



**COLORADO**

**Colorado Water  
Conservation Board**

Department of Natural Resources

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**TO:** Colorado Water Conservation Board Members

**FROM:** Chris Sturm, Watershed and Flood Protection Section

**DATE:** July 20-21, 2022 Board Meeting

**AGENDA ITEM:** Agenda Item 11, Fish and Wildlife Resources Fund - Criteria Update

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**Introduction:**

This informational agenda item provides updated draft criteria for the Fish and Wildlife Resources Fund (FWRF). The existing FWRF criteria is also included for reference, although it only addresses grants eligible through Board Policy 15.

**Background:**

The Fish and Wildlife Resources statute, § 37-60-122.2, authorized the Fish and Wildlife Resources Fund in 1987. The statute describes the process for developing an official state position in regards to state wildlife mitigation plans (§ 37-60-122.2 (1)). The mitigation plans are required to address impacts to fish and wildlife resources caused by the construction, operation, or maintenance of water diversion, delivery, or storage facilities. The statute also establishes criteria for the issuance of mitigation, enhancement, and species recovery grants (§ 37-60-122.2 (2 - 4)). Board Policy 20 describes a process to authorize grants from sections 2-4 of § 37-60-122.2. The statute further recognizes that instream flows and river restoration projects have value in mitigating impacts from the construction, operation, and maintenance of existing water diversion, delivery, and storage facilities (§ 37-60-122.2 (5)). Board Policy 15 describes a process to authorize grants from section 5 of § 37-60-122.2. The draft guidance relies heavily on the criteria outlined in both board policies.





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Department of Natural Resources

## **Fish and Wildlife Resources Fund Grant Guidelines DRAFT July 2022**

### **Grant Guidelines**

#### **Introduction**

The Fish and Wildlife Resources Fund was established in 1987 by the Fish and Wildlife Resources statute, § 37-60-122.2. The statute describes the process for developing an official state position in regards to state wildlife mitigation plans (§ 37-60-122.2 (1)). Mitigation plans are required to address impacts to fish and wildlife resources caused by the construction, operation, or maintenance of water diversion, delivery, or storage facilities. The statute also establishes criteria for the issuance of mitigation, enhancement, and species recovery grants (§ 37-60-122.2 (2 - 4)). [Board Policy 20](#) describes a process to authorize grants from sections 2-4 of § 37-60-122.2. The statute further recognizes that instream flows and river restoration projects have value in mitigating impacts from the construction, operation, and maintenance of existing water diversion, delivery, and storage facilities (§ 37-60-122.2 (5)). [Board Policy 15](#) describes a process to authorize grants from section 5 of § 37-60-122.2.

#### **Statute 37-60-122.2**

##### **37-60-122.2. Fish and wildlife resources - legislative declaration - fish and wildlife resources fund - authorization.**

(1) (a) The general assembly hereby recognizes the responsibility of the state for fish and wildlife resources found in and around state waters which are affected by the construction, operation, or maintenance of water diversion, delivery, or storage facilities. The general assembly hereby declares that such fish and wildlife resources are a matter of statewide concern and that impacts on such resources should be mitigated by the project applicants in a reasonable manner. It is the intent of the general assembly that fish and wildlife resources that are affected by the construction, operation, or maintenance of water diversion, delivery, or storage facilities should be mitigated to the extent, and in a manner, that is economically reasonable and maintains a balance between the development of the state's water resources and the protection of the state's fish and wildlife resources.

(b) Except as provided in this paragraph (b), the applicant for any water diversion, delivery, or storage facility which requires an application for a permit, license, or other approval from the United States shall inform the Colorado water conservation board, wildlife commission, and division of wildlife of its application and submit a

mitigation proposal pursuant to this section. Exempted from such requirement are the Animas-La Plata project, the Two Forks dam and reservoir project, and the Homestake water project for which definite plan reports and final environmental impact statements have been approved or which are awaiting approval of the same, applicants for site specific dredge and fill permits for operations not requiring construction of a reservoir, and applicants for section 404 federal nationwide permits. If an applicant that is subject to the provisions of this section and the commission agree upon a mitigation plan for the facility, the commission shall forward such agreement to the Colorado water conservation board, and the board shall adopt such agreement at its next meeting as the official state position on the mitigation actions required of the applicant. In all cases the commission shall proceed expeditiously and, no later than sixty days from the applicant's notice, unless extended in writing by the applicant, make its evaluation regarding the probable impact of the proposed facility on fish and wildlife resources and their habitat and to make its recommendation regarding such reasonable mitigation actions as may be needed.

(c) The commission's evaluation and proposed mitigation recommendation shall be transmitted to the Colorado water conservation board. The board within sixty days, unless extended in writing by the applicant, shall either affirm the mitigation recommendation of the commission as the official state position or shall make modifications or additions thereto supported by a memorandum that sets out the basis for any changes made. Whenever modifications or additions are made by the board in the commission's mitigation recommendation, the governor, within sixty days, shall affirm or modify the mitigation recommendation which shall then be the official state position with respect to mitigation. The official state position, established pursuant to this subsection (1) shall be communicated to each federal, state, or other governmental agency from which the applicant must obtain a permit, license, or other approval.

(2) (a) Moneys transferred to the fish and wildlife resources fund pursuant to the provisions of section 37-60-121 (6) are hereby continuously appropriated to the Colorado water conservation board for the purpose of making grants pursuant to this subsection (2) and for offsetting the direct and indirect costs of the board for administering the grants. The interest earned from the investment of the moneys in the fund shall be credited to the fund.

(b) To the extent that the cost of implementing the mitigation recommendation made pursuant to subsection (1) of this section exceeds five percent of the costs of a water diversion, delivery, or storage facility, the board shall, upon the application of the applicant, make a mitigation grant to the applicant. The amount of the grant shall be sufficient to pay for the mitigation recommendation as determined by this section to the extent required above the applicant's five percent share. Any additional enhancement shall be at the discretion and within the means of the board. Under no circumstance shall the total amount of the grant exceed five percent of the construction costs of the project, or be disbursed in installments that exceed seventy percent of the amount of the grant during any fiscal year. Any mitigation cost in excess of ten percent of the construction costs of a project shall be borne by the applicant.

(c) An applicant may apply for an enhancement grant by submitting to the commission and the board an enhancement proposal for enhancing fish and wildlife

resources over and above the levels existing without such facilities. The commission shall submit its recommendations on the proposal to the board for its consideration. The board, with the concurrence of the commission, may award a grant for fish and wildlife enhancement. Any such enhancement grant will be shared equally by the Colorado water conservation board's fish and wildlife resources fund and the division of wildlife's wildlife cash funds and other funds available to the division.

(d) For the purpose of this subsection (2), construction costs means the best estimate of the physical construction costs as fixed by the Colorado water conservation board as of the date of the grant application. Costs should be limited to design, engineering and physical construction and will not include the costs of planning, financing, and environmental documentation, mitigation costs, legal expenses, site acquisition or water rights.

(e) Species recovery grants from the fish and wildlife resources fund may be made for the purpose of responding to needs of declining native species and to those species protected under the federal "Endangered Species Act of 1973", 16 U.S.C. sec. 1531, et seq., as amended, in a manner that will carry out the state water policy.

(f) (Deleted by amendment, L. 2001, p. 692, § 28, effective May 30, 2001.)

(3) Decisions relating to the official state mitigation position made pursuant to paragraph (c) of subsection (1) of this section shall not be subject to judicial review.

(4) The board shall distribute mitigation and enhancement grants reasonably and equitably among water basins toward the end that those projects sponsored by beneficiaries east of the continental divide receive fifty percent of the money granted and those projects sponsored by beneficiaries west of the continental divide receive fifty percent of the money granted under this section.

(5) The general assembly hereby recognizes the role instream flows and river restoration projects play in mitigating the effects of the construction, operation, and maintenance of water diversion, delivery, and storage facilities. Therefore, the Colorado water conservation board and the operators of existing water diversion, delivery, or storage facilities projects are hereby authorized to apply directly to the board for moneys for projects to carry out the purposes of this section. The board is authorized to grant such moneys if it finds that such projects will further the purposes of this section.

**Source:** L. 87: Entire section added, p. 1297, § 5, effective July 13. L. 97: (1)(a) and (2)(a) amended and (2)(e) added, p. 1600, § 1, effective June 4. L. 98: (2)(f) added, p. 1004, § 5, effective May 27. L. 99: (2)(a) amended, p. 628, § 36, effective August 4. L. 2001: (2)(a), (2)(c), (2)(e), and (2)(f) amended, p. 692, § 28, effective May 30. L. 2002: (5) added, p. 456, § 28, effective May 23.

## Contact

Interested parties must contact the CWCB to discuss potential applications before submitting an application. For more information, please email Chris Sturm.

[chris.sturm@state.co.us](mailto:chris.sturm@state.co.us)

## Grant Types

The Fish and Wildlife Resources Fund includes two major grant types, each discussed in detail in Board Policies 15 and 20 (attached). [Board Policy 15](#) is specific to section 5 of § 37-60-122.2. It includes appropriation or acquisition of water rights to mitigate impacts of an existing water facility. It also includes river restoration studies and construction projects designed to directly mitigate environmental impacts of existing water facilities.

[Board Policy 20](#) is specific to sections 2-4 of § 37-60-122.2. It includes mitigation and enhancement grants to address impacts to fish and wildlife as outlined in a State and Wildlife Mitigation Plan. It also includes species recovery grants for the purpose of declining native species.

Applicants should consult both Board Policies for details about the grant types. They are attached to this guidance.

## Eligible Entities

### Board Policy 15 Eligible Entities

Eligible parties for grants from Board Policy 15 or section 5 of § 37-60-122.2 are limited to the CWCB and the operators of the water facility for which mitigation is needed.

### Board Policy 20 Eligible Entities

Eligible parties for grants from Board Policy 20 or sections 2-4 of § 37-60-122.2 are limited to the operators of the water facility for which mitigation and enhancement are needed. Eligible parties for species recovery grants include established non-profit organizations, watershed coalitions, local governments, conservation and water conservancy districts, and Colorado's tribal governments. Federal agencies and private landowners are not eligible to receive species recovery grant funds; however, projects may be conducted on private, state, or federal lands with appropriate permissions and under the sponsorship of an eligible entity. Local governments that do not participate in the National Flood Insurance Program will not be eligible for funding.

## Match Funding Requirements

Match requirements from the Fish and Wildlife Resources Fund Program are discussed in Board Policies 15 and 20 and § 37-60-122.2. Species Recovery grants from Board Policy 20 shall not exceed 50% of the total project cost. Project costs may consist of a combination of in-kind and cash match, but no more than half of the match may be in the form of in-kind services.

- **Cash Match**

Actual expenditures paid directly with cash funds from the grantee to a vendor. Examples are supplies, services, and necessary equipment purchase or rental.

- **In-Kind Match**

Materials, services, and labor provided by grantee to perform all or part of the approved project scope of work, including necessary project administration. This can include standard direct and indirect personnel fringe benefits. Volunteer services provided at no cost to the applicant by firms or individuals consistent with the approved scope of work will be valued for in-kind match at local prevailing wage rates. Project-specific land acquisition or access agreement costs may also be claimed as in-kind contributions and credited against the minimum requirement. Costs that CANNOT be considered include: general organization operating costs such as utilities, operating supplies and services, amortized costs or rental costs for buildings and equipment used for the general operation of the organization, and general property and liability insurance costs; nor will overhead percent charges to cover such items be allowed. These business expenses are NOT reimbursable costs and may not be claimed as matching contributions.

## **Deadlines**

The CWCB will accept applications on a rolling basis. Interested parties are required to discuss potential applications prior to submitting an application.

## **Application Process**

The grant application must be submitted through the Grant Portal, which is linked from the CWCB website. Applicants will be prompted to submit the following items to the portal:

- Statement of Work
- Engineer's estimate of probable cost for construction projects over \$100,000
- Budget (Excel)
- Schedule
- Maps (if applicable)
- Letters of Commitment (matching funds)
- Photos or drawings

## **Evaluation Criteria**

See Board Policy 15 and Board Policy 20.

## **Documents Required for Contract Execution**

- Insurance Certificate of Liability (Government entities excluded)
- Secretary of State - Certificate of Good Standing
- W-9
- Electronic Funds Transfer (preferred)

## **Grant Administration**

Progress Reports:

The applicant shall provide the CWCB progress reports 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 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, final expenses, and engineering reports/designs.

The CWCB will withhold disbursement of 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.

POLICY NUMBER: 15

SUBJECT: **CONSIDERATION AND APPROVAL OF FISH AND WILDLIFE RESOURCES FUND APPLICATIONS FOR INSTREAM FLOWS AND RIVER RESTORATION PROJECTS.**

EFFECTIVE DATE: September 12, 2002

POLICY: The Colorado Water Conservation Board (CWCB) will accept applications throughout the year for grants from the Fish and Wildlife Resources Fund for the appropriation or acquisition of instream flow water rights and river restoration construction projects to mitigate the effects of the construction, operation, and maintenance of water diversion, delivery, and storage facilities.

Applications for mitigation grants from the Fish and Wildlife Resources Fund will be accepted for the following types of projects:

1. The appropriation or acquisition of water rights for the purpose of preserving or improving the natural environment to a reasonable degree to mitigate the impact of an existing water facility.
2. River restoration feasibility studies and construction projects that are designed to directly mitigate or significantly improve the environmental impacts of existing water facilities.

The CWCB may, in any year, approve grants to fund any project in the above categories that the Board deems worthy of funding through the Fish and Wildlife Resources Fund. In order to protect the long-term integrity of the Fish and Wildlife Resources Fund, instream flow and river restoration projects mitigating the impacts of existing water supply facilities will be limited to 40% of the Fish and Wildlife Resources Fund balance as of July 1, 2002.

The project applicant must have completed a fully executed funding contract with the CWCB within 2 years of the grant authorization by the CWCB, or the Board will consider de-authorization of the grant.

PURPOSE: To establish an approval process for instream flow and river restoration construction project grants from the Fish and Wildlife Resources Fund.

APPLICABILITY: This policy and procedure applies to applications for instream flow or river restoration construction project grants from the Fish and Wildlife Resources Fund.

PROCEDURE: Prior to a Board meeting, the CWCB staff will prepare for the Board's consideration a summary of the technical, financial, and institutional characteristics of each proposed instream flow water right appropriation or acquisition, river restoration feasibility study or construction project. Each application will be reviewed for conformity with the goals and



objectives of the CWCB Strategic Plan. Grant applications will be considered only in the following two categories:

1. The appropriation or acquisition of water rights for the purpose of preserving or improving the natural environment to a reasonable degree to mitigate the impact of an existing water facility.
2. River restoration feasibility studies and construction projects that are designed to directly mitigate or significantly improve the environmental impacts of existing water facilities.

The Board will consider and CWCB staff will evaluate and recommend to the Board grant applications for appropriation or acquisition of water rights to be held by the Board based on the following project types:

- Instream flow water rights that assist in the administration of compact-entitled waters, or address problems relating to compact-entitled waters,
- Instream flow water rights that facilitate the resolution of federal water rights issues, and
- Instream flow water rights that assist in the recovery of threatened or endangered wildlife species or the conservation of existing wildlife species within riparian ecosystems.

The Board will consider and CWCB staff will evaluate and recommend to the Board grant applications for river restoration feasibility studies and construction projects based on the following:

- Soundness of the project design, work plan or plan of study,
- The need for the proposed project,
- The need for financial assistance.
- Financial, technical, or administrative participation or coordination by all affected local governments.

NOTE:

Recognizing that future needs and responses to those needs cannot be predicted with certainty, the Colorado Water Conservation Board reserves the right to recommend for funding any instream flow acquisition, river restoration construction project, or study that it determines would mitigate the effects of an existing water supply facility and furthers the purposes of the Fish and Wildlife Resources Fund.

Approved by the CWCB  
September 12, 2002  
Agenda Item #16a

POLICY NUMBER: 20

SUBJECT: **CONSIDERATION AND APPROVAL OF FISH AND WILDLIFE RESOURCES FUND GRANT APPLICATIONS PURSUANT TO SUBSECTIONS 2-4 OF SECTION 37-60-122.2, C.R.S.**

EFFECTIVE DATE: May 17, 2011

POLICY: The Colorado Water Conservation Board (CWCB) will accept applications throughout the year for grants from the Fish and Wildlife Resources Fund for design plans, engineering, and construction projects to: (1) address impacts from the construction of water diversion, delivery, and storage facilities that require a permit, license, or other approval from the United States; and (2) respond to needs of declining native species and to those species protected under the federal "Endangered Species Act of 1973", 16 U.S.C. sec. 1531, et seq., as amended, in a manner that will carry out the state water policy.

Applications for grants from the Fish and Wildlife Resources Fund will be accepted in the following categories:

1. Mitigation Grants to reduce, minimize, or avoid undesirable impacts on fish and wildlife resources as outlined in the official state recommendation, i.e. the State Fish and Wildlife Mitigation Plan (Mitigation Plan).
2. Enhancement Grants to improve the habitat of fish and wildlife resources beyond existing conditions in the vicinity of the project.
3. Species Recovery Grants for the purpose of responding to needs of declining native species and to those species protected under the federal "Endangered Species Act of 1973", 16 U.S.C. sec. 1531, et seq., as amended, in a manner that will carry out the state water policy.

The Board shall make Mitigation Grants only if the applicant funds mitigation costs for the first 5 percent of the project's design, engineering, and physical construction costs (construction costs). The Board shall make Mitigation Grants for the costs of mitigation for the impacts to fish and wildlife resources from the construction, operation, or maintenance of water diversion, delivery, and storage facilities up to an additional 5 percent of a project's construction costs. Mitigation Grant disbursements shall not exceed 70 percent of the amount of the grant during any fiscal year. Mitigation grants shall be made only for recommendations in the Mitigation Plan. The Board does not intend to make Mitigation Grants for mitigation required outside of the Mitigation Plan. Mitigation should not include that already required by a Federal Record of Decision, County 1041 permit, or other permitting entity. The Mitigation Plan may be adopted as part of a Federal Record of Decision or other permit. If so, the Board shall fund only those components of the adopted Mitigation Plan that are not included as part of the permitting entity mitigation requirement. Mitigation grants shall only be awarded for a project after that project has received a permit, license, or other approval from the United States and/or other permitting entities.

The Board shall consider applications for Enhancement Grants after receiving a recommendation from the Wildlife Commission. The Board may award an Enhancement Grant with the concurrence of the Wildlife Commission.

Enhancement Grant costs will be shared equally by the CWCB and the Division of Wildlife.

The Board shall consider applications for Species Recovery Grants when funding is not available from the Native Species Conservation Trust Fund.

The CWCB may, in any year, approve Enhancement and Species Conservation Grants that the Board deems worthy of funding through the Fish and Wildlife Resources Fund. Mitigation Grants shall be funded and will take precedence over Enhancement and Species Recovery Grants. The CWCB will manage the Fish and Wildlife Resources Fund in a manner that, over time, distributes grants evenly between east and west slope applicants.

In the event that funds in the Fish and Wildlife Resources Fund are insufficient to fully fund a Mitigation Grant request, the applicant will receive disbursements of the grant as the General Assembly allocates such money for such purposes. The CWCB may determine that full funding is not available based on the number of Mitigation Grant applications and the distribution between east and west slope applicants.

Fish and Wildlife Resources Fund allocations will be made for both Board Policies 15 and 20 in the order that applications are received and approved.

The project applicant must have completed a fully executed funding contract with the CWCB within 2 years of the grant authorization by the CWCB or the Board will consider de-authorization of the grant.

**PURPOSE:** To establish an approval process for grants from the Fish and Wildlife Resources Fund.

**APPLICABILITY:** This policy and procedure applies to applications for grants from the Fish and Wildlife Resources Fund.

**PROCEDURE:** Prior to a Board meeting, the CWCB staff will prepare for the Board's consideration a summary of the technical, financial, and institutional characteristics of each proposed design plan or construction project. Each application will be reviewed for conformity with the goals and objectives of the CWCB Strategic Plan. Grant applications for Mitigation Grants shall be funded if the funds are available, and Enhancement and Species Recovery Grants will be considered after Mitigation Grants are fully funded.

The Board will consider and CWCB staff will evaluate and recommend to the Board Enhancement and Species Recovery Grant applications based on the following:

- Soundness of the project design, work plan or plan of study;
- Promotion of the goals and objectives of the Board's Strategic Plan;
- The need for the proposed project;
- The need for financial assistance; and
- Financial, technical, or administrative participation or coordination by all affected local governmental or other entities (in-kind or cost-share funding).

**NOTE:** Recognizing that future needs and responses to those needs cannot be predicted with certainty, the Colorado Water Conservation Board reserves the right to recommend for funding any design plan, engineering, or construction project that

it determines would: (1) address the fish and wildlife impacts from the construction of water diversion, delivery, and storage facilities that require a permit, license, or other approval from the United States; or (2) respond to needs of declining native species and to those species protected under the federal “Endangered Species Act of 1973”, 16 U.S.C. sec. 1531, et seq., as amended, in a manner that will carry out the state water policy.

Approved by the CWCB  
Date May 17, 2011  
Agenda Item 10



## Section 2: Grant Program Guidance

### 2.1 General Information

The State of Colorado recognizes the responsibility it holds for the protection of fish and wildlife resources in and around waters affected by water diversion, delivery or storage facilities. Given the statewide importance of fish and wildlife resources, the legislature has made funds available to mitigate impacts on them in a manner that maintains a balance between development of the state's resources and the protection of the state's fish and wildlife resources as specified in Colorado Revised Statutes (CRS) 37-60-122.2.

The Colorado Water Conservation Board (CWCB) has been vested with the authority to grant moneys for mitigation projects for existing facilities through the Fish and Wildlife Resources Fund Grant Program pursuant to CRS 37-60-122.2(5). This guidance document provides detailed information on the issuance and administration of grants from the Fish and Wildlife Resources Fund for mitigation of existing water diversion, delivery or storage facilities.

The Board's administration of the Fish and Wildlife Resources Fund is governed by the above statute and **Board Policy 15**

(available at <http://cwcb.state.co.us/Finance/RelatedInformation/LawsRules/Policies.htm>).

Information contained in the statute and policy supersedes these guidance documents.

### 2.2 Project Eligibility

Grants from the Fish and Wildlife Resources Fund can be accepted for the following types of projects:

1. The **appropriation of water rights** to preserve, or the **acquisition of water rights** to preserve or improve the natural environment to a reasonable degree to mitigate the impact of an existing water facility. All acquisitions or appropriations must be in compliance with Instream Flow Rules and state water laws.
2. **River restoration**, feasibility studies and construction projects designed to directly mitigate or significantly improve the environmental impacts of existing water facilities.
3. An appropriate **combination** of river restoration and water right acquisition or appropriation.



Photo of Trinchera Creek by Gary Kramer, USDA NRCS

### 2.3 Applicant Eligibility

Eligible applicants include operators of existing water diversion, delivery or existing storage facility projects and the Colorado Water Conservation Board (CWCB). Entities that do not operate such facilities, such as certain

## FISH AND WILDLIFE RESOURCES FUND GRANT

### COLORADO WATER CONSERVATION BOARD



municipalities, watershed groups, and others, are encouraged to contact CWCB staff to explore the opportunities for joint application with the CWCB. Please see the “Eligibility” section in this document for more details and examples for interested applicants.

#### ***2.4 Submittal Procedure and Requirements***

Grants will be accepted throughout the year and reviewed on the following basis. From the date of application, CWCB staff review and evaluation will normally take 120 days. At a subsequent regular or special CWCB Board meeting, the Board will take action on a final funding determination. Contracting normally takes four to six weeks. While exceptions to this schedule will be considered on a case-by-case basis, applicants are encouraged to allow sufficient time for review and contracting.

Three copies of the complete application should be submitted in hard copy, single or double-sided and unbound. The application should be formatted with no less than 11-point font and no less than one-inch margins. An electronic version must also be submitted on a CD, floppy disk or via email (appendices do not need to be submitted electronically). A checklist is provided with the application packet to help applicants ensure that all materials are included.

To apply for funding from the Fish and Wildlife Resources Fund, an applicant must complete an application that contains the following sections:

- Applicant Information (1 page)
- Project Summary Form (1 page)
- Technical Narrative Description\* (5 pages maximum)
- Budget Form (1 page)
- Appendices (varies)

\* A detailed description of the technical narrative is included in the application package. In summary, the narrative should include:

- Project Need/Definition of the Problem
- Project Goals and Objectives
- Technical Feasibility of the Proposed Project
- Project Implementation Plan
- Project Time Schedule
- Monitoring Plan
- Qualifications of the Applicant (as an organization and individuals)
- Coordination Plan and Public Involvement
- Appendices, including maps, legal documents, letters of support, other materials

#### ***2.5 Pre-Applications***

Prospective applicants are encouraged to submit a pre-application to the CWCB at any time. A pre-application provides applicants the opportunity to obtain a non-binding opinion from the CWCB staff on whether a particular conceptual proposal may be an appropriate project for funding from the Fish and Wildlife Resources Fund before engaging in the time-consuming process of preparing a comprehensive proposal. Interested parties should submit a proposal

## FISH AND WILDLIFE RESOURCES FUND GRANT

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abstract of no more than three paragraphs describing the proposed project and map or conceptual design of the project area. Please contact Tom Browning to discuss your project or for additional information. Their contact information can be found on the last page of this document.

#### ***2.6 Application Evaluation Criteria***

The following criteria will be used to evaluate applications to the Fish and Wildlife Resources Fund. These will be deduced from your technical narrative, so please be sure that the following issues are addressed. More detailed information is available in the application packet.

<b>Criteria</b>	<b>Points</b>
Urgency/Need <i>A measure of the urgency for the project work and the need for funding from the CWCB.</i>	15
Project Benefits <i>A measure of the state-wide and local project benefits</i>	15
Technical Merit/Soundness of Proposal <i>Is the project well designed and will it have a significant impact on the health of the stream system?</i>	30
Organizational Capacity <i>Does the applicant organization and others working on the project have the skill, capacity and history of achievements for this project to be successful?</i>	20
Coordination/Public Involvement <i>Has the applicant identified and established all necessary partnerships, permits and permissions?</i>	20

A special note on water rights appropriations and acquisitions: The Board will consider and CWCB staff will evaluate and recommend to the Board grant applications for appropriation or acquisition of water rights to be held by the Board on the following project types:

- Instream flow water rights that assist in the administration of compact-entitled waters, or address problems relating to compact-entitled waters
- Instream flow water rights that facilitate the resolution of federal water rights issues
- Instream flow water rights that assist in the recovery of threatened or endangered wildlife species or the conservation of existing wildlife species within riparian ecosystems.

Please remember to demonstrate how your project will help the CWCB to further its mission to “Conserve, develop, protect and manage Colorado’s water for present and future generations.”

To achieve this mission, the CWCB must develop and implement programs to:

- Conserve the waters of the State for wise and efficient beneficial uses
- Develop waters of the State to:
  - Preserve the natural environment to a reasonable degree
  - Fully utilize state compact entitlements
- Protect the waters of the State for maximum beneficial use without waste
- Manage the waters of the State in situations of extreme weather conditions – both for floods and droughts





### ***2.7 Funding***

The grant program is managed on an annual cycle that begins July 1, consistent with the state fiscal year. Awards in a given fiscal year cannot exceed the amount available for grants in the Fish and Wildlife Resources Fund for that year.

Applicants are encouraged to compile an appropriate mix of cash and in-kind funding sources. The following information provides some guidance on what is considered in-kind and what is considered a cash match.

Please be aware that projects should be completed within three years of receiving funding. Any extensions must be negotiated in advance with the CWCB project manager. If a grant cannot be completed any unexpended funds will revert to the Fish and Wildlife Resources account.

#### ***Matching Funds***

Only project costs incurred six months prior to the application deadline, costs incurred during the project performance period specified in the contract, and costs identified in the grant application budget are eligible to qualify as matching funds. All matching funds, cash and in-kind, must be eligible.

#### ***Cash Match***

Actual expenditures paid directly with cash funds from the grantee to a vendor. Examples are supplies, services, studies and equipment.

#### ***In-Kind Match***

- Services and labor provided by the paid staff of the grantee to perform all or part of the approved project scope of work. This can include direct and indirect personnel fringe benefit costs such as employee insurance, retirement benefit costs, vacation time, holiday time and sick leave time.
- Services provided at no cost to the grantee by firms or individuals to perform part of the approved scope of work that requires specialized or expert skill and knowledge. This is paid labor and can be included as an in-kind match.
- In addition, general organizational operating costs such as utilities, general operating supplies and services, amortized costs or rental costs for buildings and equipment used for the general operation of the organization, and general property and liability insurance costs may be included in the hourly rate.
- Any grant received from the CWCB cannot be used as a match to another grant from the CWCB.



Medano Creek Geneva Bailey The Nature





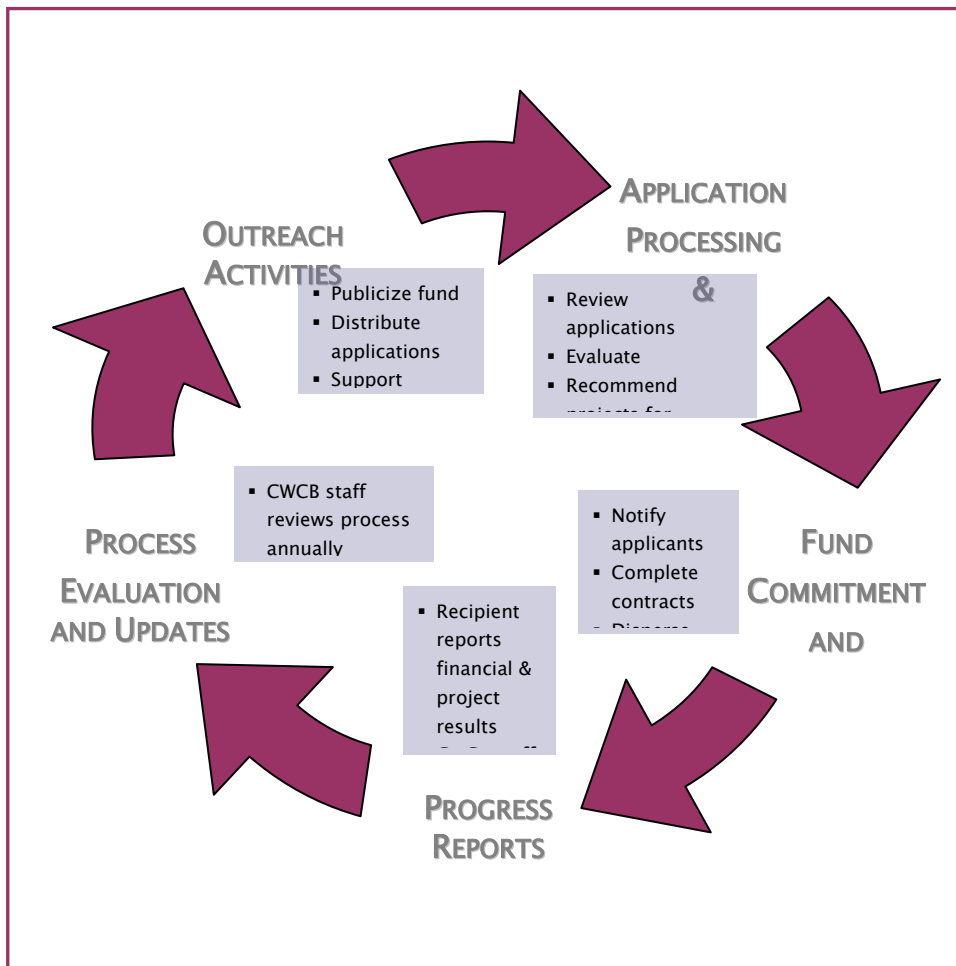
*Payments*

If an application is accepted for funding, please note that payments will be made only after work is completed, no up-front payments can be made. The CWCB will pay by invoice on completed tasks.

**2.8 Timeline**

Grants will be accepted throughout the year and reviewed on the following basis. From the date of application, CWCB staff review and evaluation will normally take 120 days. At a subsequent regular or special CWCB Board meeting, the Board will take action on a final funding determination. Contracting normally takes four to six weeks after the final funding determination. While exceptions to this schedule will be considered on a case-by-case basis, applicants are encouraged to allow sufficient time for review and contracting. Please contact Chris Sturm (contact information at the end of this document) to discuss exceptions.

**2.9 Administration**



Grant Program Administration

The diagram at left outlines the key steps in the grant process for the Fish and Wildlife Resources Fund as administered by the staff of the CWCB.

Note that on an annual basis the CWCB staff will:

- Publicize the program
- Collect and review applications
- Make funding recommendations to the CWCB Board
- Work with successful applicants to complete contracts to begin project work
- Review progress and help address project issues that may arise
- Disperse funds upon successful completion of their project
- Review and update the grant process as appropriate.



***2.10 Checklist for Completeness of Application***

A checklist is included with the application to help applicants ensure that they have all necessary materials completed and included with their final application.

***2.11 Successful Applicants***

Once an application is selected for funding, the applicant will be required to submit a W-9 form for payment purposes.

Typically, a contract will take four to six weeks to be processed through the state system, though additional time may be necessary. The CWCB project manager will be in communication with the grant recipient during this time if any significant delays arise. A successful applicant will need to prepare a detailed scope of work before the contract can be executed. The CWCB staff will provide an example scope of work.

Successful applicants will need to submit progress reports to the CWCB staff. A progress report needs to be submitted at 50% completion of the project. A final report is due upon completion. Payment of 15% will be retained until full completion of the project, including the preparation and approval of a final report and site inspection if deemed necessary by the CWCB staff.

***2.12 Contact Information***

Interested parties are strongly encouraged to call the CWCB to discuss potential applications and this grant fund.

For more information, please contact CWCB Project Manager:

Chris Sturm, Stream Restoration Coordinator

[chris.sturm@state.co.us](mailto:chris.sturm@state.co.us)

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