

# SOLANO COUNTY WATER AGENCY



## **FLOOD CONTROL ADVISORY COMMITTEE** **Meeting Announcement**

**DATE:** Thursday, March 25, 2010  
**TIME:** 7:00 p.m.  
**PLACE:** Solano Irrigation District – Board Room  
508 Elmira Road, Vacaville

### **AGENDA**

1. Introductions and Public Comment
2. Approval of Minutes of February 25, 2010 meeting
3. Update on Medium and Small Projects
4. Presentation on Small Grant Program – Amy King, Solano Resource Conservation District
  - a. Review Program Guidelines for possible modification
  - b. Discuss improvements in publicizing program
5. Review of SCWA Flood Management Project Funding Policy – Consider recommendation to Board of Directors
6. Set Meeting dates for 2010  
April 22; May 27 (Suisun Marsh field trip)

If you have any questions contact Alex Rabidoux at (707) 455-1106

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**SOLANO COUNTY WATER AGENCY**

**FLOOD CONTROL ADVISORY COMMITTEE**

**MEETING MINUTES: February 25, 2010**

**Introductions and Public Comment:** Chairman Terry Riddle called the meeting to order at 7:00 pm.

**Approval of Minutes of January 28, 2010:** The minutes were unanimously approved.

**FCAC Planning Workshop – Funding Sources:** David began the Flood Control Advisory Committee planning workshop by first discussing the Agency’s funding sources for flood control. The Agency has a total of 4 funds of money which include the State Water Project, Ulatis Flood Control Project, Green Valley Flood Control Project, and general property tax revenue. The three project funds can only be spent on expenses related to those projects. Funding for general flood control work is from the Agency’s property tax revenue. The Water Agency’s property tax revenue is generated from a percentage of the County’s 1% property tax on all City and County parcels in Solano County. David pointed out that most of the Agency’s property tax revenue comes primarily from the cities, yet most of the flood control spending is in the rural unincorporated areas of the County. For the Agency’s expenses, David explained that the Solano Project O&M, Habit Conservation Plan, Water Agency labor, capital expenses, and flood control are several of the large budget items. Committee member Terry Riddle asked David what expenses are fixed, and what expenses could be cut if the Water Agency’s revenue substantially declines. David responded that projects like the Solano Project O&M, Habitat Conservation Plan, LPCCC, and Water Agency labor would not likely change. The capital expenses and flood control projects would most likely be impacted.

The next item that David discussed was the Water Agency’s Flood Management Project Funding Policy. The Funding Policy is a set of guidelines approved by the Agency’s Board of Directors which details how flood projects are to be funded. David highlighted a few of the most important requirements which include having a cost benefit ratio equal or greater than 1.0, a maximum contribution of 1/3 by the Agency, and a requirement that the Water Agency will not do maintenance unless it is funded by outside funds. Committee member Mike O’Conner asked if the Funding Policy is a fixed policy. David explained that it is a guideline that can be changed by the Board at any time.

**FCAC Planning Workshop – Completed Watershed Projects:** David began discussing in detail each of the watersheds in the County and what has been completed by the Water Agency. The first area discussed was Green Valley Creek and Ledge wood

Creek. Within the City Limits of Fairfield, these creeks have good flood control protection. The Army Corps of Engineers completed these projects in the 1980s establishing 100-yr flood protection within the City Limits. However, during substantial storms in the late 1990s and in Dec-2005, I-80 was closed for several hours at Ledgewood Creek. The Water Agency looked at doing improvements just above I-80 but the landowners were not willing to sell or even participate because the projects could not provide 100-yr flood protection. The project was then stalled for several years until more recent work with the Solano Transportation Authority on Suisun Creek. The Water Agency also performed a watershed study of the Twin Creeks area which is located in the upper part of Green Valley Creek. The study came up with several solutions to reduce flooding. However, the Twin Creeks Homeowner's Association was not interested in cost-sharing for this project.

For Suisun Creek, most of the channel is in a natural state, with flooding that occurs both above and below I-80. The Agency did a watershed plan which came up with 3 solutions consisting of cleaning the channel, excavating and increasing the channel size, or providing detention storage. All of the recommended solutions were very expensive and did not provide substantial flood protection. Additionally, the project did not have good cost to benefit ratios, which now are required to get Agency funding. However, the Solano Transportation Authority approached the Water Agency about doing a detailed model of the Suisun and Ledgewood Creek areas. The Transportation Authority also pledged funds for detention storage as part of the North Connector project. The Water Agency is currently waiting to get high flow measurements for Ledgewood and Suisun Creeks as part of the modeling for this area.

For McCune Creek, the watershed is part of the Ulatis Project but only up to I-80. Above I-80 is Farmer's Drain, which is a channelized section of McCune Creek from Halley Road to I-80. The Water Agency obtained easements along Farmer's Drain to clean out the area and perform maintenance. Above Halley Road, flooding problems continued to persist. The Water Agency did a watershed study of this area to identify what could be done to reduce flooding. The study recommended replacing several culverts, excavating the channel to make it larger, and enlarging parts of Farmer's Drain downstream to fund the additional flood flows. The total project cost was \$760,000. An assessment district was proposed to handle the project. However, numerous landowners attended the Water Agency's Board of Directors Meeting to oppose the project, with no landowners in support of the project. The result terminated the McCune Creek improvement project.

In the Horse Creek watershed, which is located just outside of northeast Vacaville, a series of drainage improvements were done along Maple and Poplar Roads. Numerous culvert crossings were improved, the road drainage ditches were improved, and another drain pipe was installed into Horse Creek, which is part of the Ulatis Project. The project was a joint project with Solano County. According to Committee Member Laura Peters, the project was a success. She has heard several landowners indicate that the project has reduced flooding in the area. David also explained that shortly after the project was constructed, a large storm occurred and the flood impacts were reduced because of this project.

For the Dixon Area, the Agency funded a watershed study in 2001 to address flooding issues in and around Dixon. The study helped form a Joint Power Authority between the

City of Dixon, Maine Prairie Water District, RD 2068, and the Dixon RCD to deal with flooding issues. The outcome of the watershed study led to substantial improvements along Lateral 1, which drains a substantial part of the City of Dixon. The Water Agency has also committed \$200,000 to the Dixon Regional Watershed Authority for additional flood improvements that are expected to be done this summer.

For Sweeney Creek, substantial flooding occurs upstream of the Ulatis Project, which ends near Leisure Town Road. In 1995 the Water Agency first began doing work in the Sweeney Creek area, as part of a small grant project. In 1996 a Sweeney Creek Workgroup was formed to deal with flood issues along the creek. The Water Agency worked to obtain easements from landowners between the Putah South Canal and the Ulatis Project, but the landowners were not willing to grant the Agency easements. After 1998 and several large storm events, landowners became interested in doing improvements in Sweeney Creek. The Agency was able to obtain easements from all but one landowner. The landowner was subsequently taken to court, and in the end the landowner settled, and easements were obtained. The Agency's Board of Directors approved the Agency maintaining this area, without the need of a funding source. The Water Agency now maintains Sweeney Creek from the Putah South Canal down to the Ulatis Project. The Water Agency also completed a watershed study for the area, which proposed enlarging Sweeney Creek, but landowners were not interested in the project. Above the Putah South Canal, landowners were not interested in forming an assessment district to fund maintenance of the creek. In the Heather Lane area, the Water Agency proposed improvements along the Heather Lane ditch, but landowners were also not interested. The Water Agency did establish the Home Raising Program to help landowners in the Sweeney Creek area to raise or place a berm around their homes.

On Alamo Creek, the Water Agency did a watershed study in 2008, which was requested by the City of Vacaville. The study recommended detention storage but pointed out that the City of Vacaville would not obtain 100-yr flood protection because numerous homes were already built next to the creek. The Water Agency contributed a total of \$3.5 million to the City of Vacaville, as part of the Detention Basin Project.

On Gibson Canyon Creek, substantial flooding occurs upstream of I-80. The problem areas include Mills Lane and the PG&E substation. During the Dec-2005 storm event, the substation was almost shut down due to flooding. The Water Agency subsequently began maintaining Gibson Canyon above I-80 through the PG&E substation. Above the substation, the City of Vacaville has an old sewer plant which they are interested in using as a detention basin. However, the project is contingent on future development in the area, which has greatly slowed down.

The last area discussed was in the southeastern part of Solano County, at Rio Vista. A flood study was done in 2009 to identify what areas in and around Rio Vista would be flooded and potentially impacted by sea level rise.

The committee felt that the key for many of the flood control projects discussed is landowner interest and cooperation. Chairman Terry Riddle and Committee member Ron Koehne felt that maybe an incremental approach should be taken to handle watersheds like the McCune Creek area. Committee member Paul Lum asked David, how supportive is the Water Agency's Board on flood control projects? David responded that

historically the Board has always supported past flood control projects recommended by the Committee.

**FCAC Planning Workshop – Future Activities:** The Committee discussed looking at an incremental approach to handle flood control projects. However, the Committee struggled with the issues of funding maintenance, lack of a local advocacy group to pitch these projects, and the lack of resources and time to come up with more creative solutions. The Committee determined that the original Funding Policy should be relooked at by the Committee at the March meeting. Additionally, the Committee would like to have the Solano RCD present a summary of the small grant projects at the March meeting as well.

**Next Meeting:** The next meeting of the Flood Control Advisory Committee is scheduled for Thursday, March 25, 2010 at 7:00 pm at the Solano Irrigation District.

**Committee Members Attending:**

|               |                |
|---------------|----------------|
| Laura Peters  | Steve Chappell |
| Terry Riddle  | Paul Lum       |
| Ronald Koehne | Mark Holdener  |
| Mike O'Connor |                |

**Committee Members Absent:**

|              |                 |
|--------------|-----------------|
| Jim Daniels  | Charles Karnopp |
| Ron Campbell | Rolf Ohlemutz   |
| Delbert Berg |                 |

**SCWA Staff:**

|             |               |
|-------------|---------------|
| David Okita | Alex Rabidoux |
|-------------|---------------|

## **MEDIUM SIZED FLOOD PROJECT STATUS REPORT**

**March 25, 2010**

This is a status report for each of the active medium sized flood projects currently being undertaken by the Solano County Water Agency.

| <b>PROJECT</b>             | <b>STATUS SUMMARY</b>   |
|----------------------------|---|
| <b>SWEENEY CREEK</b>       | <ul style="list-style-type: none"><li>• SCWA Home Raising Program. SCWA processing applications – Six \$25,000 payments made in FY 2007-2008. One for FY 2008-2009</li><li>- <b>Continuing to accept applications- one pending</b></li></ul>  |
| <b>GIBSON CANYON CREEK</b> | <ul style="list-style-type: none"><li>• Examining feasibility of using abandoned Vacaville sewage ponds as detention basins.</li><li>• <b>Report shows feasible project –report submitted to Vacaville and developer for review</b></li></ul>   |
| <b>LEDGEWOOD CREEK</b>     | <ul style="list-style-type: none"><li>• Work completed of preliminary evaluation of open space / detention pond storage – not promising.</li><li>• <b>Project on hold for coordination with Suisun Creek Study</b></li></ul>  |
| <b>DIXON REGIONAL</b>      | <ul style="list-style-type: none"><li>• Watershed Study completed August 2001</li><li>• SCWA commits to \$200,000 for “Three Mile Connection” in 2004.</li><li>• Dixon Watershed Authority requests funding for Eastside Drain Project in 2007 – application being developed.</li></ul> |
| <b>SUISUN CREEK</b>        | <ul style="list-style-type: none"><li>• <b>Solano Transportation Authority has contracted for a 2D computer model of the watershed (including LedgeWood) to look for flood control solutions. SCWA is participating in the study</b></li></ul>  |
| <b>RIO VISTA</b>           | <ul style="list-style-type: none"><li>• <b>Completed</b></li></ul>  |

## FLOOD CONTROL – FY 2009/2010 SMALL GRANT PROJECTS

March 25, 2010

| NAME                                   | LOCATION                                | WATERSHED        | TOTAL PROJECT COST |                                    |          | PAID OUT (SCWA)                    | STATUS   |
|--|---|------------------|--------------------|------------------------------------|----------|------------------------------------|--|
|  |   |                  | Owner Cost-Share   | SCWA Cost-Share                    | Total    |                                    |  |
| Wally Pearce                           | 4586 Campos Rd<br>Winters, CA           | McCune Ck.       | N/A                | N/A                                | N/A      | \$0                                | <b>PENDING:</b> The SRCD is working with the landowner; small grant app submitted.   |
| Tracy Rush                             | 101 Siebe Dr<br>Fairfield, CA           | Green Valley Ck. | \$3,276            | \$7,716<br>(\$14,270) <sup>1</sup> | \$17,546 | \$7,422<br>(\$13,976) <sup>1</sup> | <b>COMPLETED:</b> The SRCD has completed all riprap, vegetation, and culvert cleanout work. SCWA contributed \$6,554 for the project for FY 2008-2009.   |
| Keith Thrower                          | 5755 Fry Rd.<br>Vacaville, CA 95687     | Old Alamo Ck.    | N/A                | N/A                                | N/A      | \$0                                | <b>PENDING:</b> SRCD and the City of Vacaville are working on options for this site  |
| Charles and Hideko Lion                | Locke Rd.<br>Vacaville, CA              | Sweeney Ck.      | \$2,928            | \$8,400                            | \$11,328 | \$8,400                            | <b>COMPLETED:</b> The design phase of this project complete.   |
| Marilee Scholl and Stephen Silberstein | Bucktown Lane<br>Vacaville, CA          | Ulatis Ck        | N/A                | N/A                                | N/A      | \$0                                | <b>PENDING:</b> The SRCD is working on submitting this project – involves 4 parcels (including Georgia Simpson’s above) on an ephemeral stream that drains to Ulatis. Major sediment source to Ulatis. |
| Jack Phillips                          | 7520 N. Meridian Rd.<br>Vacaville, CA   | Sweeney Ck.      | N/A                | N/A                                | N/A      | \$0                                | <b>PENDING:</b> The SRCD is working with the landowner to submit a small grant and/or work with SID and the County to do improvements.   |
| Richard Cash                           | 4356 Peaceful Glen Rd.<br>Vacaville, CA | Sweeney Ck.      | N/A                | N/A                                | N/A      | \$0                                | <b>PENDING:</b> The SRCD is working with the landowner to submit a small grant.  |

**Totals:      \$6,204      \$16,116      \$28,874      \$15,822**  
**Amount Remaining in Small Grant Budget:    \$33,884**

<sup>1</sup> This figure represents the project total of Fiscal Years 2008-2009 and 2009-2010.

# SOLANO COUNTY WATER AGENCY



## Guidelines for Assistance in Small Flood Control/Drainage Projects- 2009-2010 Program

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### A.) Introduction

The Solano County Water Agency has funding for eligible small flood control/drainage projects such as creek vegetation removal, debris removal, and limited erosion control and sediment retention. The purpose of this memorandum is to explain the process of how you can obtain assistance from the Water Agency. The Solano Resource Conservation District (SRCD) is managing this program on behalf of the Water Agency.

### B.) Submission of Information

Attached is the application to be used. Describe the extent of the flooding and the frequency of the occurrence of flooding. Any historical information about the past flooding would also be helpful. Provide information about past or potential property damage from flooding.

SRCD staff can help you determine the type of work that is appropriate for the creek and the type of work that can be approved by regulatory agencies. Include a cost estimate of the work. SRCD staff can also help you with the cost estimate.

Attached is an example of the standard agreement property owners will be required to sign if your project is approved. Do not send this in with your application. Unless all property owners where the project will be done sign the agreement, the project will not be authorized for funding (an exception is made for studies and engineering). By submitting an application to us we assume that property owners will sign such an agreement.

### C.) Project Eligibility

The following are criteria and requirements that will be used to judge project eligibility.

1. Landowner Permission/Waive Liability. Landowners will be required to sign an agreement (example attached) with the Water Agency, which grants permission for the work to be performed and to waive any liability claims against the Water Agency.



2. Benefit More Than One Landowner. A problem to be solved must impact more than just one property owner or is caused by something beyond the single property owner's control. For example, a clogged ditch overflows into more than one property or runoff from upstream properties runs into another property and causes drainage problems. The intent of these criteria is that the projects will benefit more than just one property owner. In most cases, a creek-cleaning project will benefit more than just one property owner.
3. No Significant Adverse Downstream Impact. This is a key criterion. Any work done with these funds must not adversely impact others downstream (or upstream). We do not simply want to transfer a flooding or drainage problem from one area to another. If there are downstream impacts, then the area impacted downstream perhaps needs to be included as part of the overall project. If downstream impacts cannot be resolved by inclusion of these properties, a study of the watershed may be needed to determine a coordinated course of action. We will be making engineering judgments on whether there are downstream impacts.
4. Landowners to Perform Ongoing Maintenance. As part of the agreement mentioned in criteria 1 above, the agreement will call for the landowner to continue regular normal maintenance of the creek after the initial cleaning is done. The intent of this provision is not to impose an open-ended responsibility on landowners. The responsibility is only to perform maintenance to upkeep the work that has already been done. For example, if large amounts of debris should accumulate on the property from upstream sources, the landowner would not be required to remove that debris as part of the agreement. Since these projects are generally on private property, we are assuming that the property owners will continue their responsibility for maintaining the creeks. For larger projects, you and your neighbors can form an assessment district where affected property owners fund ongoing maintenance. The Water Agency staff can provide technical assistance to you to set up such assessment districts.
5. 20% Landowner Contribution to Project Costs. Applicants are required to provide a 20% contribution to project costs. The contribution can be in the form of cash, provision of materials or labor. The Water Agency General Manager has the discretion to reduce the contribution requirements for special cases.
6. No Maximum Cost Limit. SRCD staff will work with you to estimate the cost of your proposed project. When developing a project, applicants need to be aware that there are limited funds available (approximately \$50,000).
7. Studies and Project Design. Studies and project design are eligible for funding.
8. Levee Repairs, Erosion Control, Tree Removal, and Sediment Retention Projects. If your project involves levee repairs, an erosion control, tree removal or sediment retention project, the following criteria also apply:
  - A. Large levee repairs may not be eligible under the small grant program.

- B. Tree removal projects are generally considered to be the landowner's responsibility and may not be eligible under the small grant program. If fallen trees are near a County Road or Bridge, Solano County personnel may be willing to remove the tree.
- C. The project must be on a stream that is an identified source of sediment.
- D. The erosion or sediment problem must have a direct impact on downstream flooding, for example a sediment from a gully plugging a road culvert and causing flooding.
- E. The original cause of the erosion problem must be beyond the landowners control to correct. For example, development in the upstream watershed has increased the flows to a channel which result in bank erosion; or channel downcutting below the property causing over-steep banks and bank erosion.
- F. The sole benefit of the project cannot be to protect the landowner home or property, while not reducing sediment production.
- G. Sediment retention projects meeting the above criteria are considered eligible for funding.

#### D.) Review Process

The criteria with which projects will be evaluated have been described above. If a project is rejected for not meeting one of the criteria, a written explanation will be provided to the contact person. A panel of reviewers may rank and prioritize projects. The Water Agency's General Manager will have final authority regarding which project will get funded. After the project is authorized, and the agreements are executed by all landowners, work can be scheduled and permits acquired.

#### E.) Project Phase

After SRCD staff have met with the landowner and visited the proposed site, the direction of the project will need to be determined. Depending on the complexity of the proposed project, a phased approach might be needed where the first phase is engineering design and the second phase is construction. Each phase of the project will require re-approval by the Water Agency to make sure funds are available. SRCD can help the landowner determine what phase the project should fall under.

#### F.) Design Phase

For projects that fall under the design phase, the landowner will need to work with a licensed engineer or hydrologist to prepare a (1) Scope of Work and (2) Total Cost to complete the design work. Once this is obtained, the landowner will need to submit the information to the SRCD for review. The SRCD will then work with the landowner to

further refine the study if needed and determine the cost-share. The typical cost-share for the small grant program is 20% landowner, 80% Water Agency as long as funding is available. If the landowner would like to proceed on the project, the landowner will need to sign an agreement with the Agency which will stipulate the cost-share and work to be completed. An example agreement is included at the end of this document.

#### G.) Construction Phase

For projects that fall under the construction phase, the landowner will first need to obtain necessary permits. The SRCD can assist the landowner with the permit process. Typical permits include the Army Corp of Engineers, the Regional Water Quality Control Board, the Department of Fish and Game, and a Grading Permit from Solano County. Once the permits are obtained, the landowner will need to obtain a bid from a licensed contractor. The landowner will then need to submit the information to the SRCD for review and to determine the cost-share. The typical cost-share for the small grant program is 20% landowner, 80% Water Agency as long as funding is available. If the landowner would like to proceed on the project, the landowner will need to sign an agreement with the Agency which will stipulate the cost-share and work to be completed. An example agreement is included at the end of this document.

#### H.) Reimbursement

The small grant program is a reimbursable grant, which means that the landowner will need to pay the engineer or contractor directly, and then submit invoices from the company that state "Paid in Full". Once the paid invoices are received the Water Agency will issue a check to the landowner. The reason for the reimbursement process is to prevent the transfer of liability to the Water Agency for the private flood control project, which would be undesirable for both the landowner and the Agency.

#### I.) Timing

The goal is to complete projects prior to the upcoming rainy season. The ability to complete the work depends on many factors including landowner cooperation, and availability of labor to perform the work and the permitting. It also depends upon when the rainy season starts.

(SRCD to determine if an initial deadline is desirable or whether to take applications all year long)

#### J.) Help

SRCD staff can help you propose your project and prepare your application. We can provide maps and lists of property owners. We can visit sites with you and review the potential of downstream impacts. We can also tell you the type of work that regulatory agencies may allow in your particular situation. For assistance please contact Amy King at (707) 678-1655 ext 109 or e-mail at [amyking@gmail.com](mailto:amyking@gmail.com).

If your project does not receive funding there are other options. As described previously, you and your neighbors can form an assessment district where property owners fund improvement and ongoing maintenance. The Water Agency staff can provide technical assistance to you to set up such assessment districts. These districts can be operated under the authority of the Water Agency. Additionally, if you choose to solve your problems without any funding from this program, we can also provide technical assistance to you and help you get the necessary permits.

# **SOLANO COUNTY WATER AGENCY FLOOD MANAGEMENT PROJECT FUNDING POLICY**

(Approved by Board of Directors November 9, 2006)

## **Introduction**

Consistent with its Flood Control Master Plan, the Solano County Water Agency (SCWA) has a program to develop watershed studies to identify projects that will solve or reduce flooding problems. SCWA staff works to implement feasible projects identified in the watershed studies. This policy will be used by SCWA staff and the SCWA Board of Directors to determine if these projects are cost effective and, if so, the role of SCWA in funding of the project, including consideration for cost sharing.

For each project brought to the SCWA Board of Directors for funding, SCWA staff will perform an analysis that will include how the project meets this policy. The SCWA Flood Control Advisory Committee will participate in project review and will provide a recommendation to the SCWA Board of Directors.

This policy does not apply to the SCWA Small Project Flood Control Grant Program.

## **Project Development**

1. In developing projects to solve or reduce flooding problems, detention storage shall be considered, as detention storage generally has less of an impact to the environment and existing infrastructure and could be designed for multi-use benefits (such as recreation, habitat and farmland preservation) and could result in more funding partners. Additionally, detention storage can have a lower maintenance cost than projects that principally require channel maintenance.
2. For each project, the level of flood protection provided (i.e. from 25 year, 100 year storms) should be compared to recent (i.e., December 2002 and December 2005) major storms to see how flood protection improvements would fare under these recent large storms.
3. For projects in areas where there is a low density of homes or other structures that would benefit from a project, consideration of ring levees and flood walls around structures or elevating structures above the flood level shall be considered.
4. A commitment for permanent maintenance of project facilities shall be required for projects receiving SCWA funds. SCWA will consider performing maintenance provided a permanent funding source is determined.
5. Permanent maintenance easements dedicated to SCWA, or fee title, will be required for project facilities receiving SCWA funds if SCWA is to maintain the facilities.

## **Cost Effectiveness Test**

1. Projects must demonstrate a benefit to cost ratio equal or greater than 1.0.
2. The calculation shall be methods used by FEMA or the US Army Corps of Engineers in their analysis of flood management projects: The present worth of project benefits is divided by the present worth of project costs (including long term maintenance costs).

## **Funding of Project Capital Costs**

1. Only projects that have a cost benefit ratio equal or greater to 1.0 can be considered for SCWA participation in funding of capital costs.
2. If SCWA approves the project for funding, SCWA's contribution to the capital costs shall be a maximum of one third the project capital cost.
3. The amount of capital costs to be funded by SCWA for a project will be determined by the SCWA Board of Directors on an individual project basis. When determining the amount of project capital costs to be funded by SCWA, the following shall be considered:
  - a. Public vs. private benefits. Public benefits are protection of public facilities such as roads, schools, parks and other government owned properties. Public benefits also include protection of water supply and natural habitat areas. The principal private benefit is prevention of damage to private property. The justification for increased SCWA participation in the funding of project capital costs is increased with greater public benefit.
  - b. Contributions from other public agencies. Financial contributions to a project from other public agencies are encouraged and provide an incentive for SCWA participation in funding.
  - c. Contributions from private party beneficiaries. Financial contributions to a project from private party beneficiaries are encouraged and provide an incentive for SCWA participation in funding.

## **Funding of Project Maintenance Costs**

1. SCWA intends that these types of flood management projects provide a source of funding for permanent ongoing operations and maintenance independent of SCWA. There may be certain circumstances where SCWA may assume partial or full operation and maintenance obligations for projects where there is a specific justification to do so, such as if a flood management project is associated with an existing project for which SCWA has maintenance responsibility for or is the local sponsor (i.e., Solano Project, State Water Project/North Bay Aqueduct, Ulatis, Green Valley, or any other future project that SCWA becomes responsible for maintenance or is the local sponsor).

2. SCWA will assist in the formation of assessment districts to collect charges for maintenance of projects.

### **Other Criteria**

1. The land use agency or agencies upstream of a project must provide assurances that future land uses or activities not accommodated by the original project design will not adversely affect the completed project. Methods that could mitigate future impacts include: detention basins, grading restrictions, erosion control, etc. Land use agencies in the project area must further demonstrate that they are enforcing land use and flood management regulations so as to not aggravate existing flooding problems by allowing development in flood prone areas without adequate safeguards to protect the property from flooding.
2. The project must fit within available funding, considering SCWA's funding priorities pursuant to SCWA's Capital Projects Funding Plan and annual budget.
3. SCWA can provide technical assistance for locating grants and other outside funding.

### **Rationale**

1. Any project that SCWA participates in funding must be sustainable, while protecting SCWA from liability. If SCWA constructs a flood management project, but lacks maintenance access or funding to perform maintenance, SCWA could be liable for flooding damages.
2. Local land use controls are important to ensure that the SCWA investment in a flood management project is not diminished by actions of other public agencies that could approve projects that would adversely impact how the project functions as designed or would aggravate flooding problems in the project area. The type of "assurance" that would be sufficient might vary case-by-case at the SCWA Board of Director's discretion.
3. Consistent with the SCWA Strategic Plan and Integrated Regional Water Management Plan, water supply projects and flood management projects, for which SCWA has a preexisting contractual obligation (such as the Ulatis and Green Valley Flood Control Projects), have a higher priority than these new, local flood management projects. However SCWA will consider funding of such flood management projects as they are developed in accordance with this policy.