

**PROPOSITION 1E STORMWATER FLOOD MANAGEMENT GRANT APPLICATION  
CITY OF PALM SPRINGS  
TAHQUITZ CREEK LEVEE RECONSTRUCTION  
ATTACHMENT 1  
AUTHORIZATION AND ELIGIBILITY REQUIREMENTS**

**Authorizing Documentation:**

The City Council of the City of Palm Springs adopted Resolution 22905 on April 6, 2011, authorizing an application to be made to the California Department of Water Resources to obtain Stormwater Flood Management grant funding pursuant to the Disaster Preparedness and Flood Prevention Bond Act of 2006, and to enter into an agreement to receive a grant for the Tahquitz Creek Levee Reconstruction.

A copy of Resolution 22905 is included at the end of Attachment 1.

**Eligible Applicant Documentation:**

The applicant of this Proposal is the City of Palm Springs, a municipal corporation and California charter city. The applicant is a local agency as defined in Appendix B of the Guidelines.

The City of Palm Springs is a California charter city, formed in accordance with the provisions of Article 11, Section 3 of the California Constitution.

The City of Palm Springs has all the rights and responsibilities to enter into legal contracts and agreements with the state of California, pursuant to its Charter, and in accordance with state laws establishing rights of municipal corporations.

This Proposal includes one project – Tahquitz Creek Levee Reconstruction. As a single project, the Proposal has independent utility and provides a complete synergy and linkage of the Purpose and Need and Goals and Objectives of the Proposal. There are no complications associated with coordinating implementation or operation of various projects, and the City is the only implementing agency associated with this project. There are no legal agreements among partner agencies and/or organizations with the City with regard to this project.

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**GWMP Compliance**

The Goals and Objectives of this Proposal is to allow for the repair and reconstruction of an existing flood control levee along the Tahquitz Creek within Palm Springs, CA, from its confluence with the Palm Canyon Wash extending upstream approximately 0.75 miles adjacent to the City's wastewater treatment plant (WWTP). The repair and reconstruction of the levee would ensure the levee satisfies federal requirements for levee construction established in 44 CFR 65.10, and that the levee would withstand the effects of a 100-year storm in Tahquitz Creek and provide flood control protection to the adjacent WWTP.

FEMA completed digital Flood Insurance Rate Maps (DFIRM's) for Riverside County, which were adopted August 28, 2008. As part of this process, FEMA required that communities provide evidence to demonstrate that levees meet the minimum requirements established in Title 44, Chapter 1 of the Code of Federal Regulations, Section 65.10. The Tahquitz Creek Levee has been identified as a "Provisionally Accredited Levee" ("PAL"), Levee ID 16, as the City has been unable to demonstrate that this levee meets all of the requirements set forth in 44 CFR 65.10. The levee does not meet freeboard and other requirements, and must be repaired and reconstructed in order to satisfy FEMA's requirements and ensure the levee continues to provide flood control protection to properties behind it, including the City's WWTP.

The failure of the Tahquitz Creek levee during a 100-year storm represents a risk of releasing millions of gallons of untreated wastewater into the Tahquitz Creek, resulting in significant pollution of stormwater runoff and groundwater within Tahquitz Creek. Implementing this project will ensure the levee continues to adequately provide flood control protection to the WWTP, and that groundwater quality is protected. This project has the potential to positively impact groundwater by ensuring the WWTP is protected from flooding and release of untreated sewage into Tahquitz Creek does not occur.

This Proposal includes one project – Tahquitz Creek Levee Reconstruction, which has been determined to have positive groundwater impacts.

The City of Palm Springs will implement the Tahquitz Creek Levee Reconstruction project.

The City of Palm Springs participates and consents to be subject to a Ground Water Management Plan (GWMP) that meets the requirements of CWC §10753. The City has adopted the Coachella Valley Integrated Regional Water Management Plan (CVIRWM). The CVIRWM program is a local water resources management approach directed by the California Department of Water Resources (DWR). It is aimed at securing long-term water supply reliability within California by first recognizing the inter-connectivity of water supplies, and then

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encouraging the development and implementation of projects that yield combined benefits for water supplies, water quality, and natural resources.

Based on the California Water Plan Update 2009 (Volume 1, Chapter 7, Objective 1: Expand Integrated Regional Water Management):

*The broad purpose of IRWM is to promote a regional planning and implementation framework to comprehensively address water supply, quality, flood, and ecosystem challenges and to implement integrated solutions through a collaborative multi-partner process that includes water managers, tribes, non-governmental organizations, State, federal, and local governments, and disadvantaged communities.*

The CVIRWM Plan presents an integrated regional approach for addressing water management issues through a process that identifies and involves water management stakeholders from the Coachella Valley. The CVIRWM Plan:

- Defines the Coachella Valley IRWM Region and water systems,
- Identifies regional water management goals and objectives,
- Establishes objectives and measurable targets for the Region,
- Identifies water management issues and needs,
- Clarifies stakeholder involvement and agency coordination processes,
- Identifies and evaluates resource management strategies,
- Assesses the integration of projects based on objectives,
- Establishes a project evaluation and prioritization process based on regional priorities, and
- Establishes a framework for implementation of projects.

The CVIRWM Plan is included as an attachment to this Proposal.

**Consistency with an adopted IRWM Plan**

The Tahquitz Creek Levee Reconstruction is a project that was listed in and considered as part of the original CVIRWM Plan. The project is identified and referenced on Page 9-6 of the CVIRWM Plan, which states the following:

In the late 1970's, severe flood damage occurred to homes and businesses in several of the Valley's cities. As a result, flood control infrastructure was constructed in the early 1980's with the help of USACE and local funding. There are still several areas of the Valley that lack flood control facilities and are vulnerable to devastating alluvial and riverine flooding. To evade possible economic consequences and human fatalities from extreme flooding events, it is

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important for the CVRWGM to address flood hazards by carefully considering projects that improve flood control in the Valley. Flood control enhancement may be provided by project components that involve:

*Flood Control Enhancement*

- Stormwater collection, diversion, or capture,
- Improve levee systems (i.e. floodwalls, raising levee heights, setback levees, etc.),
- Floodplain protection or management,
- Porous pavement or weather-based irrigation replacement projects, and
- Construction of regional flood control infrastructure.

The project entitled “Implementation of Projects in East Wide Channel, Long Canyon and Tributaries Master Plan” will improve upon current detention dams, levees and reservoirs near the mouths of Long Canyon and West Wide Canyon potentially making stormwater collection/capture more efficient. The project will also include improvements to channels that could create greater porosity in channels or make the flow of flood waters more manageable. Other proposed flood control projects include the “Ramon Road Corridor - Improve Flood Protection, Tahquitz Creek Levee Reconstruction”, and “Implementation of Projects for Cathedral City Master Plan.”

The Tahquitz Creek Levee Reconstruction project is also listed as pre-approved Project No. 209 in Appendix B to the CVIRWM Plan.

RESOLUTION NO. 22905

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING THE SUBMITTAL OF AN APPLICATION TO OBTAIN STORMWATER FLOOD MANAGEMENT GRANT FUNDING FROM THE CALIFORNIA DEPARTMENT OF WATER RESOURCES FOR THE TAHQUITZ CREEK LEVEE IMPROVEMENTS.

WHEREAS, the City is obligated to maintain the existing flood control levee adjacent to Tahquitz Creek golf course and the wastewater treatment plant; and

WHEREAS, FEMA has identified this levee as substandard based on construction criteria updated since the Katrina disaster in New Orleans; and

WHEREAS, the City has contracted with a consultant to design improvements to said levee necessary to comply with said FEMA regulations; and

WHEREAS, the estimated construction cost of said improvements is \$1.6 million; and

WHEREAS, grant funding pursuant to the Disaster Preparedness and Flood Prevention Bond Act of 2006 (Prop 1E) is available for projects such as this; and

WHEREAS, the California Department of Water Resources is accepting grant applications for said funding on a 50% local match basis until April 15, 2011.

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, AS FOLLOWS:

SECTION 1. An application be made to the California Department of Water Resources to obtain Stormwater Flood Management grant funding pursuant to the Disaster Preparedness and Flood Prevention Bond Act of 2006 (Public Resources Code Section 5096.800 *et seq*) and to enter into an agreement to receive a grant for the Tahquitz Creek levee construction.

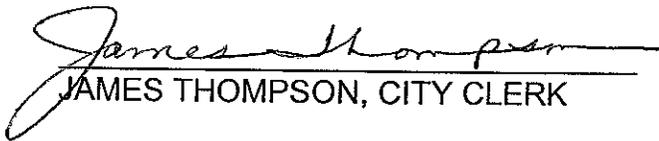
SECTION 2. The Director of Public Works/City Engineer is hereby authorized and directed to prepare the necessary data, conduct investigations, and file such application.

SECTION 3. The City Manager is hereby authorized and directed to execute a grant agreement, subject to final approval of the City Attorney, with the California Department of Water Resources.

PASSED, APPROVED AND ADOPTED BY THE PALM SPRINGS CITY COUNCIL THIS 6<sup>TH</sup> DAY OF APRIL, 2011.

  
DAVID H. READY, CITY MANAGER

ATTEST:

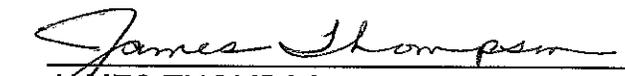
  
JAMES THOMPSON, CITY CLERK

CERTIFICATION

STATE OF CALIFORNIA )  
COUNTY OF RIVERSIDE ) ss.  
CITY OF PALM SPRINGS )

I, JAMES THOMPSON, City Clerk of the City of Palm Springs, hereby certify that Resolution No. 22905 is a full, true and correct copy, and was duly adopted at a regular meeting of the City Council of the City of Palm Springs on the 6<sup>th</sup> day of April, 2011, by the following vote:

AYES: Councilmember Foat, Councilmember Hutcheson, Councilmember Mills, and Mayor Pro Tem Weigel.  
NOES: None.  
ABSENT: Mayor Pougnet.  
ABSTAIN: None.

  
JAMES THOMPSON, CITY CLERK  
City of Palm Springs, California 04/07/2011

CERTIFIED COPY

I certify that this is a true and correct copy of the document on file in the official records of the City of Palm Springs.

  
City Clerk

This certification must appear in blue with an original signature.