

**California Department of Conservation
Solicitation Notice and Application for:**

Multibenefit Land Repurposing Program

**PUBLIC COMMENT DRAFT
December 22, 2021**



At A Glance

Program

The Multibenefit Land Repurposing Program seeks to increase regional capacity to repurpose agricultural land to reduce reliance on groundwater while providing community health, economic wellbeing, water supply, habitat, and climate benefits.

Funding Source

This program is funded by the Budget Act of 2021 (SB 170, Ch. 240, Stat. 2021)

Critical Dates (proposed, subject to change)

Public Comment Period Closes—January 31, 2022

Solicitation Notice and Application released— February 4, 2022

Applications due— March 21, 2022

Awards Announced—April 15, 2022

Contact for Questions

Department of Conservation
Division of Land Resource Protection
Keali'i Bright, Program Manager
mlrp@conservation.ca.gov
(916) 275-0676

Table of Contents

Section 1: Introduction and Program Summary 1

- Background 1
- Vision..... 1
- Program Authorization and Funding..... 2
- Goals..... 2
- Disadvantaged Communities..... 3

Section 2: Regional Block Grants 4

- Eligible Applicants 4
- Partnering and Collaboration..... 4
- Eligible Groundwater Basins 4
- Regional Block Grant Deliverables..... 5
 - Multibenefit Agricultural Land Repurposing Plans 5
 - Land Repurposing Project Development and Permitting 6
 - Land Repurposing Project Implementation..... 7
 - Partner Capacity Needs 9
 - Outreach, Education, and Training 9
- Optional Activities 10
- Eligibility Criteria 10
- Selection Criteria 11
- Application Review and Award 11
 - Materials and Submission..... 11
 - Application Review Process 12
 - Project Selection 12
- Program Participation..... 12

Section 3: Statewide Support Funding Eligibility and Scope of Work 13

- Eligible Applicants 13
- Deliverables 13
- Optional Activities 13
- Eligibility Criteria 13
- Selection Criteria 14
- Application Review and Award 14
 - Materials and Submission..... 14
 - Application Review Process 15
 - Project Selection 15

Section 4: Funding for Tribes 16

- Eligible Applicants 16
- Maximum Grant Award..... 16
- Solicitation Period..... 16
- Project Types..... 16
- Eligibility Criteria..... 18
- Application Review and Project Selection 18

Materials and Submission.....	18
Application Review Process	19
Limited Waivers of Sovereign Immunity	19
Section 5: Eligible Costs.....	20
Reasonable.....	20
Direct Costs.....	20
Administrative costs	21
Project development costs and permitting fees.....	21
Project implementation costs	21
Outreach, Education, and Training	22
Monitoring.....	22
Research	22
Ineligible Costs.....	22
Section 6: Grant Implementation	23
Grant Agreements	23
Responsibility of the Block Grant Recipient.....	23
Distribution of Block Grant Funds to Third Parties.....	23
Invoicing and Reporting.....	24
Payments	24
Loss of Funding	24
State Audits.....	25
Accounting Requirements	25
Section 7: General Requirements	26
Confidentiality	26
Conflict of Interest	26
Compliance with Laws	26
Environmental Compliance	26
Appendix A: Map of SGMA Priority Basins	28
APPENDIX B: Regional Block Grant Application.....	30
APPENDIX C: Statewide Support Entity Application	37
APPENDIX D: Tribal Project Grant Application.....	42

Section 1: Introduction and Program Summary

Background

Implementation of the Sustainable Groundwater Management Act ("SGMA") necessitates coordinated management of landscapes to minimize economic, social, and environmental impacts from the transition of agricultural lands in areas of groundwater overdraft to less water intensive land uses while providing benefits to local and regional communities. The Multibenefit Land Repurposing Program seeks to increase regional capacity to repurpose agricultural land to reduce reliance on groundwater while providing community health, economic wellbeing, water supply, habitat, renewable energy, and climate benefits.

Multi-Agency Implementation

The Multibenefit Land Repurposing Program will be led by the Department of Conservation ("Department") and implemented in close partnership with multiple state and federal agencies. This partnership will help the Department structure the program so that it can efficiently respond to specific regional needs related to SGMA implementation and land repurposing, as well as provide support to grantees throughout program implementation.

An Agency Advisory Group comprised of representatives from state and federal agencies will provide ongoing guidance to the program and coordinate the alignment of technical and other grant program resources to support the goals of the program. While the Advisory Group will have an adaptive membership model, the initial participants include:

- CA Department of Conservation
- CA Department of Water Resources
- CA Department of Food and Agriculture
- CA Department of Fish and Wildlife
- CA Wildlife Conservation Board
- Governor's Office of Business Development
- CA Strategic Growth Council
- US Natural Resources Conservation Service
- US Fish and Wildlife Service.

The Agency Advisory Group will directly consult with non-member agencies, including regulatory agencies, on an as-needed basis to inform the program.

Vision

This program is part of a suite of complementary programs administered by the Department of Conservation Division of Land Resource Protection's Conservation Unit. These programs protect, restore, and enhance natural and working lands through capacity building, land-use and project planning, and implementation funding. The programs operated by the Conservation Unit include:

- Agricultural Land Mitigation Program
- California Farmland Conservancy Program
- Sustainable Agricultural Lands Conservation Program
- Working Lands and Riparian Corridors Program

These programs address the land element of the Department of Conservation's mission, which is to balance today's needs with tomorrow's obligations by fostering the wise use and conservation of energy, land, and mineral resources.

Program Authorization and Funding

This program is funded by the Budget Act of 2021 (SB 170, Ch. 240, Stat. 2021), which appropriated \$50 million to the Department to fund groundwater sustainability projects that reduce groundwater use, repurpose irrigated agricultural land, and provide wildlife habitat. The appropriation provides three years (June 30, 2024) to encumber and two years (June 30, 2026) to fully liquidate program funds.

Grants up to \$10 million each will be awarded as block grants to regional or basin-scale organizations to develop and implement land repurposing programs. Block grant recipients will then award subgrants and contract to achieve the program deliverables. The Department reserves the right to increase grant awards above \$10 million as funding allows.

\$2 million will be awarded to one entity to provide statewide technical assistance and facilitate communication and collaboration necessary to meet the purposes of the program.

Up to \$5 million in grants will be awarded to federally recognized and non-federally recognized California Native American tribes on the contact list maintained by the Native American Heritage Commission to plan for, develop, and implement multibenefit land repurposing projects within the eligible groundwater basins identified in Section 2. This funding may also be used to increase regional block grant awards where the block grant recipient partners or collaborates with a tribe to plan for, develop, and/or implement multibenefit land repurposing projects.

Up to 5% of the funds available under this program may be used by Department of Conservation to administer the program.

Goals

The primary goals of the Program are to:

- Support coordinated, regional and basin-scale efforts to achieve groundwater sustainability in critically overdrafted basins and in high and medium priority basins where a state emergency drought declaration has been declared
- Support long-term repurposing of agricultural lands
- Provide short- and medium-term drought relief
- Support regional efforts to sustain land-based economies and the communities that rely on them while achieving groundwater sustainability
- Reduce groundwater use
- Create or restore wildlife habitat and wildlife connectivity, including seasonal wetland habitat to replenish aquifers
- Improve groundwater supply, including through groundwater recharge and improved baseflows in rivers and streams
- Support nature-based solutions to reduce the impacts of hazards on lives, property, and the economy from overdrafted groundwater basins
- Provide benefits to disadvantaged communities and socially disadvantaged farmers and ranchers
- Foster partnerships and collaboration among diverse entities at the regional scale to effectively meet this program's goals

- Develop scalable, transferable land repurposing models to reduce groundwater reliance
- Support farmer, rancher, and farm worker leadership in multibenefit land repurposing strategies and project implementation
- Provide flexible and efficient support to grantees so that they can lead expeditious and adaptive programs to meet their needs.

Disadvantaged Communities

The Budget Act of 2021 requires that the Department of Conservation prioritize the achievement of disadvantaged community benefits when implementing this program. For the purposes of this program, a disadvantaged community is defined as a community with a median household income less than 80 percent of the statewide average.

Section 2: Regional Block Grants

Eligible Applicants

Eligible regional block grant applicants are: (1) Groundwater Sustainability Agencies (“GSAs”), (2) federally recognized California Native American tribes, (3) non-federally recognized California Native American tribes on the contact list maintained by the Native American Heritage Commission; (4) public agencies; (5) nonprofit groups with 501(c) status; and (7) Watermasters implementing an approved groundwater sustainability plan or approved alternate plan.

Eligible applicants that are not Groundwater Sustainability Agencies or tribes must partner with at least one Groundwater Sustainability Agency to submit an application. The application must include a resolution or letter from the Groundwater Sustainability Agency(ies) stating their support for the project, and how the Groundwater Sustainability Agency will be involved in the applicant's work.

Eligible applicants must also be either: 1) locally-based, which is defined as an entity that maintains a local office and focuses on issues within or proximal to the region or basin that is the focus of the application; or 2) non-local, where there are strong local partnerships between the applicant, the local GSA(s), and other important stakeholders.

Partnering and Collaboration

This grant program requires partnering and collaboration among stakeholders within regions or basins. Proposals should demonstrate multiple, committed partnerships and extensive collaboration with other agencies, organizations, entities, and individuals with interests in their proposal area.

Partnering is defined as commitments by other organizations, government agencies, private citizens or volunteer groups to provide funds or in-kind services. Partners will be eligible to receive program dollars to support their participation in work toward the program deliverables. Partnerships must be initially evidenced by letters of commitment that explain the relationship between the partner and block grant recipient and outline the partner's contributions to the program. As land repurposing projects progress toward implementation, the Department will require partners to enter into memoranda of understanding with the block grant recipients to formalize roles.

Collaboration is defined as working with other organizations, government agencies, groups, and individuals to ensure that all entities work in agreement and are non-duplicative of each other's activities, and to ensure that diverse interests are meaningfully incorporated into the block grant recipient's work. Collaboration may be evidenced by letters of support, signed agreements, board resolutions, or other signed documents.

Eligible Groundwater Basins

Eligible proposals are those that address a project area as defined by the applicant and comprised of one or more SGMA critically overdrafted basins managed under an approved groundwater sustainability plan or alternate plan, one or more high- or medium-priority groundwater basins where a state emergency drought declaration has been declared, or a combination of the two. A map of eligible basins is provided in Appendix A.

Regional Block Grant Deliverables

Regional block grant recipients must include each the following activities in their scope of work:

1. Develop a **Multibenefit Agricultural Land Repurposing Plan** to reduce reliance on groundwater while providing regionally appropriate benefits, including community health, economic wellbeing, water supply, habitat, renewable energy, and climate benefits;
2. Complete **project development and permitting** to generate implementation-ready projects to repurpose agricultural lands for funding consideration;
3. Implement **land repurposing projects** that achieve multiple benefits;
4. Support **capacity needs of partners** to achieve the deliverables of the grant;
5. Conduct **outreach, education, and training** as needed to facilitate and build capacity to implement the above activities; and
6. Conduct **monitoring** to ensure defined conservation outcomes from projects have been achieved and maintained for the agreed upon duration the benefit.

The majority of each block grant recipient's budget should go toward project development and project implementation. Block grant recipients may conduct work toward each deliverable in parallel or sequentially as is appropriate for their region and the successful implementation of their grant.

Multibenefit Agricultural Land Repurposing Plans

Each block grant recipient must use a portion of this funding to develop a Multibenefit Agricultural Land Repurposing Plan that identifies and prioritizes land repurposing strategies and projects to address groundwater sustainability within their region. Plans must be consistent with the relevant Groundwater Sustainability Plan(s) for the region and prioritize projects that provide meaningful benefits to disadvantaged communities and socially disadvantaged farmers and ranchers.

Desired outcomes from the Plan's development and implementation include:

- Identification and prioritization of agricultural land repurposing strategies and projects that can be implemented at scale within their region
- A quantifiable estimate of project benefits, such as reduction in groundwater demand, quantity of recharge, or stream flow improvement
- Protection of long-term viability of agricultural economies through support for agricultural systems with flexible water demand and sustainable groundwater management
- Attainment of strong regional support for the Multibenefit Agricultural Land Repurposing Plan and identified projects through broad inclusion of stakeholders and partners
- Development and management of a broad collaborative structure and effective networks of partners and collaborators
- Coordination of agricultural land repurposing efforts across land ownerships

- Resource and habitat connectivity
- Identification of habitat restoration opportunities that are located adjacent to land with high habitat value and provide habitat for endangered plant or animal species
- Economic development planning to support regional land-based economies through sustainable groundwater management implementation
- Durable, long-term benefits that meet the program goals
- Short- and medium-term emergency groundwater demand reduction to address environmental or public health needs caused by drought
- Benefits to socially disadvantaged farmers and ranchers and disadvantaged communities
- Tribes' ownership, co-ownership, co-management of, and access to the land
- Support for local jobs, local communities, small businesses, and local economies.

Desired outcomes from the priority projects identified in each Plan should be consistent with the outcomes listed for Land Repurposing Projects below.

Each Plan must be developed in coordination with the applicable groundwater sustainability agency, farmers and ranchers, local/state/federal agencies, local disadvantaged communities, tribes, non-governmental organizations, and environmental justice organizations and must be consistent with the applicable Groundwater Sustainability Plan. Further, block grant recipients should consider the best available climate data for their area and other applicable and available resources in the development of their Plan in order to ensure that their plan is consistent with the best available state, regional, and local data.

Block grant recipients will lead the development of the Plan for their region, partnering directly with organizations in their region through sub-contracts or other agreements as needed throughout the process.

Block grant recipients and partnering entities will work in coordination with the Department, the Agency Advisory Group, and the statewide support entity to ensure that the Multibenefit Agricultural Land Repurposing Plan is consistent with the program's goals and desired outcomes for plans.

If a comprehensive multibenefit agricultural land repurposing plan already exists for the region and substantially meets the requirements above, that plan may be used in lieu of development of a new plan, at the discretion of the Department. Block grant recipients may also incorporate relevant portions of existing plans into their Multibenefit Agricultural Land Repurposing Plan as applicable.

Land Repurposing Project Development and Permitting

Block grant recipients must use a portion of this funding to support preliminary project development and permitting activities for the priority projects identified in their Plan or previously contemplated projects that were identified prior to development of the Plan and already have regional support. Developing and completing permitting for these projects should ensure that projects are ready to receive implementation funding from state and non-

state programs. These projects should contribute to the desired outcomes identified for land repurposing projects.

Block grant recipients must work in collaboration with their Plan partners to develop and permit projects. Project development and permitting may occur in parallel with the development of the Plan pursuant to consultation with the Department.

Desired outcomes for project development and permitting include:

- Completed project design and permitting
- Established non-state partnerships, support, and funding, as well as broad partnerships with regional stakeholders
- Completed memorandums of understanding with project partners to implement projects
- Developed pipeline of multiple years of implementation-ready projects that meet the goals of the Plan available for funding consideration

Land Repurposing Project Implementation

Block grant recipients must use a majority of their grant to implement multibenefit agricultural land repurposing projects that achieve the goals of the program. Projects must result in multiple benefits lasting at least 10 years, unless they are directly responding to a state emergency drought declaration, in which case, benefits must be reasonably durable.

Block grant recipients must prioritize projects that:

- Meaningfully benefit disadvantaged communities
- Are conducted on lands that are least viable for irrigated agriculture
- Contribute to resource connectivity (e.g., connectivity of habitat, agricultural landscapes, renewable energy centers, etc.)

Multibenefit projects are those that provide both groundwater sustainability benefits as well as at least one other community health, economic wellbeing, habitat, renewable energy, or climate benefit.

Block grant recipients should identify regionally appropriate project opportunities throughout the grant period.

Block grant recipients will work with the statewide support entity to identify performance measures to assess desired outcomes of projects.

Block grant recipients should propose the most effective means to implement projects to meet their goals. This may include subcontracting with conservation partner organizations, paying farmers and ranchers to lead implementation, working with academic institutions, or other options as appropriate.

The program encourages early action on funding-ready implementation projects while supporting thoughtful development of project priorities through the Multibenefit Agricultural Land Repurposing Plan. Land repurposing projects funded by this program must be consistent with the Groundwater Sustainability Plan for the area and may either be identified through the Multibenefit Agricultural Land Repurposing Plan or pre-identified, shovel-ready

projects that meet program requirements and maximize the project outcomes outlined below.

Examples of strategies and projects that may be funded include:

- Rewilding landscapes, including through creation or restoration of habitat such as pollinator habitat, wetland habitat, upland habitat, and riparian habitat
- Creation of multibenefit recharge areas
- Transitioning irrigated land to dryland farming or non-irrigated rangeland
- Transition to less water intensive crops
- Planting cover crops or conservation cover
- Reestablishment of tribal land uses
- Implementation of tribal cultural practices
- Facilitation of renewable energy projects that have an overall net GHG reduction
- Creation of parks or community recreation areas
- Incentive payments to landowners, farmers, and ranchers to implement multibenefit land repurposing projects that create a public benefit for at least ten years, with priority for small and medium farmers and ranchers
- Land acquisitions to facilitate land repurposing and protect repurposed land uses
- Voluntary land transfers to tribes or qualified public entities to facilitate land repurposing and protect repurposed land uses
- Easement acquisitions to facilitate land repurposing and protect repurposed land uses

The block grant recipient will work with the Department to develop reasonable incentive payments to landowners, farmers, and ranchers to implement multibenefit land repurposing projects.

Land acquisitions, land transfers, and pumping allocation acquisitions must occur in conjunction with at least one non-acquisition land repurposing strategy or project type on the acquired land.

Desired outcomes for land repurposing projects include:

- Reduced groundwater use
- Increased groundwater recharge
- Improved baseflows in rivers and streams
- Transition of land to less water intensive, regenerative uses while maintaining natural and working lands
- Creation and/or restoration of wildlife and pollinator habitat and/or migratory resources
- Protection of cultural resources
- Improved water quality
- Land use agreements to accomplish prioritized opportunities
- Quantified achievement of multiple benefits of the program
- Incorporated participation from multiple partners, collaborators, and funding sources
- Replicability and scalability
- Integrated benefits to disadvantaged communities and tribes
- Increased community outreach, involvement, and education

- Increased regional workforce development opportunities and support of local business
- Diversified economic opportunities.

Funding for project implementation will only be released upon Department review of individual projects and confirmation that said projects are consistent with the goals of the program.

As required by statute, any groundwater recharge achieved through these strategies and projects must be subtracted from any calculation by the Groundwater Sustainability Agency from the groundwater available for extraction by water users for the duration of the benefits paid for by the program. Payments for benefits must be linked to the achievement and delivery of the defined conservation outcomes for the project and the duration of those outcomes.

Partner Capacity Needs

The program requires broad partnerships with entities to participate in regional planning, project development, and project implementation, and support broader block grant implementation to achieve the program's goals. Block grant recipients must develop mechanisms to support the critical capacity needs of their partners to ensure their participation can be sustained and meaningful and to meet program goals.

The Department will work with the block grant recipient and fiscal control entities to determine whether actual expenditures are reimbursable, but examples of partner capacity needs that should be considered include:

- financial compensation for program staff time
- minor office materials
- compensation for participation by non-paid members of organizations that bring specific expertise to the grant.

Outreach, Education, and Training

Critical to all the above activities, the Multibenefit Land Repurposing Program intends to support outreach to a broad and diverse range of communities within each region to develop a comprehensive understanding of and support for the program. This includes block grant recipients' outreach to and engagement of farmers, ranchers, and disadvantaged communities in the development of Multibenefit Agricultural Land Repurposing Plans. Further, the program aims to strengthen grantees' skills by developing region-wide peer-to-peer training opportunities. Block grant recipients must use funds from this program to further the above goals.

Desired outcomes of outreach, education, and training efforts associated with each block grant include:

- Community-level engagement and education, including to disadvantaged communities, regarding the need to repurpose land, options for repurposing land, and what happens in a "do-nothing" scenario

- Targeted outreach to and engagement of farmers and ranchers about land repurposing, including education regarding the need to repurpose, options for repurposing, and what happens in a “do-nothing” scenario
- Practitioner-level education and regional coordination
- Regional understanding of the benefits of land repurposing strategies and projects identified in the Multibenefit Agricultural Land Repurposing Plan
- Broad regional support for Multibenefit Agricultural Land Repurposing Plan
- A collaborative stakeholder structure that can implement the Multibenefit Agricultural Land Repurposing Plan long-term

Optional Activities

In addition to the deliverables outlined above, block grant recipients may use funds to support research and demonstration projects needed to test innovative land repurposing strategies of interest to block grant recipients.

Eligibility Criteria

Below are the Eligibility Criteria upon which each proposal will be evaluated. Applications must receive a ‘yes’ on all eligibility criteria to be considered for funding under this solicitation.

Applicant is a (1) Groundwater Sustainability Agency; (2) federally recognized California Native American tribe, or (3) non-federally recognized California Native American tribe on the contact list maintained by the Native American Heritage Commission OR is a public agency; nonprofit group with 501(c) status; or Watermaster implementing an approved groundwater sustainability plan or approved alternate plan and is partnering with a GSA to submit an application.	Y/N
Applicant is locally based or has strong, well-documented ties to local communities, stakeholders and/or GSA(s).	Y/N
Applicant has overall capacity to administer the grant.	Y/N
Application is for one or more SGMA critically overdrafted basins managed under an approved groundwater sustainability plan or alternate plan; one or more high- or medium-priority groundwater basins where a state emergency drought declaration has been declared; or a combination of the two AND application does not include ineligible areas.	Y/N
<p>Application includes the following deliverables in the scope of work and budget:</p> <ul style="list-style-type: none"> • Develop a Multibenefit Agricultural Land Repurposing Plan to reduce reliance on groundwater while providing regionally appropriate benefits, including community health, economic wellbeing, water supply, habitat, renewable energy, and climate benefits; • Complete project development and permitting to generate implementation-ready projects to repurpose agricultural lands for funding consideration; • Implement land repurposing projects that achieve multiple benefits; 	Y/N

<ul style="list-style-type: none"> • Support capacity needs of partners to achieve the deliverables of the grant; • Conduct outreach, education, and training as needed to facilitate and build capacity to implement the above activities; and • Conduct monitoring to ensure defined conservation outcomes from projects have been achieved and maintained for the agreed upon duration the benefit. 	
Application is complete and was received by the deadline	Y/N

Selection Criteria

Factors to be considered when selecting regional block grant recipients include:

Criteria	Points
Goals. The extent to which the applicant's vision for an agricultural land repurposing program in their region aligns with the program's goals.	/30
Community Engagement and Collaboration. The extent to which the applicant demonstrates experience and expertise in conducting effective and inclusive engagement and collaboration across diverse communities and organizations, as well as the extent to which the applicant plans to engage with and meaningfully include the feedback of: farmers, ranchers, disadvantaged community members, tribes, and other interested practitioners in the development and implementation of their land repurposing work. Applicants who demonstrate experience and expertise collaborating with farmers, ranchers, disadvantaged communities, and tribes will receive more points.	/20
Partnerships. The extent to which the applicant has strong existing regional partnerships, and a plan to expand these partnerships and enter into new partnerships to execute the grant. Partnerships are demonstrated through letters of support outlining the financial and in-kind commitments of partner organizations to the work conducted under the grant.	/20
Fiscal and Administrative Capacity. The extent to which the applicant has the fiscal and administrative control systems to adequately oversee the expenditure of block grant awards.	/15
Policy and Project Expertise. The extent to which the applicant demonstrates the policy and project implementation expertise necessary to complete the grant deliverables. Applicants may demonstrate this ability in-house or through partnerships and collaborations.	/15
Total	/100

Application Review and Award

Materials and Submission

The application template is provided in Appendix B and is available on the [Department's website](#). Applicants should familiarize themselves with this solicitation prior to completing the application.

Applicants must submit all required application materials via email to mlrp@conservation.ca.gov. Applications must be received digitally by 11:59 p.m. on March 21, 2022.

Incomplete applications, applications that don't meet all the eligibility criteria, and applications not received by the deadline will not be evaluated for funding.

Each applicant will receive an acknowledgement upon the Department's receipt of their application.

The schedule for this solicitation is provided in the "[At-A-Glance](#)" section of this solicitation. The schedule is subject to change.

Application Review Process

Applicants for regional block grants will be required to submit an application for funding and participate in a virtual interview with reviewers to discuss their project prior to funding decisions being made.

Applications will be evaluated by Department of Conservation and scored by a review panel comprised of representatives from the Agency Advisory Group, collectively "reviewers." Mean scores will be calculated and ranked.

The reviewers will convene to provide consensus for funding recommendations.

Project Selection

The projects and selection scoring will be presented to the Director of the Department who will consider the comments and recommendations of the reviewers and make the final funding decisions. The Department will notify applicants within 10 days of the Director's determination as to whether their project was approved for funding.

Eligible projects will be presented to the Director in ranked order based on the amount of points received during the selection criteria evaluation. The Director may consider the following when making awards:

- Selection criteria ranking
- Interview responses
- The availability of funds
- The program purposes
- The balance and distribution of funding among program priorities and/or geographic area.

Program Participation

Block grant recipients must participate in all of the following activities:

- An orientation
- Monthly check-in meetings with the Department
- Monthly block grant recipient webinars with the statewide support entity
- Quarterly progress report meetings with the Department and Agency Advisory Group members

Section 3: Statewide Support Funding Eligibility and Scope of Work

Funding will be provided to one statewide support entity to support the implementation of the Multibenefit Land Repurposing Program statewide. The statewide support entity will provide technical assistance and facilitate communication and collaboration necessary to meet the purposes of the program. The statewide support entity may partner and contract with other entities to meet the deliverables outlined below.

Eligible Applicants

Eligible statewide support entities are: (1) nonprofit groups with 501(c) status and (2) academic institutions.

Deliverables

The statewide support entity must include each of the following activities in their scope of work:

1. Coordinate collaboration between block grant recipients
2. Develop a peer-learning structure through which block grant recipients can receive education and training to successfully execute the deliverables of their grant
3. Connect block grant recipients to resources needed to successfully execute the deliverables of their grant
4. Coordinate external communications about program work (e.g., reports, stories, press)
5. Provide technical assistance to block grant recipients to engage disadvantaged communities, tribes, and socially disadvantaged farmers and ranchers in the development of their Multibenefit Agricultural Land Repurposing Plans and in the development and implementation of land repurposing projects
6. Work to fill gaps in and build capacity to develop and implement land repurposing work, and provide technical assistance to entities interested in applying for land repurposing funding
7. Oversee monitoring efforts and outcomes reporting to ensure consistency and transparency in outcomes monitoring across regions.

Optional Activities

In addition to the deliverables outlined above, the statewide support entity may use funds to support research and demonstration projects needed to test innovative land repurposing strategies.

Eligibility Criteria

Below are the Eligibility Criteria upon which each proposal will be evaluated. Applications must receive a 'yes' on all eligibility criteria to be considered for funding under this solicitation.

Applicant is a (1) Eligible statewide support entities are: (1) nonprofit groups with 501(c) status and (2) academic institutions.	Y/N
Applicant has overall capacity to administer the grant.	Y/N
Application includes all required deliverables in the scope of work and budget.	Y/N
Application is complete and was received by the deadline	Y/N

Selection Criteria

Factors to be considered when selecting the statewide support entity include:

	Points
Goals. The extent to which the work outlined in the applicant's proposal aligns with the program's goals.	/25
Community Engagement and Collaboration. The extent to which the applicant demonstrates experience and expertise in conducting effective and inclusive engagement and collaboration across diverse communities and organizations. Applicants who demonstrate experience and expertise collaborating with farmers, ranchers, disadvantaged communities, and tribes will receive more points.	/20
Coordination. The extent to which the applicant has experience and expertise coordinating the work of multiple entities and developing peer-to-peer learning networks.	/15
Fiscal and Administrative Capacity. The extent to which the applicant has the fiscal and administrative control systems to adequately oversee the expenditure of block grant awards.	/15
Policy Expertise. The extent to which the applicant demonstrates the policy expertise necessary to complete the grant deliverables. Applicants may demonstrate this ability in-house or through partnerships and collaborations.	/15
Regional Relationships. The extent to which the applicant has strong regional relationships with primary actors in groundwater sustainability planning.	/10
Total	/100

Application Review and Award

Materials and Submission

The application template is provided in Appendix C and is available on the [Department's website](#). Applicants should familiarize themselves with this solicitation prior to completing the application.

Applicants must submit all required application materials via email to mlrp@conservation.ca.gov. Applications must be received digitally by 11:59 p.m. on March 21, 2022.

Incomplete applications, applications that don't meet all the eligibility criteria, and applications not received by the deadline will not be evaluated for funding.

Each applicant will receive an acknowledgement upon the Department's receipt of their application.

The schedule for this solicitation is provided in the "[At-A-Glance](#)" section of this solicitation. The schedule is subject to change.

Application Review Process

Applicants for the statewide support funding will be required to submit an application for funding and participate in a virtual interview with reviewers to discuss their project prior to funding decisions being made.

The reviewers will convene to provide consensus for funding recommendations. The final funding decisions will be made by the Director of the Department.

Project Selection

The projects and selection scoring will be presented to the Director of the Department who will consider the comments and recommendations of the reviewers and make the final funding decisions. The Department will notify applicants within 10 days of the Director's determination as to whether their project was approved for funding.

Eligible projects will be presented to the Director in ranked order based on the amount of points received during the selection criteria evaluation. The Director may consider the following when making awards:

- Selection criteria ranking
- Interview responses
- The availability of funds
- The program purposes

Section 4: Funding for Tribes

Eligible Applicants

Eligible applicants under this Section are: (1) Federally recognized California Native American tribes; (2) non-federally recognized California Native American tribes on the contact list maintained by the Native American Heritage Commission; (3) members of a Federally recognized or non-federally recognized California Native American tribe; and (4) nonprofit groups with 501(c) status with connections to or on behalf of eligible tribes.

At its discretion, the Department may also use the funding available under this Section to increase block grant awards where the block grant recipient partners or collaborates with a tribe to plan for, develop, and/or implement multibenefit land repurposing projects consistent with the project types listed below. In order to receive additional funding under this Section, block grant recipients must provide memoranda of understanding with or letters of support from the tribe(s) they are partnering or collaborating with detailing the work to be conducted using this funding.

Maximum Grant Award

Up to \$5 million in funding is available under this Section. Applications may be submitted for up to the total amount of funding available under this Section.

Solicitation Period

Applications submitted under this Section will be accepted on a rolling, non-competitive basis. If funding remains available under this section as of March 1, 2024, the Department, in consultation with the Agency Advisory Group and the California Natural Resources Agency Assistant Secretary of Tribal Affairs or similar position, may elect to distribute the remaining funds to regional block grant recipients.

Project Types

Tribes may apply for funding under this section to plan for, develop, or implement multibenefit agricultural land repurposing projects that address two or more project outcomes identified below. Projects must result in benefits lasting at least 10 years, unless they are directly responding to a state emergency drought declaration, in which case, benefits must be reasonably durable. Multibenefit projects are those that provide both groundwater sustainability benefits as well as at least one other community health, economic wellbeing, habitat, renewable energy, or climate benefit.

Examples of projects that may be funded include:

- Creation or restoration of habitat, including pollinator habitat, wetland habitat, upland habitat, and riparian habitat
- Creation of multibenefit recharge areas
- Conversion of irrigated land to dryland farming or non-irrigated rangeland
- Planting cover crops or conservation cover
- Reestablishment of tribal land uses
- Implementation of tribal cultural practices
- Facilitation of renewable energy projects that have an overall net GHG reduction
- Creation of parks or community recreation areas

- Incentive payments to landowners, farmers, and ranchers to implement multibenefit land repurposing projects that create a public benefit for at least ten years, with priority for small and medium farmers and ranchers
- Land acquisitions to facilitate land repurposing and protect repurposed land uses
- Easement acquisitions to facilitate land repurposing and protect repurposed land uses

Land acquisitions, land transfers, and pumping allocation acquisitions must occur in conjunction with at least one non-acquisition land repurposing strategy or project type on the acquired land.

Desired outcomes for land repurposing projects include:

- Reduced groundwater use
- Increased groundwater recharge
- Improved baseflows in rivers and streams
- Conversion of land to less intensive water uses while maintaining natural and working lands
- Creation and/or restoration of wildlife and pollinator habitat and/or migratory resources
- Protection of cultural resources
- Improved water quality
- Land use agreements to accomplish prioritized opportunities
- Quantified achievement of multiple benefits of the program
- Incorporated participation from multiple partners and funding sources
- Replicability and scalability
- Integrated benefits to disadvantaged communities
- Tribes' ownership, co-ownership, co-management of, and access to the land
- Increased community outreach, involvement, and education
- Increased regional workforce development opportunities and support of local business.

As required by statute, any groundwater recharge achieved through these strategies and projects must be subtracted from any calculation by the Groundwater Sustainability Agency from the groundwater available for extraction by water users for the duration of the benefits paid for by the program. Payments for benefits must be linked to the achievement and delivery of the defined conservation outcomes for the project and the duration of those outcomes.

Tribes must work with the relevant Groundwater Sustainability Agency to quantify the groundwater recharge achieved by funded projects.

Eligibility Criteria

Applicant is a (1) Federally recognized California Native American tribes; (2) non-federally recognized California Native American tribes on the contact list maintained by the Native American Heritage Commission; (3) members of a Federally recognized or non-federally recognized California Native American tribe; and (4) nonprofit groups with 501 (c) status with connections to or on behalf of eligible tribes.	Y/N
The project is located in one or more SGMA critically overdrafted basins managed under an approved groundwater sustainability plan or alternate plan; one or more high- or medium-priority groundwater basins where a state emergency drought declaration has been declared; or a combination of the two.	Y/N
Application is for an eligible project type.	Y/N
Application is complete and was received by the deadline.	Y/N
The proposed project provides groundwater sustainability benefits.	Y/N
The proposed project provides benefits in addition to groundwater sustainability benefits. Additional benefits include community health, economic wellbeing, habitat, renewable energy, or climate benefits. Projects that are conducted on lands that are least viable for irrigated agriculture and that contribute to resource connectivity (e.g., connectivity of habitat, agricultural landscapes, renewable energy centers, etc.) will receive priority for funding.	Y/N
The benefits provided by the proposed project will last for at least ten years.	Y/N
The proposed project meets at least three goals of the program and at least one desired outcome for project development or implementation grants, as relevant.	Y/N
The applicant has the fiscal and administrative control systems to adequately oversee the expenditure of the grant.	Y/N
The funding request is reasonable and commensurate with the work required to complete the project.	Y/N

Application Review and Project Selection

Materials and Submission

The application template is provided in Appendix D and is available on the [Department's website](#). Applicants should familiarize themselves with this solicitation prior to completing the application.

Applications will be reviewed as they are received.

Incomplete applications will be returned to the applicant for revision. Applications that don't meet all the eligibility criteria will not be awarded funding.

Each applicant will receive an acknowledgement upon the Department's receipt of their application.

Application Review Process

Applicants will be required to submit an application for funding and participate in a site visit prior to a funding decision being made. Applications will be evaluated by Department of Conservation for consistency with the program's goals and requirements. Projects that meet the program's eligibility criteria will be awarded funding on a first come, first served basis as funding allows. The final funding decisions will be made by the Director of the Department.

Limited Waivers of Sovereign Immunity

Limited waivers of sovereign immunity may be necessary to ensure the enforceability of agreements. The Department will consult with tribes as needed in the formation of grant agreements.

Section 5: Eligible Costs

Only eligible costs incurred during the grant agreement term that are related to the project will be reimbursed. All eligible costs must also be reasonable and supported by appropriate documentation to be reimbursed. All eligible costs must, to the satisfaction of the Department, support the work plan and be directly related to, and in support of, the program deliverables.

Reasonable

For an eligible cost to be considered reasonable, the cost, in its nature and amount, must not exceed that which would be incurred by a prudent person under the circumstances prevailing at the time the decision was made to incur the cost. In determining reasonableness of a given cost, consideration must be given to:

- Whether the cost is of a type generally recognized as ordinary and necessary for the operation of the entity or the proper and efficient performance of project.
- The restraints or requirements imposed by such factors as: sound business practices; arm's-length bargaining; federal, state, local, tribal, and other laws and regulations; and terms and conditions of this project.
- Market prices for comparable goods or services for the geographic area.
- Whether the individuals concerned acted with prudence in the circumstances considering their responsibilities to its employees, the public at large, and the state.
- Whether the cost significantly deviates from the acquiring entity's established practices and policies regarding the incurrence of costs.

Direct Costs

Funding may be used for the following direct costs incurred to meet the program deliverables:

- Block grant recipient, statewide support entity, subgrantee, and their contractors' staff costs, including salary at the fully burdened rate. Administrative costs should not be included in the staff rate or salary. Administrative costs should be budgeted separately and must comply with the requirements outlined below.
- Payments to tribes or members of tribes for expertise provided in the development of plans; the development, permitting, and implementation of projects, and in the development and implementation of educational, training, and monitoring activities.
- Incentive payments to landowners, farmers, and ranchers to implement multibenefit land repurposing projects that create a public benefit for at least ten years.
- Travel. Eligible travel costs can only be used for in-state travel for the watershed coordinator as necessary to complete coordination work. Mileage for watershed coordinator activities is reimbursable if included in the proposed budget and work plan. In addition to mileage for watershed coordinator activities, costs must meet the requirements outlined below and in the Grant Agreement:
 - Accommodation-related travel costs: maximum reimbursement rates based on county as shown at: <http://www.calhr.ca.gov/employees/Pages/travel-lodging-reimbursement.aspx>, with no option for approval of an "excess lodging rate."

- Rental car costs or personal vehicle mileage for travel directly related to the grant activities will be reimbursed at the relevant rental car or Reimbursement Rate Per Mile for Personal Vehicle as shown here:
<http://www.calhr.ca.gov/employees/Pages/travel-personal-vehicle.aspx>.
- Rental car, personal vehicle, ride share, train, or airfare costs will only be reimbursed for travel directly related to execution of the work plan, and then only if it is the typical method used to get from one location to the other. Grantees should choose the least expensive mode of transportation feasible given their travel needs.
- No other travel-related costs will be reimbursed through this grant program.

Administrative costs

Administrative costs may account for no more than twenty percent (20%) of the total funding award. This limit may be exceeded if the block grant recipient or statewide support entity has a federally approved administrative cost rate that is greater than 20%. Proof of the federally approved administrative cost rate must be submitted with the application. Administrative costs may include those costs incurred by a block grant recipient to administer their grant, or administrative costs by subgrantees necessary to fulfill the deliverables outlined in these guidelines. Administrative costs include:

- Office space
- Supplies and equipment
- Legal or management oversight
- Prorated general liability, Workers' Compensation (may be included in payroll), and automotive insurance

Project development costs and permitting fees

Block grant funding and funding provided under Section 5 may be used for project development costs, including:

- Preparing project plans, specifications, and cost estimates that will result in a specific project
- Acquiring permits for specific, future on-the-ground projects
- Analysis required to support and complete CEQA and or NEPA documentation for specific projects
- Performing necessary cultural resources, biological, botanical, aquatic, soil, hydrologic, wildlife, timber, or other studies/surveys and/or developing necessary project designs related to a specific site or physical project

Project implementation costs

Block grant funding and funding provided under Section 5 may be used for project implementation costs, including:

- Preparation of bid packages and contractor documents
- Performance costs within the scope of the project, including materials and supplies
- Labor and other costs necessary for the physical implementation of the project

Outreach, Education, and Training

Block grant funding and funding provided to the statewide support entity may be used for outreach, education, and training activities, including:

- Meeting space
- Materials
- Facilitation
- Translation and interpretation services
- Technical assistance to landowners to apply for program funds
- Payments for expertise provided by representatives of disadvantaged communities, tribes, or disadvantaged farmers and ranchers.

Monitoring

Block grant funding and funding provided under Section 5 may be used for pre- and post-project monitoring and adaptive management, including preparation of long-term management plans associated with projects.

Research

Block grant funding may be used for research and demonstration projects needed to test innovative land repurposing strategies of interest to block grant recipients.

Ineligible Costs

Ineligible costs are:

- Costs that are not related to the Multi-Benefit Land Repurposing Program
- Costs that occur outside of the Grant Agreement term
- Meals, incidentals, tips, per diems, or refreshments for meetings or travel
- Out-of-state travel and activities

Section 6: Grant Implementation

Grant Agreements

All grantees will be required to enter into a grant agreement with the Department. Grantees will work with an assigned grant manager to develop their grant agreement. Grant agreements will not be executed until authorized by the Department and will be effective upon execution by the Department's authorized signatory. The Department may require modifications to the project in the grant agreement. All contents of the grant recipient's application will be included in the grant agreement.

Each grant agreement with the Department will terminate on March 30, 2026.

Responsibility of the Block Grant Recipient

The block grant recipient will be responsible for carrying out the project and for managing finances, including: invoicing; payments to contractors, subcontractors, and suppliers; accounting and financial auditing; and other project management duties such as monitoring and reporting requirements.

Block grant recipients shall:

- Distribute necessary funds through subgrants and/or contracts to create regional multibenefit agricultural land repurposing plans; develop and permit land repurposing projects; implement land repurposing projects; support the capacity needs of partners; provide outreach, education, and training; and monitor land repurposing projects all consistent with these guidelines and the applicable Groundwater Sustainability Plan
- Ensure execution of all project deliverables and requirements outlined in Section 3 within the grant term
- Coordinate and integrate management of agricultural land repurposing efforts within their region or basin
- Coordinate activities with the relevant Groundwater Sustainability Agency to ensure activities are consistent with the goals of the applicable Groundwater Sustainability Plan and to ensure any groundwater recharge achieved through these strategies and projects is subtracted from any calculation by the Groundwater Sustainability Agency from the groundwater available for extraction by water users for the duration of the benefits paid for by the program.

Distribution of Block Grant Funds to Third Parties

As the fiscal administrators of the Multibenefit Land Repurposing Program, block grant recipients will award subgrants of Multibenefit Land Repurposing Program funding or enter into contracts to fulfill the scope of work of this program. Subgrantees may be selected to engage in completion of all the deliverables or for discrete tasks. Block grant recipients may award subgrants via competitive or non-competitive processes and may engage subgrantees and contractors to fulfill individual deliverables or multiple deliverables, at their discretion.

Eligible subgrantees include federal, state, and local government agencies; federally and non-federally recognized California Native American tribes; resource conservation districts;

special districts; universities, colleges, and research institutions; and California 501c3 non-profit organizations.

Contracts may be entered in to with qualified entities in accordance with block grant recipients' internal contracting policies and procedures.

Block grant recipients may also provide incentive payments directly to landowners, farmers, and ranchers to implement multibenefit land repurposing projects that create a public benefit for at least ten years, including reasonable incentives to support a farmer or rancher's ability to transition land use. In order to distribute funds to landowners, block grant recipients must establish guidelines for funding projects based on the conservation outcomes achieved and delivered, and the duration of the outcomes provided. Priority for these incentive payments should be given to small and medium farmers and ranchers. Block grant recipients must verify that the defined conservation outcomes of the project have been achieved and delivered for the duration identified in order to distribute incentive payments and must report this information to the Department quarterly.

Invoicing and Reporting

Payments

Grant agreements will generally be structured to provide reimbursement in arrears for work performed. Invoices for reimbursement may be submitted quarterly or monthly.

Advance payment terms will be considered and negotiated on a case-by-case basis. Subject to future approval from the Department and its control agencies, advance payment terms may allow up to 25% of the original grant amount to be paid in advance at a time. Funding for project implementation will only be released upon Department review of individual projects and confirmation that said projects are consistent with the goals of the program.

Block grant recipients receiving advanced funds must provide a fiscal report detailing how those funds have been expended on a quarterly basis and along with each subsequent request for an advance. Block grant recipients that receive funding on a reimbursement basis must provide a fiscal report detailing how funds have been expended along with each invoice.

Loss of Funding

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

- Failure to execute an agreement within six months of receiving an official funding notification,
- Withdrawal from the grant program prior to completion of the work plan,
- Failure to submit required documentation within the time periods specified in the grant agreement,
- Change in project scope, schedule, or budget without prior approval,
- Failure to complete the deliverables within the grant agreement term,
- Failure to demonstrate sufficient progress toward deliverables, and

- Failure to comply with applicable laws or grant requirements.

State Audits

Projects are subject to audit by the state annually and for three (3) years following the final payment of grant funds. If the project is selected for audit, the grantee will be contacted in advance of the audit. The audit will include all books, papers, accounts, documents, or other records of grantee, as they relate to the project. All project expenditure documentation should be available for an audit, whether paid with grant funds or other funds.

The grantee must have project records, including source documents and evidence of payment, readily available and must provide an employee with knowledge of the project to assist the auditor. The grantee must provide a copy of any document, paper, record, or other such material requested by the auditor.

Accounting Requirements

Grantees must maintain an accounting system that:

- Accurately reflects fiscal transactions, in accordance with standard accounting principles,
- Provides a good audit trail, including original source documents such as purchase orders, receipts, progress payments, invoices, employee paystubs and timecards, evidence of payment, etc.,
- Provides accounting data so the total cost of each individual project can be readily determined, and,
- Maintains records for a period of three (3) years after final reimbursement is made by the state. Grantee must retain all project records at least one (1) year following an audit

Section 7: General Requirements

Confidentiality

Once the application has been submitted, any privacy rights, as well as other confidentiality protections afforded by law with respect to the application package may be waived. All applications, communications, or other documentation received by Department are subject to the Public Records Act (Government Code § 6250, et seq.).

Conflict of Interest

All applicants and individuals who participate in the review of submitted applications are subject to applicable conflict of interest laws. Any individual who has participated in planning or setting priorities for a specific solicitation or who will participate in any part of the grant development and negotiation process on behalf of the public is ineligible to receive funds or personally benefit from funds awarded through this solicitation. Applicants should also be aware that certain local agencies may submit applications that will compete for funding. Failure to comply with the conflict of interest laws, including business and financial disclosure provisions, will result in rejection of the application and any subsequent grant agreement being declared void. Other legal actions may also be taken.

Compliance with Laws

Activities funded under this solicitation must be in compliance with applicable laws and regulations, and applications may include in their budgets the funding necessary for compliance-related activities. As part of the application, applicants must identify expected required permits, state whether they have received the required permits or describe the process through which the permits will be obtained, and indicate which permits could significantly delay project implementation.

Environmental Compliance

Grants awarded consistent with this solicitation may be subject to prevailing wage provisions of the California Labor Code commencing with section 1720. Any questions of interpretation regarding the California Labor Code should be directed to the Director of the Department of Industrial Relations, the state department having jurisdiction in these matters. For more details, please refer to the Department of Industrial Relations website.

The Department, as a government agency that will be taking a discretionary action to provide funding for projects, must comply with the California Environmental Quality Act (CEQA). Each proposed project must follow the California Environmental Quality Act, Division 13 (commencing with Public Resources Code section 21000) and California Code of Regulations Title 14 section 15000 et seq. ["CEQA"].

For applications submitted by government entities, it is expected that the resolution adopted to submit the application will address CEQA and that the Department will act as a responsible agency. For applications submitted by non-profits or California Native American tribes, the Department will act either as a lead or responsible agency depending on what other CEQA documents have been completed for the proposed activities.

Projects implemented using program funding must meet all environmental compliance requirements prior to disbursement of funding.

Therefore, for the Department to review a project proposed for implementation, one of the following must be submitted:

- a. A Finding or similar determination that the proposed project is not a project as defined by the California Environmental Quality Act, with an explanation as to why it is not a project, with the appropriate sections of the Public Resources Code and California Code of Regulations cited.
- b. The Notice of Exemption filed with the County Clerk and State Clearinghouse (as applicable) if the proposed project is categorically or statutorily exempt, with the appropriate Public Resources Code section citation to the exemption(s) being relied upon by the lead agency.
- c. The Negative Declaration or Mitigated Negative Declaration adopted by the lead agency and Initial Study, including a copy of the Environmental Checklist Form located in Appendix G of the CEQA Guidelines and the Notice of Determination filed with the County and with the State Clearinghouse. If the lead agency has adopted a Mitigated Negative Declaration, the applicant must also provide the adopted mitigation monitoring and reporting program.
- d. The Final Environmental Impact Report certified and adopted by the lead agency with Initial Study, including a copy of the Environmental Checklist Form located in Appendix G of the CEQA Guidelines, the adopted mitigation monitoring and reporting program, and the Notice of Determination filed with the County and the State Clearinghouse. Please include any State Clearinghouse responses received by the applicant.

*For b and c, include documentation the State of California Department of Fish and Wildlife CEQA fee was paid or is not applicable.

- e. Projects that tier from a Programmatic, Master, or other Environmental Impact Report shall include a copy of any subsequent Initial Study for the proposed project together with a copy of any supplementary environmental documentation adopted by the lead agency, including, if applicable, any required findings pursuant to Public Resources Code section 21157.1, subdivision (c), and the Notice of Determination, filed with the County Clerk and with the State Clearinghouse, as applicable.

Pursuant to section 75102 of the Public Resources Code, before the adoption of a Negative Declaration or Environmental Impact Report, the lead agency shall notify the proposed action to a California Native American tribe, which is on the contact list maintained by the Native American Heritage Commission, if that tribe has traditional lands located within the area of the proposed project.