



COLORADO
**Colorado Water
Conservation Board**
Department of Natural Resources

1313 Sherman Street
Denver, CO 80203

P (303) 866-3441
F (303) 866-4474

John Hickenlooper, Governor

Robert Randall, DNR Executive Director

Rebecca Mitchell, CWCB Director

TO: Colorado Water Conservation Board Members

FROM: Erik Skeie, Special Projects Coordinator
Interstate, Federal & Water Information Section

DATE: July 18-19, 2018

AGENDA ITEM: 8. Damaging High Groundwater Grant Application and Guidelines

Background

High groundwater is resulting in damage to private and public property and agricultural land in certain areas of the South Platte River Basin. This is caused by a combination of natural geology and hydrology, average to above-average precipitation, increased recharge for augmentation purposes, and decreased groundwater pumping. CWCB Staff is actively engaged in efforts to address the high groundwater issue in the South Platte in close coordination with the South Platte Basin Roundtable's Groundwater Technical Committee.

The General Assembly provided \$500,000 for South Platte river basin groundwater level data collection, analysis and remediation in the 2018 CWCB Projects Bill (SB18-218, Section 10). This is the latest appropriation indicating the General Assembly's attention to this matter. The most recent previous round of funding was provided in the 2017 Projects Bill.

The proposed criteria and guidelines for this grant program are attached to this memo. This document was adapted from the HB17-1248 criteria and guidelines and the Colorado Water Plan Implementation Grant Guidelines. Significant changes include increasing minimum match (in cash or in-kind) from 10 percent to 15 percent of the total project cost. The language regarding project types was changed to be more general to encourage a variety of projects, rather than focusing primarily on dewatering wells. Potential projects include passive systems, groundwater management strategies, and studies. The grant application formatting has been updated to the same format used for Colorado's Water Plan Implementation Grants for consistency across CWCB grant programs. This includes the application, scope of work, and budget forms for applicants. Each application will be provided to the South Platte Basin Roundtable Groundwater Technical Committee for review.

Staff Recommendation

Staff recommends the approval of the proposed Criteria and Guidelines for Damaging High Groundwater Response Grants in the South Platte Basin.

Attachments





GUIDELINES

Introduction

High groundwater is resulting in damage to private and public property and agricultural land in certain areas of the South Platte River Basin. This is caused by a combination of natural geology and hydrology, average to above-average precipitation, increased recharge for augmentation purposes, and decreased groundwater pumping. HB 15-1178 established the Emergency Dewatering Grant Program, which directed the Colorado Water Conservation Board (CWCB) to administer funds for emergency dewatering of areas in and around Gilcrest and Sterling. After several projects under this funding source, it was determined that the area of concern needed to include the entire South Platte Basin. Section 10 of HB17-1248 provided this expansion to include the South Platte River Basin and opened up project types for construction, maintenance, and monitoring of dewatering infrastructure. SB 18-218 provides additional funds for these purposes.

In order to help ensure opportunities for applicants to seek funding in an orderly fashion and at the same time to encourage competitive access to the funding, applications will be evaluated based on the eligibility requirements and evaluation criteria outlined in this document. After thorough evaluation, CWCB staff will recommend projects to the CWCB Board for approval of grant funding during regularly scheduled Board meetings.

Eligible Applicants include:

- Governmental entities - municipalities, districts, enterprises, counties, and State of Colorado agencies. Federal agencies are encouraged to work with local entities. Covered Entities as defined in Section 37-60-126, C.R.S., are eligible if the applicant has adopted an approved water conservation plan.
- Private entities - mutual ditch companies, consulting firms, non-profit corporations, individuals, sole proprietors, and partnerships.
- Non-governmental organizations

Level of Funding Request:

- The CWCB will attempt to distribute the grant funds in a fair and equitable fashion. No application should exceed 50% of total the funding available, as identified in the 2018 CWCB Projects Bill (SB 18-218). Applicants should be aware that many variables will impact funding levels, including overall funding demand.

Examples of eligible projects and activities

- Emergency dewatering
- Groundwater management pilot programs
- Studies or analysis of regional groundwater (including modeling, monitoring wells, etc.)
- Design of structural projects or activities.

Matching Fund Requirements

Grant requests require matching funds at a minimum of 15% of the total project cost. The match may be provided by the applicant or a third party and may consist of any combination of cash or in-kind services such as an organization's operational costs and volunteer services. Cash match must account for at least half of the total match, and projects with more cash match may be viewed more favorably.



Any matching contributions not provided by the applicant must be accompanied by a letter of commitment, or a letter of pending commitment from the contributing entity.

Waivers: The CWCB may waive the match requirement if it is in the best interest of the State of Colorado or the applicant demonstrates that the matching requirement imposes a significant financial hardship on the applicant.

Evaluation Criteria

CWCB staff, in consultation with the State Engineer's Office (SEO), and with the South Platte Basin Roundtable Groundwater Technical Committee (Committee), will review applications based on the following criteria:

- Existence of damaging high groundwater, and the demonstrated need for dewatering,
- Compliance with permission requirements;
- Compliance with permitting requirements;
- Compliance with monitoring requirements including;
 - Minimum requirements: groundwater level monitoring (either through existing or newly constructed monitoring wells)
 - Consultation with the Division of Water Resources Division 1 Office to identify any additional monitoring needed to ensure no injury is caused by the project;
- Effectiveness of proposal at lowering groundwater table;
- Reasonableness of the requested grant value;
- Completeness of application; and
- Matching funding provided by the Applicant or others.

Application Process

Application forms are available on the CWCB website:

cwc.state.co.us (navigate to the Water Management tab and follow to South Platte Groundwater)

Applicants will be required to include at a minimum the following documents:

- Completed Application
- Statement of Work (Exhibit A, Word format)
- Budget and Schedule (Exhibit B, Excel format)
- Maps (Exhibit C)
- Letters of Commitment (matching funds)
- Permits (if applicable)
- Easements (if applicable)

The applicant is also encouraged to submit the following:

- Letter of Support from the Basin Roundtable Groundwater Technical Committee
- Letter of Support from the Division of Water Resources Division 1 Engineer (or delegate)
- Any applicable photos (project location, damage from high groundwater, etc.)

Financial Documents Required for Contract Execution

- Certificate of Liability
- Certificate of Good Standing



Damaging High Groundwater Response Grants in the South Platte Basin

The CWCB's review and approval process will include the following steps:

- CWCB staff will determine if the required documentation has been submitted. The application will be accepted once all documentation has been received.
- CWCB staff will evaluate the application based on the criteria described in this document.
- Applications will be provided to the South Platte Basin Roundtable Groundwater Technical Committee for review. The Committee may request that the applicant present their proposal at the next scheduled Committee meeting.
- CWCB staff will notify the applicant of the staff's recommendation. CWCB staff may approve projects less than \$100,000 and reserves the right to present the application to the Board if deemed necessary. Projects requesting \$100,000 or more will be notified of the date and time when the Board will consider the application. While CWCB staff has primary responsibility for presenting the recommendation to the Board, the applicant will need to attend the meeting to address the Board and may offer comments during the opportunity for public comment.
- Upon Board approval of the applicant's request, funding will be available after a contract is executed.

Grant Review and Approval Schedule

Application Due	Staff Review	Board Meeting (Approval)	Notice of Approval/Denial	Grant Contracting (Estimate)*
August 1, 2018	30 days	Nov. 15/16	Dec. 1	45 days
October 1, 2018	30 days	Jan. 22/23	Feb. 1	45 days
February 1, 2018	30 days	May 23/24	June 1	45 days
Ad Hoc requests as appropriate**				

*The grant contracting estimate of 45 days is from the receipt of the signed grant contract from the grantee.

**Please contact Erik Skeie to discuss

Grant Administration

Contracting:

After approval or conditional approval of funding by the Board, CWCB staff will direct the applicant to revise and supplement submitted documents if required for issuance of a purchase order or execution of a contract. Grants less than \$100,000 will be implemented by use of a purchase order. Grants for \$100,000 or more will require execution of a contract.

Successful applicants are expected to execute a contract with CWCB within 6 months of award. If a grant contract is not executed within this timeframe, CWCB staff may return the funds back to the appropriate funding category if adequate progress is not made.

Reporting Requirements:



Damaging High Groundwater Response Grants in the South Platte Basin

Progress Reports: The applicant shall provide the CWCB a progress report every 6 months, beginning from the date of issuance of a purchase order, or the execution of a contract. The progress report shall describe the status of the tasks identified in the statement of work, including a description of any major issues that have occurred and any corrective action taken to address these issues. The CWCB may withhold reimbursement until satisfactory progress reports have been submitted.

Final Report: At completion of the project, the applicant shall provide the CWCB a Final Report on the applicant's letterhead that:

- Summarizes the project and how the project was completed.
- Describes any obstacles encountered and how these obstacles were overcome.
- Confirms that all matching commitments have been fulfilled.
- Includes photographs, summaries of meetings and engineering reports/designs.

The CWCB will withhold disbursement the last 10% of the budget until the Final Report is completed to the satisfaction of CWCB staff. Once the Final Report has been accepted, and final payment has been issued, the purchase order or grant will be closed without any further payment.

Payments:

Payment will be based on actual expenditures invoiced by the grantee. The request for payment must be transmitted on the grantee's letterhead, and shall include:

- Date of request
- Grantee's contact name, email address, physical address, and phone number
- Date of CWCB grant approval
- Contract or purchase order number
- Description of the work accomplished by major task as presented in the approved budget
- Supporting documentation for items or services billed
- Estimate of the percent completion for individual tasks and the entire water activity in relation to the percentage of budget spent
- Identification of any major issues, and proposed or implemented corrective actions

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Damaging High Groundwater Response Grants in the South Platte Basin

Instructions

To receive funding for a Damaging High Groundwater Response Grant, applicant must demonstrate how the project, activity, or process (collectively referred to as “project”) funded by the CWCB will help reduce high groundwater and/or implement the South Platte Basin Roundtable Groundwater Technical Committee’s recommendations. Grant guidelines are available on the CWCB website.

If you have questions, please contact Erik Skeie via phone at (303) 866-3441 x3260 or email at erik.skeie@state.co.us

FINAL SUBMISSION: Submit all application materials to erik.skeie@state.co.us in the original file formats [Application (Word); Statement of Work (Word); Budget/Schedule (Excel)]. Please do not combine documents.

Water Project Summary

Name of Applicant		
Name of Project		
Grant Request Amount		
Other Funding Sources _____		
Other Funding Sources _____		
Other Funding Sources _____		
Applicant Funding Contribution		
Total Project Cost		



Applicant & Grantee Information	
Name of Grantee(s)	
Mailing Address	
FEIN	
Organization Contact	
Position/Title	
Email	
Phone	
Grant Management Contact	
Position/Title	
Email	
Phone	
Name of Applicant (if different than grantee)	
Mailing Address	
Position/Title	
Email	
Phone	

Description of Grantee/Applicant
Provide a brief description of the grantee's organization (100 words or less).

Type of Eligible Entity (check one)	
<input type="checkbox"/>	Public (Government): Municipalities, enterprises, counties, and State of Colorado agencies. Federal agencies are encouraged to work with local entities. Federal agencies are eligible, but only if they can make a compelling case for why a local partner cannot be the grant recipient.
<input type="checkbox"/>	Public (Districts): Authorities, Title 32/special districts (conservancy, conservation, and irrigation districts), and water activity enterprises.
<input type="checkbox"/>	Private Incorporated: Mutual ditch companies, homeowners associations, corporations.
<input type="checkbox"/>	Private Individuals, Partnerships, and Sole Proprietors: Private parties may be eligible for funding.
<input type="checkbox"/>	Non-governmental organizations (NGO): Organization that is not part of the government and is non-profit in nature.

Type of Project (check all that apply)	
<input type="checkbox"/>	Study
<input type="checkbox"/>	Construction
<input type="checkbox"/>	Other

Location of Project	
Please provide the general county and coordinates of the proposed project below in decimal degrees . The Applicant shall also provide, in Exhibit C, a site map.	
County/Counties	
Latitude	
Longitude	

Project Overview

Please provide a summary of the proposed project. Include a description of the project and what the grant funding will be used for specifically (e.g., studies, permitting process, construction). For projects that require augmentation, please provide a description of the water supply source to be utilized or the water body affected by the project. Include details such as necessary permitting; whether permissions or easements are needed; number of residential and commercial properties impacted; length of ditch improvements; length of pipe installed. If this project addresses multiple purposes, please explain. Finally, include details on the monitoring plan for the project. 200 words or less.

The Applicant shall also provide, in separate documents, a detailed Statement of Work (Exhibit A) and a Budget/Schedule that includes Other Funding Sources/Amounts (Exhibit B).

Measurable Results

Please explain the measurable results that will be used to determine if the project is successful. This could be achieving a desired water table level, reducing the water table elevation by a certain amount, water budget changes, drainage improvements, etc. 200 words or less.

Project Justification

Provide a description of how this project supports the recommendations of South Platte Basin Roundtable Groundwater Technical Committee.

The proposed water project shall be evaluated based upon how well the proposal conforms to Colorado's Water Plan Framework for State of Colorado Support for a Water Project (CWP, Section 9.4, pp. 9-43 to 9-44;)

Related Studies

Please provide a list of any relevant studies. Please also note if the water project is complementary to or assists in the implementation of other CWCB programs.

Previous CWCB Grants, Loans or Other Funding

List all previous or current CWCB grants (including WSRF) awarded to both the Applicant and Grantee. Include: 1) Applicant name; 2) Water activity name; 3) Approving Roundtable(s); 4) CWCB board meeting date; 5) Contract number or purchase order; 6) Percentage of other CWCB funding for your overall project.

Taxpayer Bill of Rights

The Taxpayer Bill of Rights (TABOR) may limit the amount of grant money an entity can receive. Please describe any relevant TABOR issues that may affect your application.

Submittal Checklist	
	I acknowledge the Grantee will be able to contract with CWCB using the Standard Contract .
Exhibit A	
	Statement of Work ⁽¹⁾
Exhibit B	
	Budget & Schedule ⁽¹⁾
	Letters of Matching and/or Pending 3 rd Party Commitments ⁽¹⁾
Exhibit C	
	Map ⁽¹⁾
	Photos/Drawings/Reports
	Letters of Support
	Permits (if applicable)
	Easements (if applicable)
	Certificate of Insurance (General, Auto, & Workers' Comp.) ⁽²⁾
	Certificate of Good Standing with Colorado Secretary of State ⁽²⁾
	W-9 ⁽²⁾
	Independent Contractor Form ⁽²⁾ (If applicant is individual, not company/organization)

(1) Required with application.

(2) Required for contracting. While optional at the time of this application, submission can expedite contracting upon CWCB Board approval.

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Damaging High Groundwater Response Grants - Exhibit A

Statement Of Work	
Date:	
Name of Grantee:	
Name of Water Project:	
Funding Source:	
Water Project Overview:	
Project Objectives:	



Tasks	
Task 1 – [Name]	
Description of Task:	
Method/Procedure:	
Deliverable:	

Tasks
Task 2 – [Name]
Description of Task:
Method/Procedure:
Deliverable:

Repeat for Task 3, Task 4, Task 5, etc.

Budget and Schedule

This Statement of Work shall be accompanied by a combined Budget and Schedule (in Excel format) that reflects the Tasks identified in the Statement of Work.

Reporting Requirements

Progress Reports: The applicant shall provide the CWCB a progress report every 6 months, beginning from the date of issuance of a purchase order, or the execution of a contract. The progress report shall describe the status of the tasks identified in the statement of work, including a description of any major issues that have occurred and any corrective action taken to address these issues.

Final Report: At completion of the project, the applicant shall provide the CWCB a Final Report on the applicant's letterhead that:

- Summarizes the project and how the project was completed.
- Describes any obstacles encountered, and how these obstacles were overcome.
- Confirms that all matching commitments have been fulfilled.
- Includes photographs, summaries of meetings and engineering reports/designs.

The CWCB will withhold the last 10% of the budget until the Final Report is completed to the satisfaction of CWCB staff. Once the Final Report has been accepted, and final payment has been issued, the purchase order or grant will be closed without any further payment.

Payment

Payment will be made based on actual expenditures and must include invoices for all work completed. The request for payment must include a description of the work accomplished by task, an estimate of the percent completion for individual tasks and the entire Project in relation to the percentage of budget spent, identification of any major issues, and proposed or implemented corrective actions.

Project costs not covered by those or other grants, and are therefore the responsibility of the grantee, will be eligible for CWCB funds at the following percentages of project costs:

Costs incurred prior to the effective date of this contract are not reimbursable. The last 10% of the entire grant will be paid out when the final deliverable has been received. All products, data and information developed as a result of this contract must be provided to CWCB in hard copy and electronic format as part of the project documentation.

Performance Measures

Performance measures for this contract shall include the following:

- (a) Performance standards and evaluation: Grantee will produce detailed deliverables for each task as specified. Grantee shall maintain receipts for all project expenses and documentation of the minimum in-kind contributions (if applicable) per the budget in Exhibit B. Per Damaging High Groundwater Response Grant Guidelines, the CWCB will pay out the last 10% of the budget when the Final Report is completed to the satisfaction of CWCB staff. Once the Final Report has been accepted, and final payment has been issued, the purchase order or grant will be closed without any further payment.
- (b) Accountability: Per Damaging High Groundwater Response Grant Guidelines full documentation of project progress must be submitted with each invoice for reimbursement. Grantee must confirm that all grant conditions have been complied with on each invoice. In addition, per Damaging High Groundwater Response Grant Guidelines, Progress Reports must be submitted at least once every 6 months. A Final Report must be submitted and approved before final project payment.
- (c) Monitoring Requirements: Grantee is responsible for ongoing monitoring of project progress per Exhibit A. Progress shall be detailed in each invoice and in each Progress Report, as detailed above. Additional inspections or field consultations will be arranged as may be necessary.
- (d) Noncompliance Resolution: Payment will be withheld if grantee is not current on all grant conditions. Flagrant disregard for grant conditions will result in a stop work order and cancellation of the Grant Agreement.



Damaging High Groundwater Response Grant - Exhibit B

Budget and Schedule

Project End Date:Page 1 of x