**Prop 1 Round 2 Eligibility Checklist (for Project Applicants)**

Prop 1 Round 2 IRWM Grant Application (for the San Francisco Bay Area IRWM Coordinating Committee).

**Project:** PROJECT NAME

**Project Applicant:** APPLICANT AGENCY/ORGANIZATION NAME

**Important: Applicants must check the appropriate boxes in Question 1 and Question 2 and check ‘eligible’ for ALL remaining categories to have an eligible project.**

1. Water Code §79712 identifies the following entities as eligible grant applicants:

Public agencies

501(c)(3) Non-profit organizations

Public utilities

Federally recognized Indian Tribes

California State Indian Tribes listed on the Native American Heritage Commission’s Tribal Consultation list

Mutual water companies

To be part of the proposal as a project proponent and access grant funding through their relationship with the applicant, project applicants must meet the definition of Eligible Grant Applicant as described above. Note that if the applicant is found ineligible, the entire application will be considered ineligible. If the project applicant is found ineligible, funding cannot be awarded to that project and the grant award will be proportionately reduced.

1. **Each proponent of a project included in an IRWM Implementation proposal must adopt the IRWM Plan** – Each individual agency proposing a project(s) must adopt the IRWM Plan. Regional Water Management Groups will not be allowed to adopt an IRWM Plan on behalf of their member agencies.

Your entity agrees to adopt the Bay Area IRWM Plan (if not already adopted by your organization).

1. **Public Utilities and Mutual Water Companies** – A project proposed by a public utility that is regulated by the Public Utilities Commission or a mutual water company shall have a clear and definite public purpose and shall benefit the customers of the water system and not the investors (Water Code §79712(b)(1)).

Eligible. (Applicant is either 1: NOT a public utility or mutual water company, or 2: is a public utility or mutual water company but has a project that meets the above requirements).

Ineligible

1. **Groundwater Management Compliance** – [501(c)(3)/Tribal applicants – If your project will directly affect groundwater and is in a High or Medium priority Basin, you will need a letter of support from the basin’s Groundwater Sustainability Agency. You will also have to demonstrate how the groundwater project is consistent with SGMA efforts in the basin. Letters of support and demonstration of SGMA consistency will NOT be part of the regional application process. If selected by the San Francisco Bay Area Project Screening Committee, these additional requirements will be solicited then. Groundwater mapping resources can be found at http://bayareairmp.org]   
     
   A local agency that does not prepare, adopt, and submit its Groundwater Management Plan (GWMP) in accordance with groundwater planning requirements established under Division 6 of the Water Code (Water Code §10000 et seq.) is ineligible to apply for grant funds until the plan is prepared and submitted in accordance the requirements of Division 6 of the Water Code. The GWMP requirement shall not apply to a water replenishment district formed pursuant to Water Code section 60000 et seq., or to a local agency that serves or has authority to manage an adjudicated groundwater basin (Water Code §79742(b)).

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

* **SGMA** – SGMA (Water Code §10720 et seq.) specifies actions for critically over-drafted groundwater basins, high and medium priority basins, and low and very low priority basins. Groundwater project proponents must demonstrate how their project is consistent with SGMA efforts in the basin.
* **Groundwater Management Plan Compliance** – The applicant, or the project proponent responsible, must meet one of the following conditions (Water Code §10753.7 (b)(1)):
  + Conform to the requirements of an adjudication of water rights in the subject groundwater basin.
  + For projects in a high or medium priority basin, as designated by DWR, a GWMP that complies with Water Code §10753.7 must be prepared, implemented, and have been adopted before January 1, 2015. If the GWMP was not by adopted after January 1, 2015, then the project(s) is(are) not eligible to receive funding (Water Code §10750.1(a)). However, this does not apply to a plan submitted as an alternative pursuant to Water Code §10733.6, unless DWR has not determined that the alternative satisfies the objectives of Part 2.74 (commencing with Section 10720) on or before January 31, 2020, or DWR later determines that the plan does not satisfy the objectives (Water Code §10750.1(c)).
  + Participate or consent to be subject to a GWMP, basin-wide management plan, or other IRWM program or plan that meets the requirements of Water Code §10753.7.
  + For projects located in low or very low priority groundwater basins, as designated by DWR, without an existing GWMP, the applicant or project applicant must commit to adopting a GWMP that meets the requirements of Water Code §10753.7 or a GSP that meets the requirements of Water Code § 10727 et seq. within one-year of the grant application.

Eligible. (501(c)(3)/Tribal applicants select “Eligible”. Agencies are still subject to SGMA and GWMP requirements and must comply with the eligibility requirement listed above to be eligible.)

Ineligible

1. **California Statewide Groundwater Elevation Monitoring (CASGEM) Compliance** – Water Code §10920 et seq. establishes a groundwater monitoring program designed to monitor and report groundwater elevations in all or part of a basin or sub-basin. Information on the requirements of the CASGEM Program can be found [HERE](https://water.ca.gov/Programs/Groundwater-Management/Groundwater-Elevation-Monitoring--CASGEM). DWR has established high, medium, low, and very low priority groundwater basins, as well as CASGEM monitoring entities. For those high and medium priority basins that do not have a CASGEM monitoring entity, a grant applicant and/or project applicant that match the list of potential monitoring entities identified in Water Code §10927, along with counties whose jurisdictions include unmonitored high and medium priority basins, will not be eligible for grant funding pursuant to Water Code §10933.7(a). Consistent with Water Code §10933.7(b), if the entire service area of the grant applicant or the individual project proponent is demonstrated to be a DAC, as defined in Appendix B, the project will be considered eligible for grant funding notwithstanding CASGEM compliance.

Eligible. (501(c)(3)/Tribal applicants select eligible. Other applicants must comply with the eligibility requirement listed above.)

Ineligible

1. **Stormwater Resource Plans** – Water Code §10563(c) requires the development of a stormwater resource plan and compliance with these provisions to receive grants for stormwater and dry weather runoff capture projects. This requirement does not apply to DACs with a population of 20,000 or less and that is not a co-permittee for a municipal separate stormwater system national pollutant discharge elimination system permit issued to a municipality with a population greater than 20,000 (Water Code § 10563(c)).

Eligible. (Applicants should check Eligible if the requirements above are met or if the project is NOT a stormwater or dry weather runoff capture project).

Ineligible

1. **Urban and Agricultural Water Suppliers Compliance** – To be eligible for grant funding under this program:
   * Urban water suppliers (UWS) must have a current Urban Water Management Plan that has been reviewed by DWR and found to have addressed the requirements of the Urban Water Management Planning Act (Water Code Division 6, Part 2.6, §10610 et seq.).
   * UWS must comply with the State Water Resources Control Board’s Water Conservation and Production Reporting requirement. Reports are due on the 28th of each month and can be filed using the reporting tool at <https://drinc.ca.gov/Drinc/MonitoringReportInfo.aspx>.
   * Agricultural water suppliers must have a current Agricultural Water Management Plan that has been reviewed by DWR and found to have addressed the requirements of the Agricultural Water Management Planning Act (Water Code Division 6, Part 2.8, § 10800 et seq.).
   * Agricultural and urban water suppliers must comply with the conservation and water use efficiency measures of Water Code, Division 6, Part 2.55 (Water Code §10608 et seq.), Sustainable Water Use and Demand Reduction, and associated regulations.

Eligible. (Applicants should check Eligible if the requirements above are met or if the Applicant is NOT an Urban Water Supplier or Agriculture Water Supplier).

Ineligible

1. **Water Metering Compliance** – Any urban water supplier applying for State grant funds for wastewater treatment projects, water use efficiency projects, drinking water treatment projects, or for a permit for a new or expanded water supply, shall demonstrate that they meet the water meter requirements in Water Code §525 et seq.

Eligible. (Applicants should check Eligible if the requirements above are met or if the Applicant is NOT an Urban Water Supplier).

Ineligible

1. **Surface Water Diversion Reporting Compliance** – A diverter of surface water is not eligible for a water grant or loan awarded or administered by the State unless it complies with surface water diversion reporting requirements outlined in Water Code, Division 2, Part 5.1 (Water Code §5100 et seq.).

Eligible. (Applicants should check Eligible if the requirements above are met or if the Applicant is NOT a diverter of surface water).

Ineligible

1. **Open and Transparent Water Data** – Recipients of state funds through grants or contracts for research or projects relating to the improvement of water or ecological data shall, as a condition of the receipt of a grant or contract, adhere to the protocols developed pursuant to subdivision (a) for data sharing, transparency, documentation, and quality control (Water Code §12406(b)).

Eligible. (Applicants should check Eligible if the requirements above are met or if the Applicant is NOT an Urban Water Supplier).

Ineligible

1. **If applicable, have an expected useful life of consistent with Government Code § 16727** Each project must demonstrate a useful life of at least 15 years as required by Government Code §16727, as applicable. Grant agreements will require project applicants to self-certify that the expected useful life of each project meets these requirements.

Eligible

Ineligible

1. **Project Completion by December 31, 2027** Each project must be completed by December 31, 2027. This includes the project administration and closeout of the project.

Eligible

Ineligible

1. **Quantification of the claimed project benefit(s)** Each project must have at least one quantified benefit related to the water management needs of the IRWM with the exception of Decision Support Tools, which may have qualitative benefits. Additionally, the project benefits must be public benefits. Applicant may report a secondary benefit which also must be quantified.

Eligible

Ineligible

1. Eligible projects must:
   * Be consistent with Water Code Division 7 (Water Code §13000 et seq.) and Section 13100 of the Government Code (Infrastructure Plan) (Water Code §79707(h))
   * Promote State planning priorities and sustainable community strategies, consistent with Government Code §65041.1 and §65080 (Water Code §79707(i))
   * Wherever possible, preserve California’s working agricultural and forested landscapes (Water Code §79707(j))
   * Result in public benefits that address the most critical statewide needs and priorities for public funding (Water Code §79707(a))
   * Be included in a Stormwater Resource Plan that has been incorporated into an IRWM plan, unless exempt per Water Code §10563(c)(2)(B). (Applies only to stormwater and dry weather runoff capture projects.)
   * Be supported by the local Groundwater Sustainability Agency. (Applies only to projects that affect Groundwater levels.)

Eligible. (Applicant’s project meets the criteria listed above, as applicable.)

Ineligible

**Proposition 1 funds cannot be used for the following actions:**

* + Any project that could adversely impact a wild and scenic river or any river afforded protection under the California or Federal Wild and Scenic Rivers Act (Water Code §79711(e))
  + Acquisition of land through eminent domain (Water Code §79711(g))
  + Design, construction, operation, mitigation, or maintenance of Delta conveyance facilities (Water Code §79710(a))
  + Acquisition of water except for projects that will provide fisheries or ecosystem benefits or improvements that are greater than required applicable environmental mitigation measures or compliance obligations in effect at the time the funds are made available. Such funds shall not be credited to any measures or obligations, except for any water transfers for the benefit of §3406(d) of the Central Valley Project Improvement Act (Title 34 of Public Law 102-575) (Water Code §79709(c)).

Eligible. (Applicant’s project does NOT include any of the elements listed above.)

Ineligible