

**California Department of Water Resources  
Flood Protection Corridor Program  
Proposition 84 Funding Cycle**

**Competitive Application Workshop Questions and Responses  
October 3, 2007  
1:00pm – 3:00pm**

**Department of Water Resources – San Joaquin District Office  
3374 East Shields Avenue, Fresno CA 93704**

**Q: If there are not any projects in the Central Valley, since it is a statewide program, will there be a higher point value in the Central Valley?**

A: No, unfortunately there will be no extra points given. We're hoping good projects will come in from that area that will compete well on their merits.

**Q: You sent the RFP's back in August. How did you determine who you were going to send those out to?**

A: We sent out about 2,700 notices to every city, county, flood control district and flood safe and flood protection corridor mailing list. If you were on the list, you should have gotten a notice. We did not send them out to non-profits. If you did not receive a notice, you can go to the flood safe website to be added to the mailing list.

**Q: Is this funding available for local government agencies?**

A: Yes, any local government entity and non-profit organization can apply.

**Q: We do not have to be a 501C (3)?**

A: No, you do not have to be a 501C(3), but you have to be able to demonstrate that the organization is a legally constituted non-profit entity with long term sustainability and sufficient staff and resources to manage a large grant.

**Q: If we are looking to purchase property and the land owner is willing to sell, how would it be appraised if their thinking is that it is developmental property, and we are thinking of it as agricultural land?**

A: The appraisal would express an opinion of fair market value based on comparable sales in the area, income potential, or other acceptable appraisal method.

**Q: Would this appraisal be prepared by DWR's appraiser?**

A: No, that it would be done by the applicant's appraiser, but DWR or another State agency would review it.

**Q: The program started in 2000 with \$70 million dollars. Now you are showing funding for FY 07/08 for \$24 million is that part of the \$70 million, and are we getting toward the end of the funding?**

A: The \$70 million is all allocated,  $\frac{3}{4}$  of that has been spent for projects selected in 2003. There is \$40 million in new money from Prop 84, and \$24 million of this is available in the current fiscal year. We have not had any solicitations since 2003 because we have not had any bond issues that have made funds available for grants under the FPCP.

**Q: There is funding for this year, but not in subsequent years at this point?**

A: Next year we are expecting \$40 million from Prop 1E and \$11 ½ million from Prop 84 for local projects.

**Q: Under Section 7 application under the guidelines, Item #8, a demonstration of the project is technically feasible, also Item #9, a hydrolic/hydrological analysis is needed?**

A: If you do not have a full hydrologic study available, DWR will accept a licensed engineer's or hydrologist's opinion of benefits, provided your work program has early in project implementation completion of a full hydraulic/hydrological study that can confirm whether the anticipated flood benefits are realistic. If they are, then the rest of the project can move forward.

**Q: Item #10, what about the completed California Environmental Quality Act (CEQA) checklist?**

A: The CEQA checklist is an appendix to the state CEQA guidelines. It doesn't matter who does the CEQA checklist, as long as the preparer does a competent job. What DWR is looking for is the assessment of what the anticipated environmental effects are. If you have completed environmental documents, that would be even better. But if you are a non-profit and cannot serve as a CEQA lead agency you can still do a checklist. This checklist would not be official under CEQA but it would be informative for our application purposes. Before moving forward with the project, the applicant would have to find a lead agency that would be willing to serve in that capacity (e.g. County, Flood Control District, or other local or State government agency that would be willing to serve as the CEQA lead agency).

**Q: The person doing the hydraulic analysis, do they have to be a registered engineer?**

A: Yes, it must be done by a licensed hydrologist or engineer.

**Q: Are there examples anywhere that would help for those who have never done an application before?**

A: There are examples on the FPCP website at [www.dfm.water.ca.gov/fpcp](http://www.dfm.water.ca.gov/fpcp).

**Q: If the project preserves agricultural land, and grant money is used to purchase the property, who would own the property?**

A: The program attempts to buy easements first, to keep the property on the tax rolls. The easement would be owned by the grantee if the purpose of the easement (flood benefits and agricultural land or habitat preservation) matches the grantee's organizational mission. Or the easement could be owned by another entity such as a land conservancy, resource conservation district, flood control district, or regulatory agency such as the Department of Fish and Game. If a seller will only sell fee title, the grantee

can purchase it on its own behalf or on behalf of someone else. To protect the State's investment, when fee title is acquired, a conservation and flood easement would have to be granted to a third party that meets the organizational mission criterion listed above. If a non-taxpaying entity such as a State agency will be accepting fee title, a letter of concurrence is required from the County that will be losing the property tax payments from its tax base.

**Q: Non-structural v. Structural. What about storm water outfalls or discharge points that would relieve flood-prone areas?**

A: It depends on the circumstances and the design of the proposal. If you are just conveying storm water runoff to the river in a culvert, that would not work fit the program. However, a weir that spills at a predetermined flood stage into the flood plain or into an open stream might be fundable if the structural portion is a small part of the overall costs. Creating an open stream channel, particularly if it is in a location where a stream used to flow might be fundable. There would have to be some sort of agricultural land or habitat conservation resulting from your project in addition to the flood benefits.