

**FLOODPLAIN MANAGEMENT, PROTECTION, AND RISK
AWARENESS GRANT PROGRAM**

**PROPOSITION 68
FINAL GUIDELINES
AND
PROPOSAL SOLICITATION PACKAGE**



**STATE OF CALIFORNIA
DEPARTMENT OF WATER RESOURCES
DIVISION OF FLOOD MANAGEMENT**

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Contents

Section 1	Program Description and Funding Authority	1
Section 2	Eligible Funding Recipients.....	2
Section 3	Project Types and Eligibility Criteria	3
	3.1 Geographic Criteria.....	3
	3.2 Planning and Monitoring Projects.....	3
	3.3 Implementation Projects	4
	3.4 Additional Eligibility Criteria.....	4
Section 4	Additional Project Considerations	6
	4.1 Additional Planning Project Considerations.....	6
	4.2 Additional Implementation Project Considerations	6
	4.3 Special Considerations	7
Section 5	Grant Awards.....	7
	5.1 Local Cost-Share	8
Section 6	Funding Agreement Requirements.....	8
	6.1 Eligible Project Costs.....	8
	6.2 Conflict of Interest and Confidentiality	9
	6.3 Indemnify and Hold Harmless.....	9
	6.4 Labor Code Compliance	10
	6.5 California Environmental Quality Act (CEQA)	10
	6.6 Income Restrictions	10
	6.7 Competitive Bidding and Procurement.....	10
	6.8 Signage or Acknowledgement of Credit.....	11
	6.9 Monitoring and Maintenance Reporting	11
Section 7	Guideline Amendments	11
Appendix A.....		A-1
	Definitions	A-1
Appendix B.....		B-1
	Proposal Solicitation Package.....	B-1
Appendix C.....		C-1
	Proposal Evaluation and Scoring.....	C-1
Appendix D.....		D-1
	Local Cost Share Reduction.....	D-1
Appendix E.....		E-1
	Local Public Agency Authorizing Resolution Template.....	E-1

Appendix F F-1
 Attorney’s Certification Form F-1
Appendix G G-1
 Environmental Information Form..... G-1
Appendix H..... H-1
 Grant Agreement Template H-1
Appendix I I-1
 Concept Proposal Template I-1

The Department of Water Resources (DWR) has prepared this document with appendices, which includes Guidelines and Proposal Solicitation information for applicants to submit proposals for grants for the Floodplain Management, Protection, and Risk Awareness Grant Program. Please read the document in its entirety, including all Appendices for pertinent information on eligibility, application procedures, and necessary forms. The Proposal Solicitation Package can be found under Appendix B and Appendix I includes a template for Concept Proposals, the first step in the application process.

Section 1 Program Description and Funding Authority

These Guidelines govern the Floodplain Management, Protection, and Risk Awareness Grant Program (Program) established in the Budget Act of 2019 (Stats. 2019, ch. 23, Item 3860-101-6088) and funded by the California Drought, Water, Parks, Climate, Coastal Protection, and Outdoor Access For All Fund Act of 2018 (Proposition 68; Pub, Resources Code, § 80000 et seq.).

Proposition 68 authorized the Legislature to appropriate funding to DWR for competitive grants that reduce flood risks associated with stormwater flooding,¹ mudslides, and flash flooding.² Of the funding available, a maximum of 10 percent will be allocated for planning and monitoring projects.³ Priority points will be given to flood risk reduction projects located in a Federal Emergency Management Agency (FEMA) special flood hazard area or an equivalent flood hazard area; however, funding of levee accreditation projects is not an objective of the Program.

The Program will be implemented in alignment with key State and federal guidance documents, which primarily include:

- California Water Plan
- California’s Central Valley Flood Protection Plan (CVFPP)
- California Governor’s Water Resilience Portfolio⁴
- [Unified National Program for Floodplain Management 1994](#)
- National Flood Insurance Program (NFIP) requirements
- [USACE FMP-101: Floodplain Management Plans, A Short Course \(PCoP Webinar Series\)](#)

Program implementation will also be guided by the criteria presented in Sections 3 and 4 of these Guidelines and the following objectives (as applicable):

- Alignment with FEMA’s Hazard Mitigation Assistance: Building Resilient Infrastructure and Communities and Hazard Mitigation Grant Program (HMGP)

¹ Water Code section 10561.5(b): “Stormwater” means temporary surface water runoff and drainage generated by immediately preceding storms. This definition shall be interpreted consistent with the definition of “stormwater” in Section 122.26 of Title 40 of the Code of Federal Regulations.

² Public Resources Code section 80145(a)(2).

³ Public Resources Code section 80006(a).

⁴ 2020 Water Resilience Portfolio, In Response to the Executive Order N-10-19, July 2020.
www.waterresilience.ca.gov

- Increased leverage of State and federal investments to complete construction features
- Implementation of locally preferred actions that are identified in either completed feasibility studies, approved Local Hazard Mitigation Plans (LHMP), or Floodplain Management Plans
- Incorporation of nature-based solutions, including floodplain restoration
- Evaluation benefits of non-structural methods to reduce flood risk
- Support of local floodplain management resiliency
- Discourage projects that induce population growth in floodplains
- Encourage measures to reduce flood insurance premiums, including participation in the NFIP and Community Rating System.

Section 2 Eligible Funding Recipients

Eligible funding recipients include any California public agency, nonprofit organization, public utility agency, federally recognized Indian Tribe, State Indian Tribe listed on the Native American Heritage Commission's California Tribal Consultation List, or mutual water company.

- A. Proposals submitted by Public Utility Agencies and Mutual Water Companies shall include a detailed statement to demonstrate how the proposed project has a clear and definite public purpose. The purpose shall be to benefit the users of the water system and not the investors.
- B. Any applicant that is also an urban water supplier must adopt and submit an urban water management plan in accordance with the Urban Water Management Planning Act (Water Code, § 10610 et seq.) and in compliance with the Sustainable Water Use and Demand Reduction Act (Water Code, § 10608, et seq.) in order to be an eligible funding recipient.
- C. Any applicant that is also an agricultural water supplier must adopt and submit an agricultural water management plan in accordance with the Agricultural Water Management Planning Act (Water Code, § 10800 et seq.) and in compliance with the Sustainable Water Use and Demand Reduction Act (Water Code, § 10608, et seq.) in order to be an eligible funding recipient.

Section 3 Project Types and Eligibility Criteria

Projects funded under the Program must meet the criteria described in the following sections. The applicant shall be responsible for quantifying the public benefits and providing this information to the DWR.

3.1 Geographic Criteria

Eligible projects must be located in a California watershed including coastal, alluvial fan, and riverine basins. However, Delta conveyance facility projects are excluded.⁵

3.2 Planning and Monitoring Projects

Planning and monitoring projects eligible for funding under this Program must articulate how the proposed project would lead to the successful selection, design, and implementation of a project type authorized under these Guidelines.

Examples of certain elements of planning and monitoring projects include, but are not limited to:

- Purchase and installation of data collection gages, i.e., precipitation and stream.
- Decision support tools that evaluate the benefits and costs of multi-benefit stormwater projects.
- Flood risk reduction mapping, alluvial fans or other landforms, burned areas, severity of burns and simulating burn severities, vegetation mapping.
- Evaluation of risks based on mapping and data collection efforts.
- Community Rating System (CRS) class advancement or application letter of interest submittal with an intent to perform wise use of floodplain management.
- Activities necessary to update a stormwater resource plan developed in accordance with Water Code section 10560 et seq.
- Early warning notification systems, flood emergency preparedness, and evacuation plans.

Examples of planning and monitoring projects include, but are not limited to:

- Development and update of a floodplain management plan; incorporating flood risk assessment, evaluation, and mitigation actions.
- Development and update of LHMPs in coordination with the California Governor's Office of Emergency Services (CalOES).

Design and/or construction of selected planning and monitoring projects is not fundable under this subsection.

⁵ Water Code section 80145(b): Funds provided by this chapter shall not be expended to pay the costs of the design, construction, operation, mitigation, or maintenance of Delta conveyance facilities.

3.3 Implementation Projects

Implementation projects eligible for funding under this Program must reduce flood risk associated with stormwater flooding, mudslides, flash flooding, and promote wise use of floodplains. The projects should include multiple benefit features when applicable.

Examples of stormwater flood risk reduction projects include, but are not limited to the construction or repair:

- Structural projects such as; retention or detention basins, conveyance or diversion modifications, and pumping facilities
- Stormwater management system upgrades,
- Floodwalls,
- Channel widening,
- Administrative projects such as acquisition and relocation programs.

The use of green infrastructure for stormwater controls or best management practices is encouraged.

Examples of mudslide and flash-flood risk reduction projects include, but are not limited to construction or repair:

- Slope stabilization,
- Erosion protection,
- Revegetation,
- Flow barriers / diversion structures,
- Debris basins, clearing of debris basins due to past events,
- Acquisition and relocation projects.

Wetland restoration and protection projects that can demonstrate significant flood risk reduction benefits will be considered.

All implementation projects must include a capital asset acquisition or construction component and must not yet be under construction or acquired.⁶ Design and environmental documentation may be incorporated into the implementation project scope. For larger projects, a phased approach would be considered, if the project can demonstrate that it would come to completion.

3.4 Additional Eligibility Criteria

- A. Projects must promote State planning priorities, including floodplain management,⁷ which are intended to promote equity, strengthen the economy, protect the environment, and promote public health and safety in the State, including in urban, suburban, and rural communities, as detailed in Government Code section 65041.
- B. Stormwater Resource Plans – Water Code section 10563(c)(1) requires the development of a stormwater resource plan and compliance with these provisions to receive grants for stormwater and dry weather runoff capture projects. This

⁶ Government Code section 16727.

⁷ California Executive Order B-39-77.

requirement does not apply to Disadvantaged Communities (DACs) with a population of 20,000 or less, and/or is not a co-permittee for a municipal separate stormwater system national pollutant discharge elimination system permit issued to a municipality with a population greater than 20,000 (Water Code, § 10563(b)).

- C. Projects are required to incorporate measures that support the DWR's efforts to address risks arising from climate change.⁸ These measures include reducing greenhouse gas emissions and carbon sequestration⁹ and enhancing the resiliency of communities to the impacts of climate change. Projects must identify climate change impacts assumed in its design and explain how the proposed project will mitigate those impacts upon implementation.¹⁰
- D. Applicants must also demonstrate whether the proposed project is located within a geographic area that may be changed significantly due to actions that could reasonably be expected to result from an adopted or approved State, local and/or federal planning effort (such as the Central Valley Flood Protection Plan, the San Joaquin River Restoration Program, or a U.S. Army Corps of Engineers' feasibility study). If the proposed project is within such a geographic area, the applicant must:
 - i. Describe how the applicant is coordinating with the other planning effort(s);
 - ii. Demonstrate that the proposed project is generally consistent with the other planning effort(s) that affect the same geographic area; and
 - iii. Demonstrate that the benefits from the proposed project are not likely to be reduced significantly or eliminated due to changes that can be expected to result from the long-term planning effort(s).
- E. Applicants must be prepared to conserve in perpetuity any real property improvements or real property interests acquired pursuant to this Program, either by a recorded conservation easement, deed restriction, or similar limitation to fee title held and enforced by an identified third party. Any such limitation shall not be on parity or subordinate to any other limitation; there will be no exceptions to this requirement.
- F. Applicants for implementation projects within the jurisdictional area of the Central Valley Flood Protection Board, and with specific named responsibilities for compliance with Senate Bill 5 (SB5) Flood Management (Stats. 2007, ch. 364), must demonstrate compliance or adequate progress in the application, and how the project complies with those responsibilities.
- G. Grant funds cannot be used to fulfill any mitigation requirements imposed by law.¹¹
- H. Projects must provide workforce education and training, contractor, and job opportunities for disadvantaged communities, where practicable.
- I. For projects occurring, in whole or in part, within the Sacramento-San Joaquin Delta or Suisun Marsh, successful applicants shall engage in early consultation with the Delta

⁸ California Governor's Executive Order B-30-15, April 29, 2015.

⁹ Public Resources Code section 80001(b)(7).

¹⁰ <https://resources.ca.gov/Initiatives/Building-Climate-Resilience>.

¹¹ Public Resources Code section 80020.

Stewardship Council (Council) regarding the Council's regulatory policies that may be potentially applicable to the project and the consistency of the project with the Delta Plan. A state or local public agency proposing a project that is determined to be a "covered action" within the meaning of the Sacramento-San Joaquin Delta Reform Act of 2009 (Delta Reform Act), Water Code section 85000, et seq., shall submit to the Council a "certification of consistency" that provides detailed findings regarding the project's consistency with the Delta Plan in accordance with the Delta Reform Act and the Delta Plan regulatory policies.

Section 4 Additional Project Considerations

This section describes additional considerations that applicants may incorporate into their project proposals in addition to the preceding project eligibility criteria. The following is a list of ideas, potential project benefits, and features to be considered. Please also review Appendix C, which identifies project proposal scoring criteria.

4.1 Additional Planning Project Considerations

When scoping a planning project for mapping, risk assessment, or other planning need, consider the following:

- A. Consider coordinating and acquiring mapping information from or sharing mapping information with other entities to broaden common understanding of alluvial, flood-after-fire, or other flash-flood hazards (e.g., FEMA, U.S. Geological Survey, California Geological Survey, DWR Floodplain Management Office, other jurisdictional agencies or municipalities in the area).
- B. Consider assuming post-fire conditions in evaluating flood risk.
- C. Consider pre-project water quality monitoring to anticipate changes in water quality during flood events.

4.2 Additional Implementation Project Considerations

When scoping an implementation project, consider the following:

- A. When scoping projects, consider avoiding risk intensification. Demonstrate actions that will prohibit or reduce risk intensification.
- B. Protecting or enhancing existing natural habitats, or providing new ones, to leads to conjunctive regional habitats. Consider acquiring land if necessary.
- C. Ways to improve water quality and other natural resources.
- D. Capturing stormwater to reduce runoff and water pollution. Stormwater may be used for natural treatment methods to improve floodwater / stormwater quality (e.g., bioswales, retention / detention basins, sedimentation basins, and wetlands).
- E. Breaching existing levees (conforming to federal levee guidance) or constructing setback levees to provide transitory storage of floodwater and reconnecting floodplains for wildlife habitats.
- F. Projects that restore natural fluvial and related biological processes, including protecting riparian habitats.
- G. Seasonal diversion of floodwater flows onto agricultural lands for temporary floodplain and aquatic food creation.

- H. Efficient use and conservation of water supplies, or use of recycled water, when establishing plantings.
- I. Construction of earthen bottom detention, or retention basins that capture floodwaters. Support native riparian or wetland vegetation, and/or recharging of groundwater.
- J. Laying back the banks of incised streams to support native vegetation and improve conveyance.
- K. Incorporate portfolio actions listed in California’s Water Resilience Portfolio to help Californians “Be Prepared” (flood-focused actions in Section 25), or other California Water Resilience Portfolio actions that align with this Program’s goals.
- L. Include one-time costs to create or improve flood-related emergency notification, early warning systems, or response procedures.

Where applicable applicants should also:

- M. Provide a FIRMette¹² of the project area or a comparable flood map,
- N. Provide model-based inundation or floodplain maps showing the before-project and after-project conditions,
- O. Provide preliminary Hydrologic and Hydraulic (H&H) findings including, but not limited to hydraulic model results demonstrating flood stage/depth, reductions in flood stage/depth with the project implemented, percentage/magnitude of the flood risk reduction in absolute figures or recurrence period, and utilization of future climate change hydrology,
- P. Describe studies of alternatives that were eliminated prior to deciding on the proposed project,
- Q. Indicate if the proposed project is part of a Regional Flood Management Plan or Integrated Regional Water Management Plan,
- R. Describe the benefit-to-cost ratio and valuation methods used.

4.3 Special Considerations

Special consideration will be given in the form of supplemental points to projects that directly benefit disadvantaged communities (DAC) or severely disadvantaged communities (SDAC).

Section 5 Grant Awards

Applicants for competitive grant funding under the Program must file a complete grant proposal package with DWR during the open solicitation period. DWR will not revise the proposal requirements during the period in which competitive project proposals are being solicited. Applicants are required to refer to the Program website for status of any proposal solicitations. Local cost-share requirements for all projects funded under these Guidelines are described as follows.

¹² <https://msc.fema.gov/portal/home>.

5.1 Local Cost-Share

A match of 25 percent (%) of local cost-share (matching funds) is required. Local cost-share may include, but is not limited to federal funds, local funds, or donated services from non-State sources.¹³ Other State funds, if part of the funding package for the proposal, must be included in the total proposal cost but cannot be used as the required local cost-share. Higher priority will be given to projects with private, federal, and local fund shares beyond the minimum required.¹⁴ The local cost-share requirement may be waived or reduced for projects that directly benefit a DAC. A more detailed definition of “Local Cost-Share” can be found in Appendix D.

Section 6 Funding Agreement Requirements

For all projects awarded funding by DWR, the funding recipient will need to execute a funding agreement with the State. It is **HIGHLY** recommended that applicants review the grant agreement template prior to submission of their proposal. If applicants are not able to abide by the terms and conditions contained therein, applicants should not submit a proposal. A funding agreement template is attached as Appendix H. The following is a partial list of requirements that will be contained within any funding agreement.

6.1 Eligible Project Costs

State funding may only be used for eligible project costs. These include the reasonable costs of environmental evaluation, project management, studies, design, land and easement acquisition, legal fees, preparation of environmental documentation, environmental mitigations, monitoring, project construction, and construction management. Reimbursable administrative expenses are the necessary costs incidental but directly related to the funded project, including the portion of overhead and administrative expenses that are directly related to the project.

If State funding is requested for real estate acquisition or relocation, it must have at least 50 percent of its area within the FEMA coastal V/VE or coastal A/AE zones or FEMA Special Flood Hazard Area (SFHA). The project must also provide substantial flood risk reduction benefits to a FEMA SFHA or an equivalent flood hazard area, which is determined by using the detailed methods identified in the current FEMA *Guidelines and Standards for Flood Risk Analysis and Mapping*.¹⁵

Eligible project costs include those eligible costs incurred after the date of the notice of award from DWR. Note that only incurred project costs are reimbursed by DWR. Advanced funds will not be provided.

Costs that are not eligible include:

- A. Operation and maintenance costs
- B. Routine maintenance

¹³ If the applicant is a State agency, then the “local” cost share may include funds from State sources.

¹⁴ Public Resources Code section 80001(b)(2).

¹⁵ <https://www.fema.gov/flood-maps/guidance-partners/guidelines-standards>.

- C. Vegetation / habitat maintenance costs
- D. Purchase of equipment that is not an integral part of the funded project
- E. Establishment of a reserve fund
- F. Support of existing agency requirements and mandates
- G. Payment of principal or interest on existing indebtedness, any interest payments, or costs associated with project financing
- H. Costs incurred as part of any necessary response and cleanup activities required under the Comprehensive Environmental Response, Compensation, and Liability Act; Resource Conservation and Recovery Act; Hazardous Substances Account Act; or other applicable law
- I. Duplicate work to obtain new data that the State already has available, unless previously approved by the State or waived by the State
- J. Any federal or state taxes
- K. Expenses incurred in preparation of the proposal or an application for another program
- L. Any indirect costs. Indirect Costs means those costs that are incurred for a common or joint purpose benefiting more than one cost objective and are not readily assignable to the funded project (i.e., costs that are not directly related to the funded project). Examples of Indirect Costs include, but are not limited to: central service costs; general administration of the Funding Recipient; non-project-specific accounting and personnel services performed within the Funding Recipient's organization; depreciation or use allowances on buildings and equipment; the costs of operating and maintaining non-project-specific facilities; tuition and conference fees; and, generic overhead or markup. This prohibition applies to the Funding Recipient and any subcontract or sub-agreement for work on the funded project that will be reimbursed with grant funds from DWR.

6.2 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 Funding Recipient may be required by the State to file a Statement of Economic Interests (Fair Political 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.).

6.3 Indemnify and Hold Harmless

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

6.4 Labor Code Compliance

As part of the funding agreement, the funding recipient shall agree to be bound by all the provisions of the Labor Code regarding prevailing wages, and shall monitor all contracts subject to reimbursement from the funding agreement to assure that the prevailing wage provisions of the Labor Code are being met. Current Department of Industrial Relations (DIR) requirements may be found at: <http://www.dir.ca.gov/lcp.asp>. Before submitting an application, applicants are urged to consult with their legal counsel regarding Labor Code compliance. DWR will not advise applicants on Labor Code compliance. For more information, please refer to DIR's Public Works Manual at: <http://www.dir.ca.gov/dlse/PWManualCombined.pdf>. The funding recipient will also affirm that it is aware of the provisions of Section 3700 of the Labor Code, which requires every employer to be insured against liability for workers' compensation or to undertake self-insurance.

6.5 California Environmental Quality Act (CEQA)

All activities funded pursuant to the Program must comply with CEQA (Pub. Resources Code, § 21000 et seq.). Any work that is subject to CEQA and funded under a funding agreement shall not proceed until documents that satisfy the CEQA process are received by DWR, and DWR has completed its CEQA compliance. Any work funded under the Program that is subject to CEQA shall not proceed until and unless approved by DWR; such approval is fully discretionary. If CEQA compliance by the funding recipient is not complete at the time a funding agreement is executed by the parties, once DWR has considered the environmental documents, it may decide to require changes, alterations, or other mitigation to the Project; or to not fund the Project. Should the State decide to not fund the Project, the funding agreement shall be terminated.

6.6 Income Restrictions

Any capital asset acquired or constructed in any part with grant funds may not be used to generate income of any kind. The funding recipient shall agree that any refunds, rebates, credits, or other amounts (including any interest) accruing to or received by the funding recipient pursuant to this Program shall be paid by the funding recipient to the State, to the extent that they are properly allocable to costs for which the funding recipient has been reimbursed by the State pursuant to a funding agreement.

6.7 Competitive Bidding and Procurement

A funding recipient's contracts with other entities for the acquisition of goods, services, and construction of public works with funds provided by the State must be in writing and shall comply with all applicable laws and regulations regarding the securing of competitive bids and undertaking competitive negotiations. If a funding recipient does not have a written policy to award contracts through a competitive bidding or sole source process, DWR of General Services' State Contracting Manual rules must be followed and are available at: <https://www.dgs.ca.gov/OLS/Resources/Page-Content/Office-of-Legal-Services-Resources-List-Folder/State-Contracting>. Applicants with questions regarding competitive bidding requirements should be directed to their counsel. DWR will not advise applicants on competitive bidding requirements.

6.8 Signage or Acknowledgement of Credit

To the extent practicable, a project supported by funds from the Floodplain Management, Protection, and Risk Awareness Program, will include signage and other relevant forms of acknowledgement informing the public that the project received funds from DWR and the California Drought, Water, Parks, Climate, Coastal Protection, and Outdoor Access For All Fund Act of 2018. Specific verbiage will be included in the final grant agreement.

6.9 Monitoring and Maintenance Reporting

As part of the funding agreement for implementation projects, the funding recipient may be required to prepare a monitoring and maintenance plan that outlines the plans for monitoring the restored site, assessing maintenance needs, and carrying out known and unanticipated maintenance actions necessary or required during and after completion of the Project. If required, the funding recipient shall prepare a Draft Monitoring and Maintenance Plan during the design phase of the Project and submit it to the State in accordance with the funding agreement. The Final Monitoring and Maintenance Plan shall be approved prior to disbursement of grant funds for construction or monitoring activities.

Section 7 Guideline Amendments

These Guidelines may be amended after completion of the initial proposal solicitation. Amendments to the Guidelines will be publicly posted and made available for comment for at least 45 days.

Appendix A

Definitions

In interpreting and applying these Guidelines, the following definitions and acronyms will apply:

“Acquisition:” Obtaining a real property interest, including easements, fee title, leases, water, water rights, or interest in water obtained for the purposes of instream flows and development rights.

“Alluvial Fan:” “Alluvial fan flooding”: means flooding occurring on the surface of an alluvial fan, or similar landform, which originates at the apex and is characterized by: high-velocity flows, active processes of erosion, sediment transport, deposition, and unpredictable flow paths.

“California Environmental Quality Act (CEQA):” Statute that requires State and local agencies to identify the significant environmental impacts of their actions and to avoid or mitigate those impacts.

“Climate Change:” Climate refers to conditions, such as temperature and precipitation, measured over an extended period of time. Climate change describes a change in the average conditions — such as temperature and rainfall — in a region over an extended period of time.

“Conservation Easement:”¹⁶ Any limitation in a deed, will, or other instrument in the form of a restriction, covenant, or condition, which is or has been executed by or on behalf of the owner of the land subject to such easement. It is binding upon successive owners of such land, and the purpose of which is to retain land predominantly in its natural, scenic, historical, agricultural, forested, or open-space condition.

“Decision Support Tool:” A decision support tool (or decision support system), which assists in solution development based on expert data and user input. The goal of a decision support tool is to enhance the decision-making ability and efficiency of the user. These tools can vary widely, from state issued best management practice manuals to databases of manufactured devices.

“DWR:” The California Department of Water Resources.

“Disadvantaged Community (DAC):” A community with an annual median household income that is less than 80 percent of the statewide annual median household income.¹⁷

“Eligible Funding Recipient:” A California public agency, nonprofit organization, public utility agency, federally recognized Indian tribe, State Indian tribe listed on the Native American Heritage Commission’s California Tribal Consultation List, and mutual water company.

¹⁶ Civil Code, § 815, et seq.

¹⁷ DWR has developed and posted for public use a GIS-based tool to help applicants determine disadvantaged status for grant proposals which is consistent with the definition in Water Code section 79505.5(a).

<https://gis.water.ca.gov/app/dacs/>

“FEMA Coastal Zone AE:” The flood insurance rate zone that corresponds to the 1% annual chance coastal floodplains that have additional hazards associated with storm wave heights between 1.5 and 3 ft.

“FEMA Coastal Zone AO:” The flood insurance rate zone that corresponds to the areas of 1% annual chance shallow flooding (usually sheet flow on sloping terrain) where average depths are between 1 and 3 feet.

“FEMA Coastal Zone VE:” The flood insurance rate zone that corresponds to areas within the 1% annual chance coastal floodplain that have additional hazards associated with storm waves. Also known as a coastal high hazard area, where wave action and fast-moving water can cause extensive damage during a base flood event.

“FEMA Zone A :” The flood insurance rate zone that corresponds to areas subject to inundation by the 1% annual chance flood event determined by approximate methodologies. Zones A are floodplains without base flood elevations.

“FEMA Zones AE:” The flood insurance rate zone that corresponds to areas subject to inundation by the 1% annual chance flood event determined by detailed methods. Zones AE are floodplains with base flood elevations.

“FEMA Zone AH:” The flood insurance rate zone that corresponds to the areas of 1% annual chance shallow flooding (usually areas of ponding) where average depths are between 1 and 3 feet.

“Flash flood:” Rapid rises of water in drainage basins typically caused by high intensity, short duration storm events that occur with little warning. Flash floods often occur on steep slopes in arid climates in canyons, streams, drainage channels, or alluvial fans. They frequently cause damage from high velocity erosive flows and sediment deposition in agricultural or rural areas; they also cause damage to property and infrastructure in urban areas.

“Funding Agreement” or “Agreement:” An agreement entered into by a successful applicant and the State, where the State provides funds for the applicant’s project pursuant to the Program.

“Funding Recipient:” An eligible applicant or entity selected to receive funding as a signatory pursuant to the Program.

“Induce Population Growth:” The tendency for a population increase and/or intensity in a floodplain, following the construction of flood management improvements. The State does not promote flood management improvements that would induce urban development and associated population growth in rural floodplains. Flood improvements can be made to accommodate some level of future growth while avoiding broader urban development that leads to risk intensification and potential increases in aggregate, economic, and life safety risk.

“Maintenance:” is work completed to keep facilities in an acceptable and operable condition, and that is intended to maintain or extend their useful life.

“Median Household Income:” The median household income data reported in the most recently published U. S. Census, as updated by the California Department of Finance, Population Research Unit, for the year in which a project proposal is submitted to DWR.

“Mudflow:” A condition where there is a river, flow or inundation of liquid mud down a hillside, usually as a result of a dual condition of loss of brush cover, and the subsequent accumulation of water on the ground preceded by a period of unusually heavy or sustained rain. A mudslide may occur as a distinct phenomenon while a landslide is in progress, and will be recognized as such only if the mudflow, and not the landslide, is the proximate cause of damage that occurs.¹⁸

“Multi-benefit:” Projects that provide more than one public benefit. For example, Projects that reduce flood risk and enhance fish and wildlife habitat, as well as create additional public benefits such as: sustaining agricultural production, improving water quality and water supply reliability, increasing groundwater recharge, supporting commercial fisheries, and providing public recreation and educational opportunities, or any combination thereof.

“Nonprofit organization:” means an organization qualified to do business in California and qualified under Section 501(c)(3) of Title 26 of the United States Code.

“Project:” All planning, engineering, acquisition of real property interests, construction and related activities undertaken to implement a discrete action to be funded under the Program.

“Public Agency:” A State agency or department, special district, joint powers authority, any county, city, city and county, or other political subdivision of the state. For purposes of this Program, a public agency must have authority to implement flood management projects.

“Public utility agency (water):” A public agency where services are performed for or delivers water to the public and is subject to the jurisdiction and regulation of the Public Utilities Commission.

“Setback Levee:” A new levee constructed completely separate (except for the “tie-ins”) from an existing levee, which allows for removal of the existing levee and creation of additional floodplain connected to the stream.

“Severely Disadvantaged Community (SDAC):” A community with an annual median household income that is less than 60 percent of the statewide annual median household income.

“State:” The State of California, acting by and through the Department of Water Resources.

“Wise Use of Floodplains:”¹⁹ A floodplain is being put to wise use when the activities that take place on it consider the risks to human life and property from floods, as well as the risks to the floodplain's natural functions posed by human activity. The concept of wise use emphasizes the floodplain's geography, natural functions, periodic inundation, nexus to the watershed, and directs decisionmakers to the potential interaction of natural resources and functions with existing or proposed human activity.

¹⁸ 44 C.F.R. § 59.1

¹⁹ Unified National Program for Floodplain Management, Federal Interagency Floodplain Management Task Force, 1994.

Appendix B

Proposal Solicitation Package

DWR has \$50.4 million available to award for projects under the Floodplain Management, Protection, and Risk Awareness Program during this solicitation. Funds are available through June 2024. It is recommended that the project work be completed by the end of calendar year 2023 to allow time to process final invoices and close out projects by June 2024; this is when this appropriation expires. Of the funding available, a maximum of 10 percent will be allocated for planning and monitoring projects. If the quantity of funds requested exceeds the amount available, DWR may choose to partially fund some or all proposals, may refer proposals to other funding programs, or may not fund selected eligible concept proposals.

Solicitation of proposals for these funds will begin with the request for Concept Proposals, to avoid the expense of preparing full proposals for all projects.

Concept Proposals –

Eligible applicants submit a concept proposal containing a brief description of the proposed project. Concept proposals must be prepared using the form in Appendix I.

For electronic submittal, please email the concept proposal to DWR at: FMPRA@water.ca.gov. The time/date stamp on the email accompanying the electronic form will establish the official date and time of submittal. For hard copy submittal, please send the form with a postmark prior to the due date to the program office at 3464 El Camino Avenue, Suite 200, Sacramento, CA 95821, with attention to Mehdi Mizani. Concept proposals that are incomplete or do not meet the deadline will be rejected.

Concept proposals will be evaluated, but not scored, based on the scoring criteria. All proposals will be provided written feedback on basic eligibility, and a summary of the total number of concept proposals received and the competitive environment for the Program. No applicant will be denied the opportunity to submit a full proposal; however, **a concept proposal must be submitted for a full proposal to be considered for funding**. Feedback on concept proposals will be provided within 45 days of the submittal deadline.

Submittal Deadline: 5:00pm, October 27, 2021

Full Proposals –

Full proposals are free form – i.e., a template is not provided. For full proposal submittals, all of the following basic information must be included:

1. The agency name, primary contact, address, phone number, and email address.
2. The name, title, phone number, and email address of the authorized representative who may sign a funding agreement on behalf of the applicant.
3. The agency's flood management authority.
4. A scope of work, schedule, and budget for the proposed project, summarized at the task level.
5. A description of the project location, with reference to flooding sources, tributaries, or communities effected by or benefitting from the project. It is encouraged to include a

description of the without project condition (including maps highlighting the flood hazard).

6. Proposed State and local cost-share percentages and supporting information.
7. One adopted and certified original of Appendix E- Authorizing Resolution, Appendix F - Attorney's certification, and Appendix G- Environmental Information Form.

Please submit **one** electronic copy and **three** hard copies of your proposal. Submitting electronic files using a USB flash drive, via email, or via cloud sharing is acceptable; the files should be compatible with Microsoft Word or in a searchable Adobe portable document format with content copying enabled. All content must be completely legible and suitable for reproduction.

Submittal Deadline: 5:00pm, February 9, 2022

The Full Proposal package must be postmarked on or before the submittal deadline listed above. Proposals received after this deadline will be rejected.

DWR will review all timely submittals for completeness within two weeks of receipt. A complete review and ranking of the full proposals is anticipated to take three to five months. This includes a detailed proposal review, management review, and management approval of the proposed awards. Proposed awards will be publicly posted for 15 days. The final awards will be determined after that period. Funded and non-funded project applicants will be notified, and the grant agreement execution process will begin for funded projects. The template grant agreement is provided in Appendix H, which will be executed for projects that are awarded funding.

Where to Submit full proposals

California Department of Water Resources
3464 El Camino Avenue, Suite 200
Sacramento CA, 95821
Attn: Mehdi Mizani

For questions:
Mehdi Mizani, Program Manager
Floodplain Management, Protection, and Risk Awareness Program
(916) 480-5351
Mehdi.Mizani@water.ca.gov

Appendix C

Proposal Evaluation and Scoring

The proposal review team will use the criteria in this appendix to evaluate the benefits of proposed projects. The highest points will be assigned to proposals that fulfill the purposes of the Program and that list important details about the proposed project. Points will be assigned proportionately within each criterium as identified.

Planning and Monitoring Projects (Section 3.2) must receive a minimum of 12 points to be eligible for a Planning & Monitoring grant award and will be evaluated using Criteria in Table C-1.

Table C-1 Planning & Monitoring Project Scoring Criteria	Maximum Points
A) Will the proposed project, if completed and implemented, reduce flood risk related to stormwater flooding, mudslides, and flash flooding?	10
B) Are there opportunities for the proposed project to achieve multiple benefits? (1 point per potential benefit up to 4 points) <ul style="list-style-type: none"> - Enhancing fish and wildlife habitat - Sustaining agriculture production - Improving water quality - Improving water reliability - Groundwater recharge - Sheltering and evacuation - Supporting commercial fisheries - Providing public recreation - Educational opportunities 	4
C) Could the proposed project benefit a DAC or SDAC? (yes = 3 points)	3
D) The extent to which the applicant can demonstrate the project meets the following: (1 point per yes) <ol style="list-style-type: none"> 1. Is the proposed project part of a larger prioritization of projects (e.g. Regional Flood Management Plan, Integrated Water Management Plan)? 2. Is any prior study or evaluation being used to advance the proposed project? 3. Could the proposed project cause the community to enter the CRS or advance in ranking in the CRS? 4. Has the community prioritized planning & implementation projects in their LHMP? 	4
E) Does the proposed project acknowledge inland climate change impacts and/or sea level rise?	1
F) Has the community pre-prepared a Notice of Intent for the annual pre-disaster (Building Resilient Infrastructure and Communities), post-disaster HMGP or other FEMA Hazard Mitigation Assistance grant programs?	1
G) Will the proposed activities lead to the further refinement of a project that is not currently eligible under other existing funding opportunities?	1
TOTAL POSSIBLE POINTS	24

Implementation Projects (Section 3.3) must receive a minimum of 35 points to be eligible for an Implementation grant award and will be evaluated using Criteria in Table C-2.

Table C-2 Implementation Project Scoring Criteria	Maximum Points
<p>A) The extent to which the project achieves public safety via flood risk reduction associated with stormwater flooding, mudslides, and flash-flooding. (25 points)</p> <p>Does the project proposal:</p> <ol style="list-style-type: none"> 1. Provide H&H analysis on the level of protection being achieved by the flooding source(s) within the project domain 2. Provide/cite reference to H&H documentation, data, models, and/or approved plans that conforms to federal, State, and Local jurisdictional guidance etc. 3. Assess inland climate change and/or sea level rise that conforms to federal and State guidance 4. Identify comprehensive mitigation features; structural and non-structural 5. Describe the impacted land use with emphasis on critical infrastructure, high-risk population, residential, commercial, and industrial 6. Identify the magnitude of the flood risk impacts <p>Is the project in one of FEMA's flood zones or an equivalent flood hazard area as identified in Section 6.1 of the Guidelines? (Yes = 5 points)</p>	30
<p>B) The extent to which the project achieves the following multiple benefits (3 points per additional benefit, maximum of 15 points):</p> <ul style="list-style-type: none"> - Enhancing fish and wildlife habitat - Sustaining agriculture production - Improving water reliability - Groundwater recharge - Sheltering and evacuation - Providing public recreation - Educational/risk awareness outreach - Improving water quality from future inland climate change and/or sea level rise 	15
<p>C) The extent to which the project benefits a disadvantaged community (consistent with Appendix D):</p> <ol style="list-style-type: none"> a) 80%-100% DAC/SDAC Benefit: (5 points) b) 60%-79.9% DAC/SDAC Benefit: (4 points) c) 40%-59% DAC/SDAC Benefit: (3 points) d) 20% - 39.9% DAC/SDAC Benefit: (2 point) e) Less than 20%: (1 point) 	5
<p>D) The extent to which the proposal includes a complete, reasonable, and well-thought-out:</p> <ul style="list-style-type: none"> • scope of work (1 point) • budget (1 point) • schedule (1 point) 	3

E) The extent to which the project leverages the resources of private, federal, or local funding sources by exceeding the minimum required funding match: (DAC/SDAC's that meet this criterion will be assigned 5 points) i) minimum funding match exceeded by at least 5% (1 point) ii) minimum funding match exceeded by at least 10% (3 points) iii) minimum funding match exceeded by at least 15% (5 points)	5
G) The extent to which the project will deliver sustainable outcomes in the long-term (e.g. non-structural measures, utilizing green infrastructure, natural systems or systems that mimic natural systems, minimal to no long-term operation, and maintenance costs).	2
H) Does the community participate in the NFIP CRS? i) Participates in the CRS and designated as a Class 10, 9 or 8 (1 point) ii) Participates in the CRS and designated as a Class ≤ 7 (2 points)	2
I) The extent to which the project: i) Provides the greatest public benefit, as demonstrated by the Benefit to Cost Ratio (BCR): a) BCR < 1.0 or unknown (0 points) b) BCR ≥ 1.0 and < 2 (1 point) c) BCR ≥ 2 (2 points)	2
J) Does the project utilize the California Conservation Corps or certified community conservation Corps? ²⁰ (Yes = 1 point, No = 0 points)	1
TOTAL POSSIBLE POINTS	65

²⁰ Public Resources Code section 80016.

Appendix D

Local Cost Share Reduction

Applicants may propose a reduced local cost-share for projects that directly benefit one or more DACs or SDACs. To substantiate the reduced local cost-share, applicants should submit substantiating documentation with the full proposal that identifies which DAC and SDAC would benefit from the implementation of the proposed project. Project benefits to a DAC or SDAC may be claimed based on percentage of population or geographic area benefitted. Proposed cost shares that have approved documentation will be assigned as follows:

Benefit to a DAC / SDAC	Percent (%) Local Share
80% - 100%	0
60% - 79.9%	5
40% - 59.9%	10
20% - 39.9%	15
Less than 20%	20

Applicants should ensure the description of the DAC and SDAC are adequate for DWR to determine whether the communities meet the definitions. Applicants must provide the following information for each project claiming benefits to a DAC and SDAC:

- Percentage of the project benefits provided to a DAC and SDAC, by geographic area, population, or other rationale demonstrated as satisfactory by DWR.
- Calculations that support the project benefits in the DAC and SDAC, such as a map or shapefile that shows the project benefit area overlaid onto the DAC or SDAC.
- Information that demonstrates support for the project by effected DACs and SDACs (e.g., letter(s) of support, financial commitments, etc.).
- If representative census data that adequately represents the community cannot be found, alternative studies (local income surveys, a subset of a block group, older ACS data, etc.) may be substituted in the attachment. Include justification for the use of alternate data.

To determine the Median Household Income (MHI) for DACs and SDACs, applicants may use a single type of census geography or combinations of census geographies that best represent DACs and SDACs. Applicants are encouraged to utilize DWR's Disadvantaged Community Mapping Tool to identify the project area in relation to the benefiting DAC and SDAC; <https://gis.water.ca.gov/app/dacs/>. This tool is an interactive map application that allows users to overlay DAC and SDAC median household income GIS data files onto a map of California.

Please note that the American Community Survey (ACS) of the U.S. Census provides a dataset that can be used as a source to estimate a community's MHI. The most recent and most comprehensive data available is the 5-year period of 2014 - 2018. The ACS data gives estimates of MHI for different census geographies, such as states, counties, census places (incorporated cities and unincorporated towns), census tracts, and census block groups. Using the ACS data from 2018, the California Statewide MHI is \$72,228. A DAC and SDAC is defined as a community with an annual median household income that is less than 80 and 60 percent, respectively, of the statewide annual median household income.

Appendix E

Local Public Agency Authorizing Resolution Template

Resolution No. _____

A Resolution by the (Local Governing Body Name) of the (Agency Name)
Authorizing a Proposal 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 (agency type) with responsibility for and authority over (e.g. flood management, ecosystem management, water quality management) in the area proposed for the project and is willing to participate in, coordinate, and collaborate with other interested parties that are participating in the development of the (agency name) project;

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 (Local Governing Body Name) of the (agency name) as follows:

1. That pursuant and subject to all of the terms and conditions of the California Drought, Water, Parks, Climate, Coastal Protection, and Outdoor Access For All Fund Act of 2018 (Proposition 68; Pub. Resources Code, § 80000 et seq.), the (agency name) shall submit a proposal to obtain funding for the (project name) Project from the Department of Water Resources.
2. That the (Local Governing Body Name) authorizes 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 execute the (project name) Project.

CERTIFICATION

I hereby certify that the foregoing Resolution (#) was duly and regularly adopted by the (Local Governing Body Name) 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:

Attest:

Chair, (Local Governing Body Name) _____

Name and Title

Appendix F

Attorney's Certification Form

Appendix G

Environmental Information Form

Appendix H

Grant Agreement Template

Appendix I

Concept Proposal Template

Floodplain Management, Protection, and Risk Awareness Grant Program

Please limit concept proposals to no more than 3 pages of typewritten responses. Figures or maps may be attached to the concept proposal in addition to the 3 typewritten pages. Please include all the following:

Funding Type Requested

Planning and Monitoring Project Implementation Project

Project Information

Project Name:

Project Location (e.g. County, City):

Applicant Information

Applicant Name:

Mailing Address:

Primary Point of Contact:

Title, Telephone, e-mail address:

Additional Contact(s)

Name, Organization:

Title, Telephone, e-mail address:

Eligibility Questions

Does the project reduce flood risk? Yes No

Does the project include planning or design/construction component? Yes No

Additional Questions

Does the project enhance fish and wildlife habitat? Yes No

Does the project address future inland climate change and/or sea level rise sustainability? Yes No

Is the project requesting a cost-share waiver or reduction as calculated according to Appendix D? Yes No

Please provide a clear description of the proposed project and its status, addressing the eligibility answers provided above in the following sections of your concept proposal:

Project Description: Scope of work, budget, and schedule (1 page max)

Other Considerations (1 page max)

Figure or Map Attachments (4 pages max)