

DRAFT

Small Communities Flood Risk Reduction Program

PROPOSAL SOLICITATION PACKAGE

Phase 1 Feasibility Study

STATE OF CALIFORNIA

DEPARTMENT OF WATER RESOURCES

DIVISION OF FLOOD MANAGEMENT

November 5, 2015

Small Communities Flood Risk Reduction (SCFRR) Program

PROPOSAL SOLICITATION PACKAGE (PSP)

The California Department of Water Resources (DWR) invites you to submit a SCFRR Program project proposal. SCFRR Program funding comes from Disaster Preparedness and Flood Prevention Bond Act of 2006 (Proposition 1E; Pub. Resources Code, § 5096.800 et seq.) as approved by the electorate on November 7, 2006.

PROPOSAL DUE DATE

Friday, January 29, 2016, at 5:00 p.m. Pacific Time
All applications must be received by this time and date.

PROPOSAL SUBMITTAL

Submit **one** electronic copy and **one** hard copy for each proposal. Submitting a CD-ROM, DVD, or USB flash drive is acceptable, either in MS Word-compatible format or in a searchable PDF format with content copying enabled. Hard copies or hard-copy appendices must be completely legible and suitable for copying.

To submit by mail:

California Department of Water Resources
P. O. Box 942836, Sacramento, CA 94236-0001
Attention: S. Greg Farley, PE

By hand delivery or overnight carrier:

S. Greg Farley, PE, DWR
3464 El Camino Avenue, Suite 210
Sacramento, California 95821

By e-mail: SCFRR@water.ca.gov

QUESTIONS? NEED ASSISTANCE? CONTACT:

S. Greg Farley, PE
SCFRR Program Manager
(916) 574-1042
SCFRR@water.ca.gov

For an electronic copy of this PSP please go to:

www.water.ca.gov/floodmgmt/funding/small-communities.cfm

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1. BACKGROUND

The Small Communities Flood Risk Reduction (SCFRR) Program was created as a result of the adoption of the 2012 Central Valley Flood Protection Plan (CVFPP) and is intended to invest in qualifying projects that reduce flood risks for small communities. As specified in the CVFPP, small communities are defined as developed areas with fewer than 10,000 residents, which do not fall in the category of urban. Small communities are required to meet the Federal Emergency Management Agency (FEMA) standard “100-year” level of flood protection (defined as protection from a flood with a 1-in-100 probability of occurrence in any given year) for property located within the flood hazard zone.

The SCFRR Program will support the implementation of flood risk reduction projects for small communities protected by State Plan of Flood Control (SPFC) facilities in the Sacramento-San Joaquin Valley. State funding will help small communities and counties to conduct feasibility studies, and, through a future PSP, design and construct projects with proven feasibility. The selected projects under the SCFRR Program will first conduct a feasibility study of structural and/or non-structural alternatives for providing 100-year flood protection for small communities. The structural alternatives could lead to the design of projects to repair, rehabilitate, reconstruct, or replace SPFC facilities to improve flood protection.

DWR published the *Draft Small Communities Flood Risk Reduction Program Guidelines* on October 12, 2015, which details the purpose, process, and requirements of the SCFRR Program. The final *SCFRR Program Guidelines* are specifically incorporated into this PSP. All requirements for projects under the *SCFRR Program Guidelines* apply to this PSP. A copy of the final *SCFRR Program Guidelines* is available at: <http://www.water.ca.gov/floodmgmt/scfrr/guidelines/>.

Under the SCFRR Program, State investments must be consistent with the State Systemwide Investment Approach (SSIA) in Section 3.0 of the CVFPP. Projects must be shown to be feasible. For a project to be consistent with SSIA, the project must incorporate CVFPP principles and contribute to the applicable integrated water management plan objectives, which target public safety, economic stability, and ecosystem vitality. Investments will only be made for projects that reduce flood risks in small communities protected by SPFC facilities. In addition, funded projects should be consistent with applicable regional flood management plans and make significant progress toward the following:

- Help the small community to attain FEMA's standard level of flood protection through the:
 - Full compliance with the existing laws;
 - Promotion of flood risk management actions that will reduce flood risk to people and property protected by the SPFC;
 - Land use planning in the floodplains protected by the SPFC which through the evaluation of potential future development, will not increase the State's liability;
 - Advancement of flood protection for small communities while evaluating and considering multi-benefit projects that integrate other resources' needs (water supply, ecosystem, recreation, open space, effective flood emergency response, protection of State facilities, storage, etc.), as much as possible; and
 - Support for the ability of the flood management system to adapt to changing conditions (hydrologic, climate change, social, political, regulatory, or ecological conditions), where feasible, and its capacity to continue to function and recover quickly after damaging floods.
- Supports a system-wide approach to flood management that improves flood system resiliency and sustainability;
- Improves operations and maintenance and emergency response;
- Promotes ecosystem functions;
- Improves institutional support.

This PSP contains specific information regarding the application submittal and selection process, the SCFRR Program eligibility requirements, the anticipated schedule for submittal and review of the applications, information regarding what the application should contain, required forms, and the criteria by which applications will be evaluated.

Applicants should review the *SCFRR Program Guidelines* as well as this PSP to ensure that all program requirements are met.

2. AUTHORIZED FUNDS

The Disaster Preparedness and Flood Prevention Bond Act of 2006 (Proposition 1E; Pub. Resources Code, § 5096.800 et seq.) authorized funding to repair, rehabilitate, reconstruct, or replace levees, weirs, and bypasses to the SPFC facilities. Proposition 1E requires that the funds be expended while (1) securing the maximum feasible amounts of federal and local matching funds; (2) ensuring prudent and cost-effective use of the funds to the extent that doing so does not prohibit timely implementation of disaster preparedness and flood prevention projects; (3) prioritizing the selection of projects to achieve maximum public benefits from the use of the funds; and (4) supporting an

investment strategy that meets long-term flood protection needs and minimizes California taxpayer liabilities from flooding.

The Proposition 1E bond funds to be used for the SCFRR Program allow the Department of Water Resources (DWR) to fund projects that evaluate, repair, rehabilitate, reconstruct, or replace levees, weirs, bypasses, and SPFC facilities by all of the following actions:

- Repair erosion sites and remove sediment from channels or bypasses.
- Evaluate and repair levees and any other SPFC facilities.
- Implement mitigation measures for a project by funding participation in a natural community conservation plan, pursuant to Fish and Game Code section 2800 et seq., to facilitate eligible projects.

3. ELIGIBLE APPLICANTS

An applicant must be a local public agency with land use authority within the area(s) protected by the SPFC facilities. The applicant must work collaboratively with the DWR to formulate alternatives to reduce flood risks for small communities by preparing a feasibility study report. The applicant will work closely with the DWR, local regional flood management groups, and reclamation districts to prepare feasibility studies, design, and implement small community projects.

Due to financial limitations, DWR will likely not be able to provide 100-year level of flood protection for every small community within the areas protected by SPFC at this time. DWR and the applicant will collaborate to define the project's boundaries, scope of work, and to prioritize the project's actions through development of the feasibility studies.

4. ELIGIBLE PROJECTS

A project is defined as distinct work that is separately identifiable and physically separable from other work and will, on its own or as part of other work, provide flood protection for small communities protected by SPFC facilities.

Eligible projects will initially be limited to project feasibility studies. The feasibility studies will be consistent with the current requirements of the *Guidelines for Development of State-Led Feasibility Study*. An electronic copy of this document is available to download at: www.water.ca.gov/floodmgmt/funding/small-communities.cfm. A feasibility study is an evaluation and analysis of the potential of a proposed project that is based on a sufficient level of investigation, including alternatives analyses, and research to support the process of decision-making toward the preferred alternative including environmental review. These feasibility studies will be used to investigate and recommend solutions to water resources/flood risk reduction deficiencies.

The feasibility study process will begin with project scoping, continue with an alternatives analysis, and then identify a preferred alternative. Each study will incorporate quality engineering, economics, real estate, and environmental analyses, with the goal of ensuring that the feasibility study results in an actionable and concise decision document within a reasonable time frame and cost. The end result of the feasibility study is to identify a preferred alternative. The preferred alternative could also be a non-structural option, including water proofing and raising structures, or purchasing and removing structures from the floodplains. Any purchases of structures, land, or interests in land must be from willing sellers.

It is important to note that the limited availability of money within this funding cycle requires DWR investment prioritization based on the flood risk reduction that a proposed project can achieve when it is compared with other proposed projects. The investment prioritization will influence the project ranking for eligibility. Other considerations include the ability of the project to add resiliency and flexibility to the flood management system with a preference for integrated multi-benefit projects. See Appendix 1, Project Ranking Table, for full details. Projects may require a local cost share in accordance with the *Cost Share Guidelines for State-Local Cost Shared Flood Programs and Projects* (Cost Share Guidelines) published on December 11, 2014. An electronic copy of this document is available to download at: <http://www.water.ca.gov/floodmgmt/docs/Cost-Share-Guidelines-Final-12-11-14.pdf>.

5. PROPOSAL SELECTION PROCESS

According to the Cost Share Guidelines, feasibility studies may be cost shared up to 50 percent by DWR. However, for small communities, DWR will fund all reasonable and eligible costs needed to complete a feasibility study, up to a maximum of \$500,000 per applicant/per project. Any amounts incurred over \$500,000 shall be cost shared at 50 percent between the applicant and DWR.

The proposal preparation, review, and prioritization process for feasibility study applications consists of the following steps:

- A. Applicants seeking to improve flood protection for small communities under their jurisdiction may prepare a proposal for DWR's review and consideration. The proposal should include the following:
 - i. Agency name, authorized representative, physical and email addresses, and phone number.
 - ii. Small community's name that is under the applicant's jurisdiction, population, community map, current flood protection structures, and related project

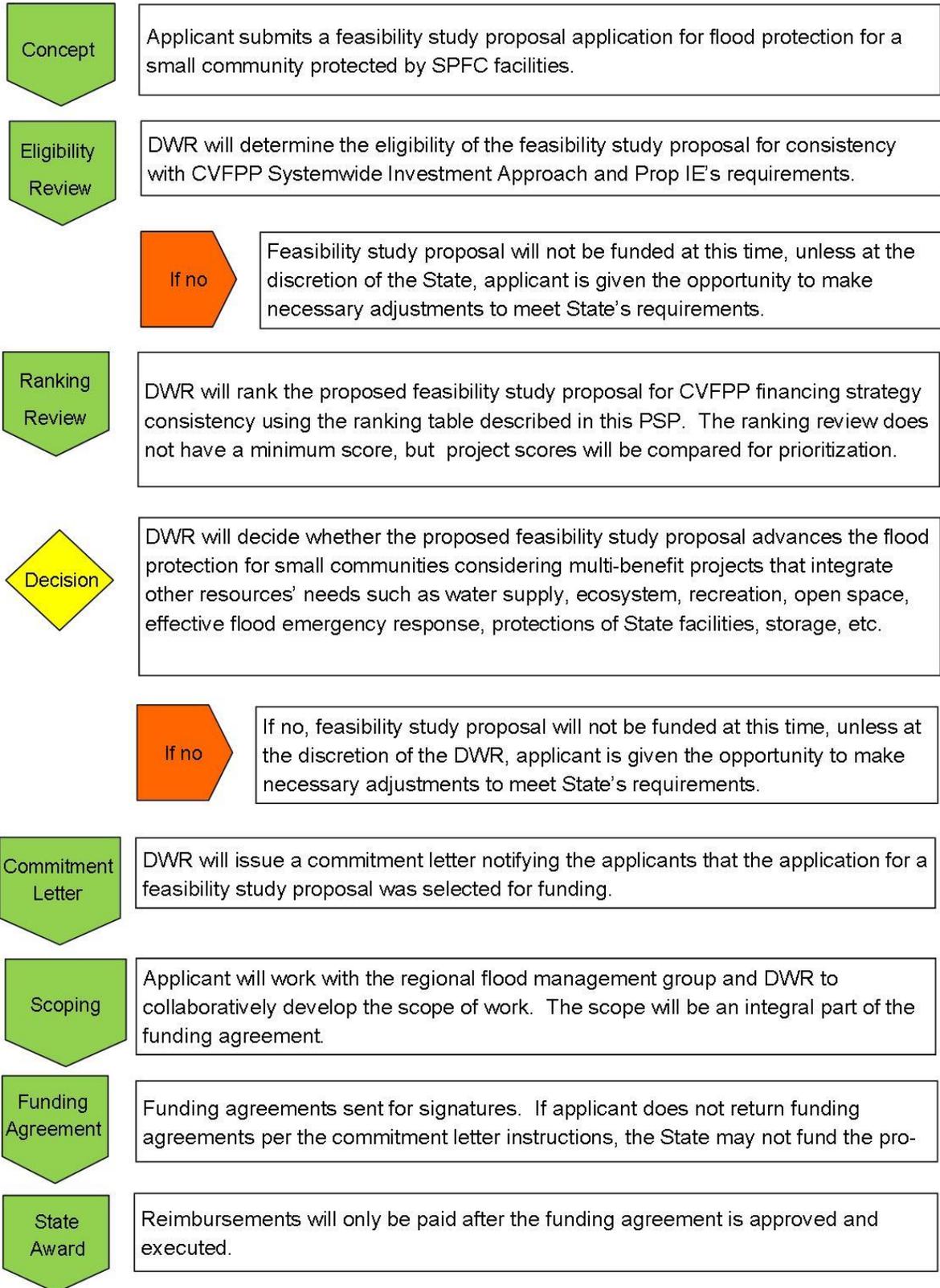
information. Include a description of the community's flood related problem and a description of potential project alternatives, schedule, cost, and scope.

The proposal should not exceed 10 pages, including attachments.

- B. DWR will review the proposal and verify eligibility as detailed below. If the project is eligible, DWR will meet with the applicant and work with them to refine the scope of work to ensure the proposal's consistency with the *CVFPP State Systemwide Investment Approach* and Proposition 1E's requirements. The applicant's representative and DWR will collaboratively prepare a final scope of work and estimated cost, cost-sharing (if any), and schedule of the feasibility study's completion. The final scope of work will represent the State's interest in investing in the small community flood risk reduction feasibility study. DWR has a database of updated hydrologic, hydraulic, geodetic, and geotechnical evaluations, as well as expertise to assist local agencies in formulation and completion of the feasibility study. The implementation of the scope of work may be between DWR and the local public agency; DWR's assistance can save money and reduce the costs of the feasibility study.
- C. The applicant will also coordinate with the regional flood management planning group and other interest groups affected by the proposed project. The applicant will need to adopt a resolution authorizing: the submission of the application for funding from DWR; that it will comply with all applicable laws and regulations applicable to the funding source; and, identify the authorized representative of the applicant who may execute the funding agreement and submit all necessary documents. An example of an authorizing resolution is provided in Appendix 3.
- D. Once the applicant's project is selected, the applicant may enter into a funding agreement with DWR. The funding agreement is an agreement between the applicant and DWR covering the terms by which the applicant shall work to fund, manage, and complete the project. After execution of a funding agreement, the applicant is referred to as the grantee. The funding agreement must include a work plan that describes the work to be performed, a detailed budget, a detailed schedule, and reporting requirements. A draft funding agreement template will be available for review with the PSP.
- E. The applicant shall be responsible for complying with the California Environmental Quality Act (CEQA; Pub. Resources Code § 21000 et seq.) and obtaining all necessary permits and approvals for the project.

The figure below represents the application and selection process that will be used to evaluate all proposals that are submitted for funding consideration.

Small Communities Flood Risk Reduction Program Proposal Solicitation



6. REQUIRED APPLICATION MATERIALS

Prior to preparing a feasibility study funding agreement with the local public agency representing the small community, the local public agency must submit the following information documents to DWR:

1. An Application Information Form (Appendix 2);
2. A Local Public Agency Authorizing Resolution (Appendix 3);
3. Project description, including a preliminary scope of work (note the detailed final scope of work developed collaboratively with the State), with schedule and budget (Appendix 4);
4. Attorney's Certification (Appendix 5);
5. Evidence of CEQA compliance, as described in the DWR Environmental Information Form (Appendix 6); and,
6. A statement of financial disposition of the local agency.

7. PROPOSAL RANKING

Feasibility study applications will be evaluated for completeness and benefits to the State, community, and region. Applications will be reviewed for consistency with CVFPP State Systemwide Investment Approach and Proposition 1E's requirements. The applications will be evaluated next using the same Ranking Table in Appendix 1. While a minimum score is not required, DWR will use the scores to prioritize applications. The highest ranked applications will be considered for funding. After eligibility requirements have been met and verified, applications will be selected for funding subject to available funding.

DWR reserves the right to set a minimum threshold of ranking points that an application must meet in order to merit funding. In addition, DWR may, at its discretion, issue additional PSPs if proposals accepted under this PSP do not use all available funding and/or do not merit funding according to the State's investment priorities

8. ANTICIPATED SCHEDULE

The following is the anticipated schedule for the SCFRR Program proposal submittal and review process:

- October 2, 2015 *Draft SCFRR Program Guidelines* approved by the Director and released to the public.
- January 15, 2016 **Proposals must be received by 5:00 p.m. PST**
- March 1, 2015 DWR notifies Local Agencies of results of funding decisions.

9. REQUIREMENTS WHEN SIGNING A FUNDING AGREEMENT WITH THE STATE

9.1 Conflict of Interest and Confidentiality

All participants are subject to State conflict of interest laws. Failure to comply with these laws, including business and financial disclosure provisions, will result in the proposal being rejected and any agreement being declared void. Other legal action may also be taken. Applicable statutes include, but are not limited to, Government Code section 1090 and Public Contract Code sections 10410 and 10411.

As part of the conflict of interest requirements, individuals working on behalf of a grantee may be required by the State to file a Statement of Economic Interests (Fair Labor Practices Commission Form 700) if it is determined that an individual is a consultant for Political Reform Act purposes.

Applicants should be aware that when submitting a proposal to the State, they will waive their rights to the confidentiality of the contents of the proposal. Once final awards have been announced by DWR, all proposals are subject to disclosure pursuant to the California Public Records Act. (Gov. Code, § 6250 et seq.)

9.2 Indemnify and Hold Harmless

As part of the funding agreement, applicants shall indemnify and hold harmless the State, its officers, agents, and employees free and harmless from any and all liability from any claims and damages arising from the planning, design, construction, repair, replacement or rehabilitation, maintenance, and operation of the project and any breach of the funding agreement.

9.3 Labor Code Compliance

The grantee will be required to keep informed about and take all measures necessary to ensure compliance with California Labor Code requirements, including, but not limited to, section 1720 et seq. of the Labor Code regarding public works, limitations on use of volunteer labor (Lab. Code, § 1720.4), labor compliance programs (Lab. Code, §

1771.5), and payment of prevailing wages for projects funded with public funds (i.e., grant funds).

Appendix 1 Project Ranking Table

		Total Points
Improve Flood Risk Management (50 points)	<p><u>People and Property at Risk</u></p> <p>Reduce flood risk to people and property within floodplains protected by the SPFC. Flood threats to small communities were characterized in the CVFPP using attributes related to flood frequency, potential flood depth, and proximity to the nearest river. These characterizations are used to prioritize the small communities into four categories:</p> <p><i>Up to 30 Points Group A (High Hazard)</i> Communities subject to high flooding frequency (greater than 1 percent per year) and also subject to deep flooding conditions (potential flood depths exceeding 3 feet on average).</p> <p><i>Up to 20 Points Group B (Moderate to High Hazard)</i> Communities subject to high flooding frequency (greater than 1 percent per year), subject to sheet flooding conditions (potential flood depths of less than 3 feet on average), and less than two miles from a major flooding source.</p> <p><i>Up to 10 Points Group C (Low to Moderate)</i> Communities subject to high flooding frequency (greater than 1 percent per year), subject to sheet flooding conditions (potential flood depths of less than 3 feet on average), and more than two miles from a major flooding source.</p> <p>Up to 5 Points Group D (Low Hazard) Communities that are not subject to high flooding frequency (less than 1 percent per year).</p>	30
	<p><u>Flood System Flexibility and Resiliency</u></p> <p>Improve the ability of the flood management system to adapt to changing conditions (hydrologic, climate change, social, political, regulatory, or ecological conditions) and to continue to function and recover quickly after damaging floods.</p>	10
	<p><u>Floodplain Management</u></p> <p>Manage floodplains protected by the SPFC. Project will not increase urbanization of rural agricultural areas in deep floodplains. Manage and address residual risks, particularly in areas of deep or rapid flooding.</p>	10

<p>Promote Ecosystem Functions (30 Points)</p>	<p><u>Conservation Strategy Goals</u></p> <p><i>The Draft Central Valley Flood System Conservation Strategy provides specific targeted metrics for each ecological objective and ecosystem goal within a Conservation Planning Area (CPA). Projects should contribute to the objectives identified in the report. Points will be based on the project’s ability to meet goals and significantly contribute to objectives as specified in the Draft <i>Central Valley Flood System Conservation Flood Strategy</i>, January 2015. See Metrics for Ecosystem Process, Habitat, and Stressor Objectives Table, page 15 below.</i></p> <p>Ecosystem Processes – Improve and enhance natural dynamic, hydrologic, and geomorphic processes.</p> <p>Habitats – Increase and improve quantity, diversity, quality, and connectivity of riverine aquatic and floodplain habitats.</p> <p>Stressors – Reduce stressors related to development and operation of flood management system that negatively affect at-risk species (e.g., reduce revetment, amount of disconnected floodplains, fish passage barriers, and invasive plants).</p> <p>Species – Contribute to the recovery and stability of native species populations and overall biotic community diversity.</p> <p>Up to 30 points</p> <p>Projects that significantly contribute to measurable objectives for targeted metrics in 2 or more goals (e.g. multiple metrics within Habitats and Stressors) OR significantly contribute to measurable objectives for multiple targeted metrics under 1 ecosystem goal (e.g. riparian, marsh, and SRA cover within Habitats).</p> <p>Up to 10 points</p> <p>Projects that moderately contribute to measurable objectives for a targeted metric under multiple ecosystem goals (e.g riparian within Habitat and river meander within Ecosystem Processes) OR projects that moderately contribute to measureable objectives for several targeted metrics of 1 goal (e.g. riparian and marsh within Habitats).</p> <p>Up to 5 points</p> <p>Projects that contribute to measureable objectives for at least one targeted metric under one goal.</p>	<p>30</p>
<p>Promote Multi-Benefit Projects (10 Points)</p>	<p><u>Integrated Water Management</u></p> <p>Promote multi-benefit projects that integrate other resource needs (water supply, recreation, open space, effective flood emergency response, protection of State facilities, groundwater, storage etc.), where feasible.</p>	<p>10</p>
<p>Improve O&M (10 Points)</p>	<p><u>Long-term Cost of O&M</u></p> <p>Reduce Systemwide maintenance and repair requirements by modifying the flood management systems in ways that are compatible with natural processes, and adjust, coordinate, and streamline regulatory and institutional standards, funding, and practices for operations and maintenance, including significant repairs.</p>	<p>10</p>
<p>Improve Institutional Support (10 Points)</p>	<p><u>Improve Institutional Support</u></p> <p>Develop stable institutional structures, coordination protocols, and financial frameworks that enable effective and adaptive integrated flood management (designs, operations and maintenance, permitting, preparedness, response, recovery, and land use and development planning).</p>	<p>10</p>
<p>Total</p>		<p>110</p>

METRICS FOR ECOSYSTEM PROCESS, HABITAT, AND STRESSOR OBJECTIVES¹

Goal	Targeted Ecosystem Process, Habitat, or Stressor	Metric
<p>Ecosystem Processes. Improve dynamic hydrologic and geomorphic processes.</p>	<p>Floodplain Inundation</p>	<p>Inundated Floodplain—total amount (acres) of 50-percent flows (i.e., a 2-year event) with 14-day or longer duration during December–May: This is a metric of the amount of inundated floodplain benefiting riverine ecosystems and, in particular, target fish species. These amounts are derived from hydraulic modeling using data developed for planning flood management projects.</p>
	<p>Riverine Geomorphic Processes</p>	<p>Natural Bank—total length (miles): Natural bank is a component of SRA cover and bank habitat and is necessary for migration of a river channel. Its length is related to the area of floodplain potentially reworked by channel migration (river meander). The length of natural bank can be readily measured from imagery, topographic data, and DWR-maintained inventories of revetment.</p>
		<p>River Meander Potential—total amount (acres): Movement of a river channel across its floodplain regenerates channel and floodplain habitats. River meander potential is the area of floodplain that has the potential to be reworked by the meandering channel because it is within the river’s natural meander zone, not underlain by substrates resistant to erosion, and not isolated by revetted banks or levees. Areas with river meander potential can be cost-effectively mapped using aerial photography, inventories of revetment and levees and existing geologic/soils data.</p>
<p>Habitats. Increase and improve quantity, diversity, quality, and connectivity of riverine aquatic and floodplain habitats.</p>	<p>SRA Cover</p>	<p>Natural Bank—total length (miles): see natural bank description under “Riverine Geomorphic Processes.”</p>
		<p>Riparian-Lined Bank—total length (miles): Riparian-lined banks are natural or revetted banks bordered by trees and shrubs. Riparian-lined banks are an attribute of SRA cover and because SRA cover exists only along channel margins, length is a direct measure of its quantity. Mapping of riparian-lined banks is related to the mapping of riparian vegetation, natural bank, and revetment, all of which DWR inventories for multiple purposes.</p>
	<p>Riparian</p>	<p>Habitat Amount—total amount (acres) in floodways: The area of riparian vegetation (i.e., riparian forests, woodlands, and scrub) is a direct measure of its quantity. DWR has mapped this vegetation in the Sacramento and San Joaquin Valleys.</p>
	<p>Marsh (and Other Wetlands)</p>	<p>Habitat Amount—total area (acres) in floodways: The area of marsh and other wetlands is a direct measure of their quantity. DWR has mapped this vegetation in the Sacramento and San Joaquin Valleys.</p>
	<p>Floodplain Agriculture—Wildlife-Friendly</p>	<p>Habitat Amount—total amount (acres) of wildlife-friendly agriculture in floodways: The area of floodplain agricultural land with wildlife-friendly agricultural practices is a direct measure of its quantity. Wildlife-friendly practices are those increasing habitat value for target wildlife species; fish habitat provided by inundated agricultural land is addressed under inundated floodplain. Areas implementing wildlife-friendly practices have not yet been mapped.</p>

Goal	Targeted Ecosystem Process, Habitat, or Stressor	Metric
<p>Stressors. Reduce stressors related to the development and operation of the SPFC that negatively affect at-risk species.</p>	<p>Fish Passage Barriers</p>	<p>Fish Passage Barriers—number of high-priority barriers remediated: This metric documents the number of high-priority barriers modified to improve passage. DWR has inventoried and prioritized barriers in the Sacramento Valley and inventoried barriers in the San Joaquin Valley (DWR 2014a). (San Joaquin Valley barriers have not yet been prioritized.) This inventory will be updated to support multiple programs. (It is important to recognize that, even among high-priority barriers, there is a range of effects on fish migration.)</p>
	<p>Invasive Plants</p>	<p>Invasive Plant–Dominated Vegetation in Channel Maintenance Areas—total area reduced (acres): Land identified as Channel Maintenance Areas in the SPFC Descriptive Document (DWR 2010) include areas dominated by invasive plants. For species prioritized for treatment, this metric measures reduction in the extent of infested areas that impact both ecosystem targets as well as O&M of the SPFC. DWR has mapped this vegetation in the Sacramento and San Joaquin Valley.</p>

Source: Data compiled by DWR in 2012.

Key: DWR = California Department of Water Resources; O&M = operations and maintenance; SPFC = State Plan of Flood Control; SRA = shaded riverine aquatic.

1 Note:

Target species needs were a basis for process, habitat, and stressor objectives and thus are not represented by separate objectives. Amounts of levee and revetment modification would be determined during project and plan formulation as a means of provided needed improvements, habitats, and other stressors: thus, objectives were not established for these two stressors.

See the *Draft Central Valley Flood System Conservation Flood Strategy*, January 2015 for additional information,

http://www.water.ca.gov/conservationstrategy/docs/cs_draft.pdf .

Appendix 2

Applicant Information

1. Provide Agency Name, Address, Phone Number, and email address
2. Provide information about the authorized representative who may sign contract a on behalf of the applicant; include name, title, phone number, and email address
3. Provide location of the proposed project including regional flood management planning area, county, and reclamation district
4. Describe applicant's flood management authority
5. Describe the role of the applicant in regional flood management planning
6. Is there a regional plan in place? Is the proposed project a priority project within the regional plan?

Appendix 3 – Local Public Agency Authorizing Resolution
Resolution No. _____

A Resolution by the Board of Supervisors of the (Agency Name) Authorizing an Application for funding from the Department of Water Resources and Designating a Representative to Execute the Agreement and any Amendments thereto, for the (Project Name) Project

WHEREAS, the (agency name) is a California Public Agency with responsibility for flood management and authority over land use in the area protected by the facilities of the State Plan of Flood Control and is willing to participate in, coordinate, and collaborate with other interested parties that are participating in the development of the (agency name) flood management planning activities;

WHEREAS, the (agency name) is authorized to enter into an agreement with the Department of Water Resources and the State of California;

THEREFORE, BE IT RESOLVED by the Board of Supervisors of the (agency name) as follows:

1. That pursuant and subject to all of the terms and conditions of the Disaster Preparedness and Flood Prevention Bond Act of 2006 (Pub. Resources Code, § 5096.800 et seq.), the (agency name) shall submit an application to obtain funding for the (project name) Project from the Department of Water Resources.
2. That the Board of Supervisors authorize the (title of authorized representative), or designee, to execute the funding agreement with the Department of Water Resources and any amendments thereto.
3. That the (title of authorized representative), or designee, shall prepare the necessary data, make investigations, and take other such actions as necessary and appropriate to obtain funding for the (project name) Project.

CERTIFICATION

I hereby certify that the foregoing Resolution (#) was duly and regularly adopted by the Board of Supervisors of the (agency name) at the meeting held on (date), motion by (member name) and seconded by (member name), motion passed by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

Chair, Board of Supervisors

Attest:

Name and Title

Appendix 4 Project Description

This attachment will describe the project concept, approach, consistency with SSIA, and preliminary Financial Plan. For a Phase 1 feasibility study, the project should be described to the extent possible. This attachment should include the following:

1. Project name and location.
2. Project area map(s).
3. Project schedule.
4. Project goals and objectives.
5. Description of the proposed project alternatives.
6. Description of project alternatives. Has the applicant considered Regional approaches to achieve system flexibility and resiliency? Explain Regional element(s) of the project.
7. Description of the project approach and Scope of Work.
8. Narrative summary of project benefits. Has the applicant considered integrated flood management and integrated multi-benefit features within the proposed project area? Explain how.
9. Description of Project Opportunities and Constraints.
10. Explanation of what documents have been prepared in project area of the proposed project.
11. Summary of project permitting and environmental compliance constraints.
12. Description of project financing (if a Financial Plan has been prepared, attach a copy).
13. Summary of cost estimates of the project and propose a preliminary project cost share recommendation using the Cost Share Guidelines.

Appendix 5 Attorney's Certification

(The applicant's attorney shall answer the following questions regarding this proposal and where indicated, shall cite statutory authority or other references.)

- Is the Applicant a political subdivision of the State of California? ()Yes ()No

Citation: _____

- Does the Applicant have legal authority to enter into a funding agreement with the State of California? ()Yes ()No

Citation: _____

- What steps are required by law for the Applicant to contract with the State?

Citation: _____

- What is the statutory authority under which the Applicant may obtain funds for the purpose, amount, and duration requested?

Citation: _____

- What is the statutory authority under which the Applicant was formed and is authorized to operate?

Citation: _____

- Is the Applicant required to hold an election before entering into a funding contract with the State? ()Yes ()No

Citation: _____

Appendix 6

DWR Environmental Information Form

Grantees are responsible for complying with all applicable laws and regulations for their projects, including the California Environmental Quality Act (CEQA) and if applicable, the National Environmental Protection Act (NEPA). Work that is subject to CEQA shall not proceed under an agreement until documents that satisfy the CEQA process are received by the Department of Water Resources (DWR) and DWR has completed its CEQA compliance. Work that is subject to a CEQA document shall not proceed until and unless approved by DWR. Such approval is fully discretionary and shall constitute a condition precedent to any work for which it is required. Once CEQA documentation has been completed, DWR will consider the environmental documents and decide whether to continue to fund the project or to require changes, alterations or other mitigation.

Feasibility studies are statutorily exempt from the requirements of CEQA pursuant to California Code of Regulations, title 14, section 15262. That section states:

A project involving only feasibility or planning studies for possible future actions which the agency, board, or commission has not approved, adopted, or funded does not require the preparation of an [environmental impact report] or negative declaration but does require consideration of environmental factors. This section does not apply to the adoption of a plan that will have a legally binding effect on later activities.

As such applicants that have been awarded funding for completion of a feasibility study will be required to submit a Notice of Exemption (NOE) to the State Clearinghouse prior to the execution of the funding agreement and receipt of any grant funds. A copy of the NOE must be submitted to DWR's SCFRR Program. See the Proposal Submittal information for contact information.