activities, clearing or grading of land, improvements to existing structures, and activities or equipment involving the issuance of a permit.

A “lead agency” is the public agency that has the principal responsibility for carrying out or approving a project that is subject to CEQA. Frequently, a local government agency with jurisdiction over general land uses is the preferred public agency serving as lead agency. The lead agency is responsible for determining the appropriate environmental document, as well as its preparation. DWR may be a lead agency if it is issuing a permit or funding a project and there is not another public agency with more responsibility with regard to the project. DWR will seldom be the lead agency for projects funded by its financial assistance programs; instead, it acts as a responsible agency.

A “responsible agency” is a public agency with discretionary approval authority over all or portion of a CEQA project that is not a lead agency. As a responsible agency, DWR is available to the lead agency and project proponent for early consultation on a project to apprise them of applicable rules and regulations, and provide guidance on issues within its area of responsibility and expertise. As a responsible agency, DWR must make independent findings and decisions pursuant to CEQA.

## A. General Protocols

All Financial Assistance Programs will follow the protocols below unless the program has received approval to follow other procedures from the Deputy Director overseeing the Program:

1. Some Financial Assistance Programs will require CEQA compliance before approval of the funding agreement or before disbursing funds. Others allow compliance after approval of the funding agreement and sometimes fund CEQA compliance.
2. All programs will use *A7- Environmental Information Form* to provide a record of CEQA compliance.
3. If CEQA compliance has not been completed prior to executing an agreement, the funding agreement must include *Agreement Language* which provides an opportunity for DWR to review the project after CEQA compliance is completed and to decide whether to continue to fund the project.
4. Findings must be completed on all projects that are subject to a Notice of Determination (NOD) or Environmental Impact Report (EIR). Each project must be reviewed and have findings made on a case by case basis.