

Attachment

1

***Stormwater Flood Management Grant Proposal
Santa Barbara County Flood Control and Conservation District
Authorization and Eligibility Requirements***

Attachment 1 consists of the following items:

- ✓ **Authorization and Eligibility Requirements.** Attachment 1 contains the County’s resolution and eligibility documentation, Ground Water Management Compliance documentation, and information regarding the project’s consistency with the adopted Santa Barbara County Integrated Regional Water Management Plan (IRWMP).

Introduction

This attachment contains all authorization and eligibility documentation for the proposed Lower Mission Creek Flood Control and Restoration Project - Reaches 1A-Phase 2 and 1B (Project) as required under the IRWM Grant Program Guidelines for Stormwater Funding Management Grants (Proposition 1E).

The Project includes reaches 1A-2 and 1B and is part of the overall 1.3-mile long Lower Mission Creek Flood Control and Restoration Project. The first phase of Reach 1A was completed in 2011. 1A Phase 2 will continue the improvements initiated with Reach 1A – Phase 1 up to Mason Street. These improvements include widening the creek channel, providing improved aquatic habitat, and expanded riparian habitat along the creek banks. Reach 1B will widen the portion of Mission Creek between Yanonali and Mason Streets providing improved aquatic habitat and expanded riparian habitat along the creek banks.

Authorizing Documentation

On January 15, 2013, the County of Santa Barbara Board of Supervisors, acting as the Board of Directors (governing body) for the County of Santa Barbara Flood Control and Water Conservation District (District), adopted Resolution (Minute Order) 13-00059 authorizing the District to submit a grant application to the Department of Water Resources for Proposition 1E funding of the Lower Mission Creek Flood Control Project and execute an agreement with the State for a Stormwater Flood Management Grant. The Resolution is attached as (Exhibit 1-1).

Eligible Application Documentation

Local Agency - The County of Santa Barbara Flood Control and Water Conservation District is a Local Public Agency, specifically, a special district of the State of California, as defined in Section 216 of the Public Utilities Code.

Legal Authority to Operate - The District was created by the Santa Barbara Flood Control & Water Conservation District Act in 1955 per Chapter 74 of the California Water Code Appendix.

Legal Authority to Enter into a Grant Agreement with the State of California - The District has the legal authority to enter into a grant agreement with the State of California Department of Water Resources (DWR). On January 15, 2013, the County of Santa Barbara Board of Supervisors, acting as the Board of Directors (governing body) for the County of Santa Barbara Flood Control and Water Conservation District (District), adopted Resolution (Minute Order) 13-00059 authorizing the District to submit and implement a grant application with the State.

Legal Agreements Among Partner Agencies - The District has cooperative agreements with the City of Santa Barbara and the US Army Corps of Engineers for this project. There are numerous agreements that have been executed over the years (decades) with both the City of SB and with the Corps. These agreements serve to identify roles and responsibilities and assist in maintaining progress when the resources of the three entities are combined. In January 2011, the Corps and the District executed an MOU for the work performed prior to the execution of a Project Partnership Agreement for Reach 1A and 2A. This way, the District can gain credit for the local share for costs spent prior to the PPA.

Groundwater Management Plan Compliance

The City of Santa Barbara overlies the entire basin that would potentially be affected. The City asserts “Pueblo” water rights and manages its water supply under the 1994 Long-Term Water Supply Program (LTWSP), adopted after the completion of the Long-Term Water Supply Alternatives Analysis and the LTWSP environmental impact report (EIR) (State Clearinghouse No. 91121020). The LTWMP EIR describes the local groundwater resources, quantifies annual recharge rates and perennial yields, and evaluates the City of Santa Barbara conjunctive use approach to groundwater management; whereby the City pumps very little groundwater in wet and average years and more heavily in drought years.

The proposed Lower Mission Creek Flood Control and Restoration Project (including reaches 1A-2 and 1B) will have a “de minimus” effect on local groundwater resources. The EIR for the project cites geologic studies that conclude that clay layers separate the shallow zone from the lower zones used for groundwater production, preventing any significant groundwater movement between the zones. With regard to the charge to the shallow zone, the EIR concludes that proposed side slope protection will not affect percolation, and the majority of the percolation would continue to occur through the natural creek bed when the project is completed (see Exhibit 1-2, EIR, page 7-15). No groundwater effects are anticipated in terms of changes to seawater intrusion or construction-related activities.

Consistency with an Adopted IRWM Plan

This application is consistent with the adopted IRWM Plan (June 19, 2007), the Santa Barbara Countywide Integrated Regional Management Plan (IRWM Plan) (Exhibit 1-3). The Lower Mission Creek Flood Control and Rehabilitation Project was listed as a top implementation project (Project No. 24) and is described on page 8-43 in the IRWMP.

The regional and local benefits listed in the IRWM Plan include: restoration of the creek channel, habitat improvement, enhance fish passage up the watershed, removal of invasive and non-native plants and trees, and installation of native plants and trees. The restored stream channel increases the wetland area improving water quality, habitat, and the natural treatment of pollutants.

Table 1-1 on page 1-3 lists the reaches of the Project and describes the manner in which each project is consistent with the adopted IRWMP including its objectives, issues, priorities and water management strategies.

Table 1-1

Santa Barbara County IRWMP 2007					
Objectives, Issues, Priorities and Strategies					
Project Reach	Regional Objectives Achieved	Key Region-wide and Watershed Issues	Watershed Specific Issues	Primary Short-term Regional Priorities	Regional Water Management Strategies
1A – Phase 2	Water Quality, Emergency Preparedness, and Ecosystem Restoration	Potential harm to people and property from flooding (p. 7-2, 2007 IRWMP)	People and property may experience potential harm from flooding (p. 7-4, 2007 IRWMP)	Protect public safety by reducing the potential for flooding in strategic areas through infrastructure improvements (p. 7-7, 2007 IRWMP)	Flood management, ecosystem restoration, environmental and habitat protection and improvement, wetlands enhancement and creation, water quality protection and improvement
1B	Water Quality, Emergency Preparedness, and Ecosystem Restoration	Potential harm to people and property from flooding (p. 7-2, 2007 IRWMP)	People and property may experience potential harm from flooding (p. 7-4, 2007 IRWMP)	Protect public safety by reducing the potential for flooding in strategic areas through infrastructure improvements (p. 7-7, 2007 IRWMP)	Flood management, ecosystem restoration, environmental and habitat protection and improvement, wetlands enhancement and creation, water quality protection and improvement

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Exhibit 1-1
Resolution

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**County of Santa Barbara
BOARD OF SUPERVISORS**

**Minute Order
January 15, 2013**

Present: 5 - Supervisor Carbajal, Supervisor Wolf, Supervisor Farr, Supervisor Adam,
and Supervisor Lavagnino

PUBLIC WORKS, BOARD OF DIRECTORS, FLOOD CONTROL AND WATER CONSERVATION DISTRICT File Reference No. 13-00059

RE: Acting as the Board of Directors, Flood Control and Water Conservation District:

Consider recommendations regarding the authorization of a Grant Application to the California Department of Water Resources for Proposition 1E funding of the Lower Mission Creek Flood Control Project, and the Las Vegas / San Pedro Creeks UPRR Bridge Replacement Project, First and Second Supervisorial Districts, as follows:

- a) Adopt the Resolution entitled "In the Matter of Authorizing Grant Application to the California Department of Water Resources for the Lower Mission Creek Flood Control Project," allowing the Flood Control District to pursue the second round of Proposition 1E grant funding for Reaches 1A-2, 1B, 2A and 2B-2 of the Lower Mission Creek Flood Control Project;
- b) Find that the proposed approval of the Resolution for the Lower Mission Creek Flood Control Project authorizing grant applications does not constitute a "Project" within the meaning of the California Environmental Quality Act (CEQA) pursuant to 14 CCR 15378 (b)(4), the creation of government funding mechanisms;
- c) Adopt the Resolution entitled "In the Matter of Authorizing Grant Application to the California Department of Water Resources for the Las Vegas / San Pedro Creeks UPRR Bridge Replacement Project," allowing the Flood Control District to pursue the second round of Proposition 1E grant funding for the replacement of the Union Pacific Railroad Bridges; and
- d) Find that the proposed approval of the Resolution for the Las Vegas/San Pedro Creeks UPRR Bridge Replacement Project authorizing grant applications does not constitute a "Project" within the meaning of the California Environmental Quality Act (CEQA) pursuant to 14 CCR 15378 (b)(4), the creation of government funding mechanisms.

A motion was made by Supervisor Lavagnino, seconded by Supervisor Wolf, that this matter be Acted on as follows:

a) Adopted.

RESOLUTION NO. 13-10

b) Approved.

c) Adopted.

RESOLUTION NO. 13-11

d) Approved.

The motion carried by the following vote.

This is a true certified copy of the original document on file or of record in my office. It bears the seal and signature, imprinted in purple ink, of the Clerk of the Board of Supervisors.



Chandra Waller

Clerk of the Board, Santa Barbara County, California

Date 1-17-13 by Deputy: *Priscilla Baker*

Ayes: 5 - Supervisor Carbajal, Supervisor Wolf, Supervisor Farr, Supervisor Adam,
and Supervisor Lavagnino

**RESOLUTION OF THE BOARD OF DIRECTORS OF THE
SANTA BARBARA COUNTY FLOOD CONTROL &
WATER CONSERVATION DISTRICT
STATE OF CALIFORNIA**

**IN THE MATTER OF AUTHORIZING GRANT)
APPLICATION TO THE CALIFORNIA)
DEPARTMENT OF WATER RESOURCES FOR)
THE LAS VEGAS / SAN PEDRO CREEKS)
UPRR BRIDGE REPLACEMENT PROJECT) RESOLUTION NO. 13-11**

WHEREAS, the Santa Barbara County Flood Control & Water Conservation District proposes to construct the Las Vegas / San Pedro Creeks UPRR Bridge Replacement Project to increase the capacity of the creeks to improve flood protection for the residents along Las Vegas and San Pedro Creeks in Santa Barbara County; and

WHEREAS, the California Department of Water Resources is accepting applications for the Stormwater Flood Management Grant Funding Program pursuant to the Disaster Preparedness and Flood Prevention Bond Act of 2006 (Public Resource Code Section 5096.800 *et seq.*); and

WHEREAS, the Santa Barbara County Flood Control & Water Conservation District is authorized to submit a grant application and to enter into a grant agreement with the California Department of Water Resources to receive grant funding for the Las Vegas / San Pedro Creeks UPRR Bridge Replacement Project.

NOW THEREFORE, The Board of Directors does resolve as follows:

1. That application be made to the California Department of Water Resources to obtain Stormwater Flood Management grant funding pursuant to the Disaster Preparedness and Flood Prevention Bond Act of 2006 (Public Resource Code Section 5096.800 *et seq.*), and to enter into an agreement to receive a grant for the Las Vegas / San Pedro Creeks UPRR Bridge Replacement Project.
2. The Public Works Director or designee is hereby authorized and directed to prepare the necessary data, conduct investigations, to file such application, and execute a grant agreement with the California Department of Water Resources.

RESOLUTION OF THE BOARD OF DIRECTORS
COUNTY OF SANTA BARBARA
STATE OF CALIFORNIA
PAGE TWO

PASSED, APPROVED, AND ADOPTED by the Board of Directors of the Santa Barbara County Flood Control & Water Conservation District, State of California, on this 15th day of January, 2013 by the following vote:

AYES: Supervisor Carbajal, Wolf, Farr, Adam & Lavagnino
NAYS: None
ABSENT: None
ABSTAIN: None

ATTEST:
CHANDRA L. WALLAR
CLERK OF THE BOARD

By: *Russ Baker*
Deputy

ACCEPTED AND AGREED:
SANTA BARBARA COUNTY FLOOD CONTROL
& WATER CONSERVATION DISTRICT

By: *SOCLF*
Chair, Board of Directors

APPROVED AS TO FORM:
DENNIS MARSHALL,
COUNTY COUNSEL

By: *D Marshall*
Deputy County Counsel

APPROVED AS TO ACCOUNTING FORM:
ROBERT W. GEIS,
AUDITOR CONTROLLER

By: *Gregory Levin*
Deputy

Deputy Auditor-Controller
Gregory Eric Levin
Advanced and Specialty Accounting

This is a true certified copy of the original document on file or of record in my office. It bears the seal and signature, imprinted in purple ink, of the Clerk of the Board of Supervisors.

Chandra Wallar
Clerk of the Board, Santa Barbara County, California
Date 1-17-13 by Deputy: *Russ Baker*

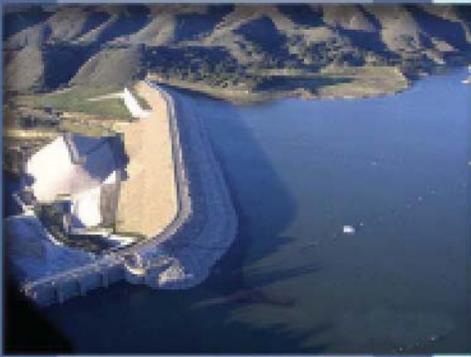


Exhibit 1-2

Santa Barbara Countywide Integrated Regional Management Plan

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Santa Barbara Countywide Integrated Regional Water Management Plan

MAY 2007

AN ELECTRONIC COPY OF THIS DOCUMENT AND PROJECT INFORMATION ARE AVAILABLE AT:
WWW.COUNTYOF SB.ORG/PWD/WATER/IRWMP.HTM
FOR FURTHER INFORMATION, CONTACT THE SANTA BARBARA COUNTY WATER AGENCY AT
805-568-3545

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Cooperating Partners for the Santa Barbara Countywide IRWMP

**Cachuma Conservation and Release Board
Cachuma Operation and Maintenance Board
Carpinteria Sanitary District
Carpinteria Valley Water District
Casmalia Community Services District
Central Coast Water Authority
City of Buellton
City of Carpinteria
City of Guadalupe
City of Lompoc
City of Santa Barbara
City of Santa Maria
City of Solvang
Cuyama Community Services District
Golden State Water Company
Goleta Sanitary District
Goleta Water District
Goleta West Sanitary District
La Cumbre Mutual Water Company
Los Alamos Community Services District
Mission Hills Community Services District
Montecito Sanitary District
Montecito Water District
Santa Barbara County
Santa Maria Valley Water Conservation District
Santa Ynez River Water Conservation District
Santa Ynez River Water Conservation District
Improvement District No. 1
Summerland Sanitary District
Vandenberg Village Community Services District**

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Acknowledgements

Santa Barbara Countywide Integrated Regional Water Management Plan

The Santa Barbara Countywide IRWMP is a result of the combined efforts of many agencies, organizations, and individuals. The Cooperating Partners spent numerous hours developing the information that is included in the Plan, as well reviewing its contents. The following individuals prepared or reviewed sections of the IRWMP:

Cooperating Partners

- Joe Barget, Vandenberg Village Community Services District
- William Brennan, Central Coast Water Authority
- Chris Dahlstrom, Santa Ynez River Water Conservation District Improvement District No. 1
- Jeff Dameron, La Cumbre Mutual Water Company
- Bill Ferguson, City of Santa Barbara Public Works Department
- Autumn Malanca, City of Santa Barbara Creeks Division
- Bob McDonald, Carpinteria Valley Water District
- Gary McFarland, Goleta Water District
- Craig Murray, Carpinteria Sanitary District
- Kate Rees, Cachuma Operation and Maintenance Board/Cachuma Conservation Release Board
- Teresa Reyburn, City of Santa Maria
- Susan Segovia, City of Lompoc
- Brad Vidro, City of Solvang
- Bruce Wales, Santa Ynez River Water Conservation District
- Jill Zachary, City of Santa Barbara Parks and Recreation Department

Santa Barbara County Water Agency

- Robert Almy
- Eric Carso
- Len Fleckenstein
- Helena Wiley von Rueden

CH2M HILL

- Kathy Caldwell
- Laura Eckert
- Anne Lynch
- Mike Maxwell
- John Schoonover
- Bill Ward
- Lorraine Woodman

Dudek

- Shruti Chandra

The IRWMP also benefited from the thoughtful input given by the California Department of Water Resources, the Central Coast Regional Water Quality Control Board, and interested members of the public.

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