

Program Overview

The Department of Water Resources (DWR) Subventions Program reimburses local agencies for some local project costs associated with federally approved flood control projects. The National Flood Control Program, enacted in 1936, requires local agencies to pay the costs of rights of way and relocations for channel improvements and levee projects; and State law, enacted in 1945, allows reimbursements to local agencies for those costs. Since 1973, State statute requires State-local cost sharing for flood damage prevention features of channel improvement and levee projects and for the nonfederal capital costs of recreation and fish and wildlife enhancement features. In 1988, the State statute was modified to reflect cost share changes in federal policy. This brochure discusses changes made to State statute by Assembly Bill 1147 (AB 1147).

The primary objective of a flood management project is to reduce annual damages and loss of life associated with major flood events. Additional objectives can be incorporated in the design of a flood management project. To encourage comprehensive, multi-objective flood management projects, Assemblyman Honda authored AB 1147, enacted in September 2000.

To encourage local sponsors to include multipurpose objectives in formulating their flood control projects, the level of State financial assistance for nonfederal costs was revised to a variable percentage with a minimum of 50% to a maximum of 70%. The new cost share affects all flood management projects authorized by the Legislature and

small flood control projects authorized by DWR, on or after January 1, 2002.

Future regulations to implement AB 1147 will provide criteria to evaluate a project's significant contribution to its multipurpose objectives and to determine the recommended State cost share. The regulations will also require communication and coordination among the local sponsors and the State.

Role of DWR and the Central Valley Flood Protection Board

- Provide review and oversight from the initial scoping phase to the legislative approval process to determine whether the project meets State eligibility requirements.
- Determine whether the project's individual and cumulative hydraulic impacts are mitigated.
- Recommend the State cost share.
- Prepare and submit to the Legislature a report indicating the project's eligibility and recommending a State cost share.

State Eligibility Requirements

AB 1147 flood management legislation requires the following project eligibility requirements be met before receiving State Subventions reimbursements:

1. Projects qualify for federal financial assistance and are federally authorized.
2. Total annual benefit from flood protection must be greater than annual cost allocable to flood management. Projects that will increase the level of flood

3. Local sponsors prepare a floodplain management plan designed to reduce the impact of future floods. Also, the floodplain ordinance must be consistent with the National Flood Insurance Program's model floodplain ordinance. (The California Model FPM Ordinances can be obtained from the website, www.fpm.water.ca.gov)
4. Projects avoid, minimize, or mitigate impacts to environment and recreational values.
5. Planning documents evaluate opportunities to include multipurpose objectives.

Multipurpose Objectives

AB 1147 promotes the development of multi-objective flood management projects where opportunities exist. For local sponsors to receive State financial assistance above the baseline 50% nonfederal cost share, a project must have any of the following five prescribed objectives:

1. Protects, creates, enhances, or provides opportunities for enhancement of endangered species, riparian, aquatic, terrestrial, or other important habitats.
2. Protects or enhances open space.
3. Develops or enhances recreational opportunities. Projects eligible for contribution to this objective must provide public access to the project, unless those areas would constitute a threat to public safety or a habitat.
4. Increases the level of flood protection for areas with a median household income that is less than 120% of the poverty level.

- 5. Increases the level of flood protection for State transportation or water supply facilities.

State Cost Share Process

1. The local sponsor notifies the State when it intends to participate in a federal feasibility study that would request State cost sharing for a flood damage reduction project.
2. During the federal feasibility study, the State provides guidance to the sponsor for the project's multipurpose opportunities:
 - 2a. State staff attends a site inspection tour.
 - 2b. Within 120 days of that tour, the State provides the sponsor with a written preliminary determination of eligibility for State participation and an estimated percentage of the State cost share.
3. The State provides an explanation of the project's estimated contribution and the percentages of nonfederal capital costs assigned towards each of the multipurpose objectives:
 - 3a. The recommended State cost share is a baseline 50% plus the recommended percentage increases for the multipurpose objectives, up to a maximum total of 70%. The recommended increases will be:
 - 0%, if no objective is met;
 - 5% for each significant Open Space, Habitat or Recreation contribution when $\geq 5\%$ and $< 10\%$ of the nonfederal capital costs are spent for meeting an objective;

- 10% for each significant Open Space, Habitat or Recreation contribution when $\geq 10\%$ of the nonfederal capital costs are spent for meeting an objective;
- 10% for each significant Impoverished Area or State Facilities objective contribution.

4. After the project is federally authorized, the sponsor submits a Nonfederal Cost Sharing Report to the State for determination of completeness and accuracy.
5. Within 30 days of that determination, the sponsor circulates the Nonfederal Cost Sharing Report to the Legislature and interested parties, and will allow written comments for 45 days.
6. The Sponsor submits the Nonfederal Cost Sharing Report to the State along with supporting documentation.
7. The State approves a final recommended State cost share and forwards the Final Nonfederal Cost Sharing Report and supporting documentation to the Legislature.
8. The Legislature authorizes the State cost share for the project.

Contacts

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Web Site

<http://www.fcpsubventions.water.ca.gov/>



State Financial Assistance For Flood Management Projects and Small Flood Management Projects

