



Delta Levees Special Flood Control Projects

Addendum #1

to the

2014 Guidelines

For

Providing Funding to Local Public Agencies

Department of Water Resources
Division of Flood Management
January 2019

INTRODUCTION

On November 4, 2014, California Proposition 1, the Water Bond (Assembly Bill 1471), was approved by California voters. Proposition 1 enacts the Water Quality, Supply, and Infrastructure Improvement Act of 2014 (Hereinafter referred to as "Prop 1").

The Delta Levees Special Flood Control Projects Program (Hereinafter referred to as the "Program") is authorized under Chapter 2 of the Water Code (commencing with Section 12310 of Part 4.8 of Division 6). On June 14, 2014, the Program published the "2014 Guidelines for Providing Funding to Local Public Agencies" (hereinafter referred to as "Guidelines"). The Guidelines together with periodic Projects Solicitation Packages (PSPs) provide instructions for obtaining Program funds for levee improvement and habitat enhancement projects in the Sacramento/San Joaquin Delta.

This first Addendum to the Guidelines is provided to facilitate the use of Prop 1 funds to further both the goals and objectives of the Program, and of the Water Code as modified by Prop 1.

DEFINITIONS AND ACRONYMS

For those projects receiving funding from Proposition 1, the definitions published in Prop 1, where they differ from the Guidelines shall apply to this Addendum.

EFFECTIVE DATE

Proposition 1 requires that ...

Prior to disbursing grants or loans pursuant to this division, each state agency that receives an appropriation from the funding made available by this division shall develop and administer a competitive grant or loan program under this division shall develop and adopt project solicitation and evaluation guidelines. The guidelines shall include monitoring and reporting requirements and may include a limitation on the dollar amount of grants or loans to be awarded. If the state agency has previously developed and adopted project solicitation and evaluation guidelines that comply with the requirements of this subdivision, it may use those guidelines.

The Program shall use its existing published Guidelines, including guidelines for Directed Actions, as supplemented by this Addendum to direct expenditures of Prop 1 funds.

The Guidelines and this Addendum will become effective for future Project Funding Agreements and projects undertaken by the Program utilizing Prop 1 funding after approval by the Department of Water Resources, and after the approved guidelines are posted to the Natural Resources Agency's Internet Web site.

PROPOSITION 1 FUNDING

Funds are identified and specified in Prop 1 by individual Chapter. Prop 1 specifies that funded Projects shall advance the purposes of the chapter from which the project received funding. As of the date of this Addendum, the Program anticipates that funding may be available under **Chapter 11, Flood Management**, Section 79781 of Prop 1. In the event that funds are made available pursuant to other Chapters of Proposition 1, then this Addendum shall remain as the guiding document and any additional requirements, restrictions, or guidelines associated with these other Chapters will be made known to the Applicant through the Program's processes.

PROVISIONS

In the event of conflict between these Provisions and the Water Code, then the Water Code shall prevail.

- (a) Costs incurred to meet the requirements posted in this Addendum shall be deemed eligible for reimbursement under the Program unless expressly excluded in the Guidelines or in this Addendum.
- (b) Proposition 1 funds provided by the Program shall not be expended to pay the costs of the design, construction, operation, mitigation, or maintenance of Delta conveyance facilities. Those costs shall be the responsibility of the agencies that benefit from the design, construction, operation, mitigation, or maintenance of those facilities.
- (c) Funds provided by the Program shall not be used to acquire land via eminent domain.
- (d) Applicants who are a public utility regulated by the Public Utilities Commission, or who are an urban water supplier, or who are an agricultural water supplier may have additional requirements for participation as identified in Section 79712 of the Water Code. All Applicants shall state in their application if these provisions apply to their agency, and if so, certify that they are in compliance.
- (e) In making decisions regarding water resources, the Program and Applicant shall use the best available science to inform those decisions.
- (f) The Program shall give special consideration to Projects that employ new or innovative technology or practices, including decision support tools that support the integration of multiple jurisdictions, including, but not limited to, water supply, flood control, land use, and sanitation.
- (g) California's working agricultural and forested landscapes will be preserved wherever possible. To the extent feasible, and where it is necessary to acquire easements to meet Program objectives, these objectives should be achieved through use of conservation easements and voluntary landowner participation, including, but not limited to, the use of easements pursuant to Division 10.2 (commencing with Section 10200) and Division 10.4 (commencing with Section

10330) of the Public Resources Code and voluntary habitat credit exchange mechanisms.

- (h) The Department of Finance shall provide for an independent audit of all Program and Project expenditures not less than annually and shall post an electronic form of the list on the Natural Resources Agency's Internet Web site. The Applicant shall provide information and assist with this audit and any such assistance shall be an ineligible project cost.
- (i) Projects shall include signage informing the public that the project received funds from the "Water Quality, Supply, and Infrastructure Improvement Act of 2014". Signs shall be provided and installed by the Applicant generally as per CALTRANS specifications as described here <http://www.dot.ca.gov/hq/traffops/engineering/control-devices/projectinfosigns.htm>, except replacing the CALTRANS logo with the DWR logo. The Department reserves the right to modify signage specifications for a particular Project or for the entire Program at a later date by informing the Applicant in writing. The Applicant shall submit a map showing the location, height, and face design of all signs to the Program for approval before fabrication and installation. The cost of design, fabrication, and installation of Prop 1 signs are eligible for reimbursement. The Applicant shall maintain signs at their own expense for the duration of the project and for a period of not less than 2 years after Project completion.