

## **Attachment 1**

### **Authorizing Documentation**

#### **Rohner Creek Flood Control and Riparian Habitat Improvement Project**

The City of Fortuna will adopt the resolution authorizing the City Manager to Execute the Grant Application at the City Council Meeting on April 18<sup>th</sup>. Included with this attachment is the Draft Council agenda staff report and an unsigned copy of the resolution. The City will send a copy of the executed resolution within a week of the April 18<sup>th</sup> council meeting.

# STAFF REPORT

## City Council Agenda Item

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**DATE:** April 18, 2011

**TO:** Honorable Mayor and Council Members

**FROM:** Dennis Ryan, City Engineer/Director of Public Works

**THRU:** Duane V. Rigge, City Manager

**SUBJECT:** Authorize the City Manager to Execute Grant Application, Agreement and Associated Documents for a California Department of Water Resources for a Proposition 1E Grant Application for the Rohner Creek Flood Control and Riparian Habitat Restoration Project

### **STAFF RECOMMENDATION:**

Adopt Resolution 2011-~~XX~~ to authorize the City Manager to assemble and prepare necessary data, execute and submit a grant application, and execute a grant agreement with the California Department of Water Resources for a Proposition 1E Grant Application for the Rohner Creek Flood Control and Riparian Habitat Restoration Project.

### **EXECUTIVE SUMMARY:**

The California Department of Water Resources (DWR) is authorized to make grant funds available to local communities through the Disaster Preparedness and Flood Prevention Bond Act of 2006 (Public Resource Code §5096.800 *et seq.*) for Stormwater Flood Management. The City of Fortuna desires to submit an application for said grant funds under the Proposition 1E Grant Program, for the implementation of a Stormwater Flood Management project located on Rohner Creek, between Main Street and 12<sup>th</sup> Street.

The established grant application process for the Proposition 1E Grant Program requires the local community to designate an authorized representative to prepare the necessary data, conduct investigations, file such applications, and execute the grant agreement with the California Department of Water Resource, should a grant be awarded.

A grant application to DWR for funding under the Proposition 1E Grant Program has been prepared for the Rohner Creek Diversion / Habitat Improvement Project with an estimated cost of \$5 million. The project grant application requests funding to design and construct a flood prevention and riparian habitat restoration project for Rohner Creek that would provide significantly increased flood protection for much of the City's Redevelopment Area, while at the same time improving habitat within this section of Rohner Creek. The grant application program provisions require a 50% cost share with the local community, thereby requiring the City to provide matching funds in the amount of \$2.5 million.

The Rohner Creek Stormwater Flood Project has been identified in the Fortuna Redevelopment Agency Annual Capital Improvement Projects Program as the "Rohner Creek Diversion / Fish Habitat Channel." In 2007, the Redevelopment Agency Board of Directors authorized the issuance of Revenue Bonds in the total aggregate amount of \$17.5 million to finance numerous drainage improvement projects that had been identified in the Redevelopment Agency Work Plan including the Rohner Creek Diversion / Flood Control Project.

For several years, City staff has been working on storm water modeling and mapping of Rohner Creek using a portion of the Fortuna Redevelopment Agency Series 2007 Revenue Bond Funds that were designated specifically for the Rohner Creek Stormwater Flood Project. Many of these expenses incurred after September 30, 2008 to create the storm water modeling and mapping are eligible for credit towards the City's required matching funds. The balance of the matching funds is proposed to be contributed by the Fortuna Redevelopment Agency using Series 2007 Revenue Bond Funds that are designated for this project.

The proposed Rohner Creek Flood Control and Riparian Habitat Restoration Project has received the endorsement and support of the North Coast Integrated Regional Water Management Plan Policy Review Panel. Their letter of support is attached to this Staff Report.

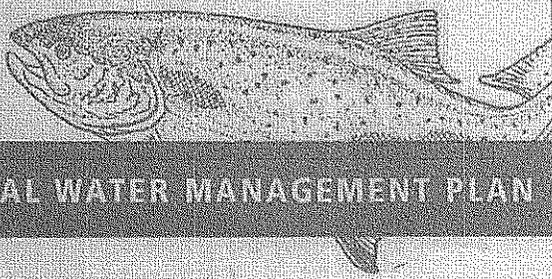
The North Coast Integrated Regional Water Management Plan (NCIRWMP) is a highly successful collaboration among seven north coast counties and hundreds of stakeholders in the North Coast region – including public agencies, NGOs, landowner organizations, tribal groups, businesses and the interested public. The NCIRWMP acts a locally driven catalyst for positive environmental and economic change in the North Coast region. The NCIRWMP is the highest ranked Integrated Plan in California, and has been awarded over \$26 million to implement projects that address critical challenges related to water supply and quality and ecosystem protection. Additional funds of at least \$37 million are forthcoming via Proposition 84. The NCIRWMP focuses on three thematic areas: a) salmonid recovery, b) enhancing the beneficial uses of water, c) local autonomy, and places a special emphasis on enhancing public health and economic vitality in disadvantaged communities.

**RECOMMENDED COUNCIL ACTION:**

- ✓ Receive staff presentation and review Council questions with staff.
- ✓ Receive public comment.
- ✓ Close public comments. Voice vote
- ✓ Motion to adopt Resolution 2011-XX and read by title only; Voice vote.

**Attachments:**

- Resolution 2011-XX
- Letter of Support from the North Coast Integrated Regional Water Management Plan Policy Review Panel for the Fortuna Rohner Creek Flood Control and Riparian Habitat Restoration Project



## NORTH COAST INTEGRATED REGIONAL WATER MANAGEMENT PLAN

April 6, 2011

California Department of Water Resources  
Division of Integrated Regional Water Management  
Financial Assistance Branch  
Post Office Box 942836  
Sacramento, CA 94236  
Attn: Debbie Carlisle

Dear Ms. Carlisle:

On behalf of the North Coast Integrated Regional Water Management Plan (NCIRWMP) Policy Review Panel, we would like to provide full support for the Rohner Creek Flood Control and Riparian Habitat Restoration Project submitted to the California Department of Water Resources (DWR) by the City of Fortuna for Proposition 1E Integrated Regional Water Management Stormwater Flood Management grant funding.

The Rohner Creek Flood Control and Riparian Habitat Improvement Project is a watershed-based, channel corridor-scale project with multiple objectives and benefits including habitat restoration and enhancement, water quality improvement and flood alleviation. The project is intended to provide immediate and substantial improvements to channel corridor function, reduce the frequency of flood related property damage and improve riparian habitat along a 1-mile stretch of creek which runs through the center of the City of Fortuna.

As a NCIRWMP project, the Rohner Creek Flood Control and Riparian Habitat Restoration Project was thoroughly reviewed and evaluated by the Technical Peer Review Panel to ensure that the project met the eligibility requirements and criteria set forth in the Proposition 84 & IE IRWM grant program guidelines and addressed the goals and objectives of the NCIRWM Plan, as well as DWR's program preferences and statewide priorities.

The NCIRWMP strongly endorses the Rohner Creek Flood Control and Riparian Habitat Restoration Project and is grateful to DWR's ongoing support of the North Coast communities and natural resources.

Sincerely,

Vice Mayor Jake Mackenzie, City of Robnett Park  
Chair, NCIRWMP Policy Review Panel

Supervisor Jimmy Smith, County of Humboldt  
Vice Chair, NCIRWMP Policy Review Panel

**RESOLUTION NO.2011-XX**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FORTUNA  
AUTHORIZING THE CITY MANAGER TO SUBMIT AN APPLICATION TO THE  
CALIFORNIA DEPARTMENT OF WATER RESOURCES AND EXECUTE  
AGREEMENTS FOR THE PROPOSITION 1E GRANT APPLICATION FOR THE  
ROHNER CREEK FLOOD CONTROL AND RIPARIAN HABITAT RESTORATION  
PROJECT**

**WHEREAS**, the California Department of Water Resources is authorized to make grant funds available to local communities through the Disaster Preparedness and Flood Prevention Bond Act of 2006 (Public Resource Code §5096.800 *et seq.*) for Stormwater Flood Management, and

**WHEREAS**, the City of Fortuna desires to submit an application for said grant funds under the Proposition 1E Grant Program, for the implementation of a Stormwater Flood Management project; and

**WHEREAS**, the established grant application process for the Proposition 1E Grant Program requires the local community to designate an authorized representative to prepare the necessary data, conduct investigations, file such applications, and execute the grant agreement with the California Department of Water Resource, should a grant be awarded;

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Fortuna does hereby authorize the City Manager to file and execute an application on behalf of the City of Fortuna with the Department of Water Resources to pursue Stormwater Flood Management grant funding pursuant to the Disaster Preparedness and Flood Prevention Bond Act of 2006 (Public Resource Code §5096.800, *et seq.*).

**BE IT FURTHER RESOLVED** that the City Manager is hereby authorized and directed to prepare the necessary data, conduct investigations, file such application, and execute a grant agreement with the California Department of Water Resources, should a grant be awarded.

**PASSED AND ADOPTED** by the City Council of the City of Fortuna on April 18, 2011 by the following vote:

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

\_\_\_\_\_  
Douglas Strehl, Mayor

ATTEST:

\_\_\_\_\_  
Duane V. Rigge, City Clerk

April 14, 2011

Department of Water Resources  
Division of Integrated Regional Water Management  
1416 9th St, Room 338  
Sacramento, CA 95814

Att: Ms. Debbie Carlisle

Dear Ms. Carlisle,

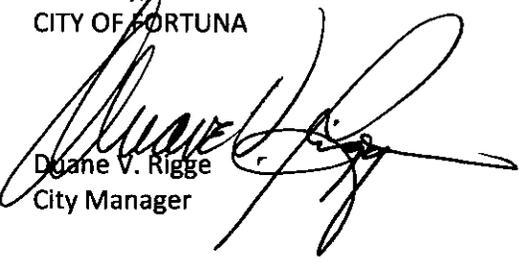
The purpose of this letter is to clarify the City of Fortuna's authority regarding submittal of the enclosed grant application, contracting under the grant program, and implementation and delivery (including tracking of grant funds) of grant projects.

The City of Fortuna was incorporated as a General Law City over 100 years ago. During the 1990's, the City was changed to a Charter City. As a Charter City, the City of Fortuna is legally authorized to operate, and enter into formal contracts and agreements with outside parties, including the State of California, as required for the enclosed grant application.

The City routinely and actively (past and present) partners with many agencies and/or organizations to ensure the implementation and delivery of grant programs and projects, including tracking of grant funds. These have included, among many others, outside consultants and the RCAA.

Please call if you have any questions or need additional information.

Sincerely,  
CITY OF FORTUNA

  
Duane V. Rigge  
City Manager

City Hall  
(707) 725-7600  
Fax (707) 725-7610  
621 11th Street

Police Department  
(707) 725-7550  
Fax (707) 725-7574  
621 11th Street

Parks and Recreation  
(707) 725-7620  
Fax (707) 725-7576  
5 Park Street

Public Works  
(707) 725-7650  
Fax (707) 725-7651  
180 Dinsmore Drive

## **Attachment 1**

### **Consistency with and Adopted IRWM Plan**

#### **Rohner Creek Flood Control and Riparian Habitat Improvement Project**

The proposed project is included in the The North Coast Integrated Regional Water Management Plan. The NCIRWMP was adopted in July 2005 and July 2007. The NCIRWMP integrates long term planning and high quality project implementation in an adaptive management framework—fostering coordination and communication among the diverse stakeholders in the Region. The goals of the North Coast IRWMP are to develop an ongoing and comprehensive plan to facilitate regional cooperation in providing water supply reliability, water recycling, water conservation, water quality improvement, storm water capture and management, flood management, recreation and access, wetlands enhancement and creation, and habitat improvement while fostering coordination, collaboration and communication among North Coast stakeholders. The NCRWMP governance framework consists of two committees – the Policy Review Panel (PRP) which is the governing body for the NCIRWMP and the Technical Peer Review Committee (TPRC), an advisory body to the PRP that provides scientific and technical expertise to the NCIRWMP.

#### **Proposition 84 and 1E, Round 1 Project Prioritization and Selection Process**

Under the direction of the Policy Review Panel, the NCIRWMP Project Team performed public outreach and education about the IRWM process and funding opportunities via the NCIRWMP website ([www.northcoastirwmp.net](http://www.northcoastirwmp.net)), workshops, presentations and publications. The website includes a mechanism for project application upload, as well as a variety of resources to support project proponents. During the Proposition 84 and 1E project upload process, sixty projects were identified and uploaded to the website, with proposals totaling a combined funding need of over \$227,000,000.

Projects were individually reviewed and scored by the TPRC using a score sheet based upon NCIRWMP\ and IRWM program criteria. Late in October 2010, the TPRC met and evaluated the top scoring projects and developed a slate of high priority projects that included highly ranked projects and additional projects selected to allow for regional representation and to address water needs in disadvantaged communities. On November 10th, the PRP met during a NCIRWMP meeting to review and consider the submitted projects. All of the projects that were ranked by the TPRC and PRP are priority projects for the region – individually and comprehensively addressing the goals and objectives of the NCIRWMP, as well as DWR’s program preferences and statewide priorities. A letter of support from the NCIRWMP Chair and Vice-Chair is included in this attachment.

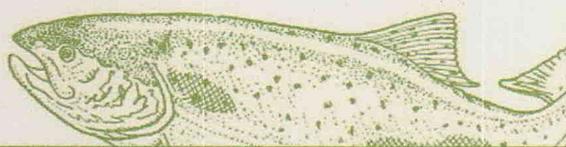
The City of Fortuna’s Project was added to the NCIRWMP Plan after its adoption in 2007, in accordance with the procedures in the plan and the approved Regional Acceptance Process for the NCIRWMP. Following is the section of the Regional Acceptance Process document for the NCIRWMP approved by the DWR in 2009 regarding the TPRC project review (see page 19, [http://www.northcoastirwmp.net/docManager/1000006846/NCIRWMP\\_RAP\\_042809\\_text\\_app.pdf](http://www.northcoastirwmp.net/docManager/1000006846/NCIRWMP_RAP_042809_text_app.pdf)).

### *Technical Peer Review Committee*

Each of the seven member county's Board of Supervisors or their Policy Review Panel designees appointed up to two individuals with a technical background related to integrated water management to the NCIRWMP Technical Peer Review Committee (TPRC). Members have experience in the following technical areas: engineering, watershed management, fisheries, restoration, water and wastewater infrastructure, agriculture, geology, community development, environmental planning and natural resources policy issues. The TPRC has two primary areas of responsibility: 1) provide technical peer review of NCIRWMP plans and other technical documents, and 2) review and recommend prioritization of identified projects, based on technical considerations and the criteria established by the State and the Policy Review Panel. The TPRC assisted staff and consultants in the development of equitable review process criteria based on state IRWM requirements, and provided input into the development of a uniform scoring sheet for project ranking for Round 1 and 2 Prop 50 funding (see Appendix 13, North Coast IRWMP Score Sheet and Appendix 7, North Coast IRWMP Projects).

The TPRC reviewed and ranked all projects submitted for consideration under Round 1 Prop 84 and Prop 1E independently using the score sheet, then met to discuss those projects that ranked the highest. TPRC members who had any interest (financial or otherwise) in a project did not rank that project, and recused themselves and left the room during discussion of that project. All review was conducted in compliance with the regulations of the Fair Political Practice Commission, Title 2, Division 6, section 18700.

The final priority Proposition 84 and 1E IRWM Projects list is also included with this attachment.



## NORTH COAST INTEGRATED REGIONAL WATER MANAGEMENT PLAN

April 6, 2011

California Department of Water Resources  
Division of Integrated Regional Water Management  
Financial Assistance Branch  
Post Office Box 942836  
Sacramento, CA 94236  
Attn: Debbie Carlisle

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Sincerely,

Vice Mayor Jake Mackenzie, City of Rohnert Park  
Chair, NCIRWMP Policy Review Panel

Supervisor Jimmy Smith, County of Humboldt  
Vice Chair, NCIRWMP Policy Review Panel



**NORTH COAST INTEGRATED REGIONAL WATER MANAGEMENT PLAN**

**Proposition 84 and 1E IRWM Projects, 2010**

ID	Organization Name	Project Name	County	Total Project Cost	IRWMP Funding Request	Score*
345	Gold Ridge RCD	Bodega Bay HU Water Resources Management Project	Sonoma	\$1,100,000	\$825,000	103.8
444	Mattole Restoration Council	Mattole Integrated Watershed Management Initiative	Humboldt, Mendocino	\$4,459,000	\$2,010,000	101.0
364	Mendocino County Water Agency	Mendocino Jumpstart Integrated Water Plan	Mendocino	\$3,611,625	\$1,750,691	96.4
390	School of Performing Arts and Cultural Education (SPACE)	SPACE Theater Water Efficiency Project	Mendocino	\$70,000	\$50,000	94.6
396	Sonoma County Water Agency	The Copeland Creek Watershed Detention/Recharge, Habitat Restoration, and Steelhead Refugia Project	Sonoma	\$13,314,257	\$8,423,935	90.3
403	California Land Stewardship Institute	Fish Friendly Farming Environmental Certification Program, Mendocino and Sonoma Counties	Mendocino and Sonoma	\$651,250	\$120,000	89.8
416	Gualala River Watershed Council	Gualala River Wood In the Stream Program	Mendocino and Sonoma	\$249,680	\$149,840	89.6
302	California Land Stewardship Institute	Russian River Watershed Agricultural Water Conservation and Water Supply Reliability Program	Mendocino and Sonoma	\$3,403,000	\$500,000	88.9
405	Redwood Forest Foundation Inc.	WBWG Biochar Demonstration Project	Mendocino	\$314,000	\$250,000	88.8
292	Sotoyome Resource Conservation District	Lower Russian River Water Quality Improvement Project	Sonoma	\$929,376	\$566,577	88.3
352	Gualala River Watershed Council	Gualala River Sediment Reduction Program	Mendocino and Sonoma	\$5,439,000	\$3,040,950	88.0

ID	Organization Name	Project Name	County	Total Project Cost	IRWMP Funding Request	Score*
412	Hopland Band of Pomo Indians	Russian River Tribal Watershed Group - Non-profit organization	Sonoma, Mendocino & Lake Tribal	\$75,000	\$60,000	88.0
387	Redwood Community Action Agency, Natural Resources Services Division	The North Coast Stormwater Coalition's Non-Point Source Pollution Prevention Program	Humboldt, Mendocino	\$270,600	\$250,000	87.4
402	Pinoleville Pomo Nation	Ackerman Creek Habitat Restoration	Mendocino Tribal	\$226,950	\$46,950	86.9
441	City of Fort Bragg	Waterfall Gulch Transmission Main	Mendocino	\$788,305	\$736,805	86.7
357	Willow Creek Community Services District	Hwy 96 Stormceptor	Humboldt	\$130,000	\$110,000	85.7
346	City of Ukiah	City of Ukiah Recycled Water Plan	Mendocino	\$4,075,000	\$4,000,000	84.3
368	City of Santa Rosa	Russian River Regional Cash for Grass Program	Mendocino and Sonoma	\$2,140,040	\$1,057,570	83.4
347	Colgan Creek Restoration Project	City of Santa Rosa	Sonoma	\$15,662,940	\$1,000,000	83.1
356	Freshwater Conservation Trust	Instream Water Dedications	Potentially all in region	\$385,000	\$283,000	83.1
381	Humboldt Bay Municipal Water District	Ranney Collector 3 Lateral Replacement	Humboldt	\$1,500,000	\$750,000	82.3
389	Humboldt Bay Municipal Water District	Ranney Collectors 1, 2, & 4 Lateral Replacement	Humboldt	\$4,500,000	\$3,375,000	81.6
371	City of Trinidad	Trinidad Westhaven Coastal Water Quality Restoration Program / OWTS Emphasis	Humboldt	\$780,350	\$300,000	80.5
362	Humboldt Bay Municipal Water District	HBMWD-Blue Lake Fieldbrook Pipeline Support Retrofit	Humboldt	\$1,603,580	\$801,790	79.9
379	City of Fortuna	Rohner Creek Flood Control and Salmonid Habitat Improvement Project	Humboldt	\$5,000,000	\$2,500,000	77.2
337	McKinleyville Community Services District	Critical Emergency Drinking Water Supply Wells and Piping	Humboldt	\$406,250	\$325,000	77.1
289	Karuk Tribe	Camp Creek Habitat Protection-Road Decommissioning Implementation Project	Humboldt, Siskiyou Tribal	\$350,000	\$300,000	76.4

ID	Organization Name	Project Name	County	Total Project Cost	IRWMP Funding Request	Score*
306	Happy Camp Community Services District	Water Treatment System Upgrade	Siskiyou	\$447,000	\$253,000	76.0
358	Mendocino County RCD	Mendocino Headwaters Integrated Water Quality Enhancement Project	Mendocino	\$2,955,432	\$1,855,000	75.2
393	Sotoyome Resource Conservation District	Russian River Arundo donax Removal and Riparian Enhancement Program	Sonoma	\$350,000	\$280,000	74.7
311	Happy Camp Sanitary District	Indian Creek Sewer Pipeline Crossing	Siskiyou	\$807,000	\$542,000	74.7
304	Siskiyou County	Septage Receiving Pond Closure	Siskiyou	\$495,000	\$400,000	74.6
323	Russian River Watershed Association	Russian River Friendly Landscapes (RRFL) and Low Impact Development (LID) Demonstration Project	Mendocino and Sonoma	\$4,560,500	\$2,689,000	73.8
307	City of Tulelake	Tulelake Wastewater Project	Siskiyou	\$3,900,000	\$1,000,000	73.6
353	McKinleyville Community Services District	Regional Intertie for Emergency Drinking Water Supply and Water Reliability	Humboldt	\$1,654,700	\$1,241,025	73.5
443	Occidental County Sanitation District	Wastewater Reclamation and Storage Project	Sonoma	\$8,400,000	\$2,000,000	72.3
398	City of Santa Rosa	North Coast Regional Indoor Water Efficiency Program	Potentially all in region	\$1,506,395	\$1,178,998	71.1
388	City of Santa Rosa - Utilities Department	Sonoma County Water Recycling and Habitat Preservation Project	Sonoma	\$90,000,000	\$30,000,000	70.4
442	City of Rio Dell	Rio Dell Stormwater Control Flood Reduction Project	Humboldt	\$500,000	\$250,000	70.3
370	City of Santa Rosa	Trash Exclusion	Sonoma	\$1,109,600	\$768,640	69.9
377	McKinleyville Community Services District	Waste Water Management Facility Treatment System Improvements	Humboldt	\$500,000	\$375,000	69.9
435	City of Blue Lake	Powers Creek Fish Passage Enhancement Project	Humboldt	\$450,000	\$400,000	68.2
399	Town of Windsor	Esposti Park Well Connection Project	Sonoma	\$1,278,000	\$958,500	68.0
408	Del Norte Resource Conservation District	Del Norte Agricultural Enhancement Program	Del Norte	\$490,000	\$250,000	67.5
391	City of Rohnert Park	Rohnert Park Urban Reuse Expansion Project	Sonoma	\$23,000,000	\$12,800,000	67.3
355	Del Norte Resource Conservation District	Real-Time Weather Data for Irrigation Water Management	Del Norte	\$14,860	\$5,000	66.9

ID	Organization Name	Project Name	County	Total Project Cost	IRWMP Funding Request	Score*
376	Hopland Band of Pomo Indians	Nissa-kah Creek Fish Passage at Hwy 175	Mendocino Tribal	\$367,000	\$293,000	66.1
327	Siskiyou County	Siskiyou County Septage Receiving Facility	Siskiyou	\$3,000,000	\$2,250,000	65.6
374	Hopland Band of Pomo Indians	Nissa-kah Creek Fish Passage at Nokomis Road	Mendocino Tribal	\$743,000	\$593,000	65.6
324	McKinleyville Community Services District	Murray Road Water Supply Tank and Piping	Humboldt	\$2,750,000	\$2,062,500	64.6
414	Town of Windsor	Windsor Groundwater Exploration Project	Sonoma	\$3,500,000	\$2,625,000	64.5
322	City of Montague	Lift Station Upgrade	Siskiyou	\$86,300	\$64,725	64.3
350	Mendocino County Water Agency	Mendocino County Stormwater Retrofit, Water Conservation and Rainwater Capture Project	Mendocino	\$549,124	\$428,810	63.3
394	Humboldt Bay Municipal Water District	15-inch Somoa Peninsula Pipeline Replacement	Humboldt	\$0	\$0	56.8
299	City of Santa Rosa - Utilities Department	Santa Rosa Plain Subbasin Salt and Nutrient Management Plan	Sonoma	\$388,000	\$250,000	56.6
380	Humboldt Bay Municipal Water District	Ruth Hydro Plant Generator & Turbine Replacement	Trinity	\$2,000,000	\$1,500,000	55.8
338	McKinleyville Community Services District	Solar Pilot Project	Humboldt	\$225,000	\$0	49.3
328	McKinleyville Community Services District	Water Meter Replacement and Upgrade	Humboldt	\$200,000	\$175,000	49.0
431	City of Rohnert Park	Rohnert Park Creek Master Plan	Sonoma	\$80,000	\$80,000	39.5
367	Smith River Community Services District	Smith River Community Services District Infrastructure Improvement Plan - Phase 1 Back-up Power System	Del Norte	\$0	\$0	38.8
425	City of Blue Lake	Powers Creek Fish Passage Enhancement Project	Humboldt	\$0	\$0	37.0
	<b>Total Project Funding</b>			<b>\$227,742,114</b>	<b>\$101,151,306</b>	