

# Texas Water Development Board

## PROJECT FUNDING REQUEST

**BOARD DATE:** July 7, 2022

**PRESENTED BY:** Jenn Jackson

### ACTION REQUESTED

Consider authorizing the Executive Administrator to negotiate and execute a contract amendment for a \$263,925 increase in grant funding from the Flood Infrastructure Fund (FIF) for the Keller Branch – Lavaca River Basin Flood Protection Study Option 2 project and authorizing the transfer of \$263,925 from the Flood Infrastructure Fund to the Research and Planning Fund as authorized by Texas Water Code Section 15.534(a)(8).

### STAFF RECOMMENDATION

Approve       No Action

### PROJECT NAME

Keller Branch – Lavaca River Basin Flood Protection Study Option 2, Project 40015

### BACKGROUND

In December 2020, Jackson County County-Wide Drainage District (District) received a commitment for a \$375,000 from FIF for a Category 1 county-wide drainage study. As a requirement of the FIF program, notices were sent out by the District to political subdivisions in the project area to provide notice of the project study and opportunities for regional participation in the study. The District received multiple responses to these notices. In response to the notice, neighboring communities have approached the District to explore the possibility of expanding the current study area to include adjacent watersheds with interrelated flooding issues.

This request for additional funding involves the inclusion of adjacent watersheds to existing study area that was requested by the City of Ganado. Including an additional Hydrologic Unit Code 10-digit (HUC-10) watershed to the current study area will expand this project study area beyond the minimum requirement and is consistent with the spirit of this FIF category.

### PROJECT NEED AND DESCRIPTION

The previously funded, ongoing project includes tasks to evaluate the entire Dry Creek Watershed and a portion of the Lavaca River in Jackson County. That flood planning study includes development of new hydrologic and hydraulic models, field studies, flood reduction alternative analysis, cost benefit analysis, environmental constraints investigation, and public outreach.

<p><b>COMMITMENT PERIOD:</b> SIX (6) MONTHS TO EXPIRE January 31, 2023; however, the Executive Administrator may, at his discretion, grant up to one extension for a maximum of three months.</p>
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The District is now requesting additional funding to expand the project study area to include the adjacent Mustang Creek-Navidad HUC-10 watershed. This expanded project study area will be utilized to solicit feedback on any known flooding issues or drainage problems through a public outreach effort. The Hydrologic & Hydraulic (H&H) study portion of the project will only be performed on Devers Creek. All other aspects of the original study will also apply to the expanded project study area.

**KEY ISSUES**

This project is eligible under Category 1 of the 2020 Flood Intended Use Plan. This funding category was designed to support studies that conduct planning of entire watersheds no smaller than HUC-10 to better inform the development of strategies using structural and nonstructural measures before a flood event, such as determining and describing problems from or related to flooding, identifying and planning solutions to flooding problems, and estimating the benefits and costs of these solutions.

Category 1 projects are eligible to receive a maximum of 100 percent grant funds based on criteria outlined in the Flood Intended Use Plan. Recipients of financial assistance may either use their own funds or borrow FIF funds at zero percent interest for any portion of the remaining project cost. This project was eligible to receive 75 percent of total project in grant funds, and has executed a grant agreement requiring the District to provide a local match for the remaining 25 percent of the total project cost. This requested increase in project funding also reflects this 75/25 grant to local share funding ratio.

The District has submitted a revised financial assistance application and is eligible to receive grant funding through the FIF for a portion of their total project cost. The District has pledged to contribute local funds to provide the remaining project costs and no federal funds has been identified as a source by the applicants.

**Table 1—FIF Category 1 Grant Applications from Jackson County County-Wide Drainage District**

		Eligible grant (%)	Local Share (\$)	In-Kind Services (\$)	FIF grant (\$)	Total project cost (\$)
1	Previous Funding Commitment	75%	\$125,000	\$0	\$375,000	\$500,000
2	Additional Funding Requested	75%	\$87,975	\$0	\$263,925	\$351,900
	<b>Total</b>		<b>\$212,975</b>	<b>\$0</b>	<b>\$638,925</b>	<b>\$851,900</b>

**PROJECT SCHEDULE**

Task	Schedule Date
Closing (Additional Funding Request)	January 7, 2023
Flood Planning Study Completion (End of Planning Phase)	March 31, 2024

The project recommended for approval meet all minimum requirements found in the 2020 Flood Intended Use Plan:

- (1) All activities are considered “flood control planning” as defined in Texas Water Code Section 15.405.
- (2) The application does not include the actual preparation of a Federal Emergency Management Agency Flood Insurance Rate Maps.
- (3) The funding request does not include redundant funding.
- (4) The application demonstrates a sufficient level of cooperation among eligible political subdivisions and includes all of the eligible political subdivisions substantially affected by the Project.
- (5) The area to be served by the Project meets the requirements of the Flood Intended Use Plan related to the National Flood Insurance Program.
- (6) The project was developed using the best/most recent available data.

The selected project recommended for approval meet the statutory and rule requirements found in Texas Water Code Chapter 15 Subchapter F and 31 Texas Administrative Code Chapter 355, including:

- (1) The financial assistance is necessary for the applicants to carry out adequate flood control planning.
- (2) The applicant has notified all required entities of the application.

#### **SPECIAL CONDITIONS**

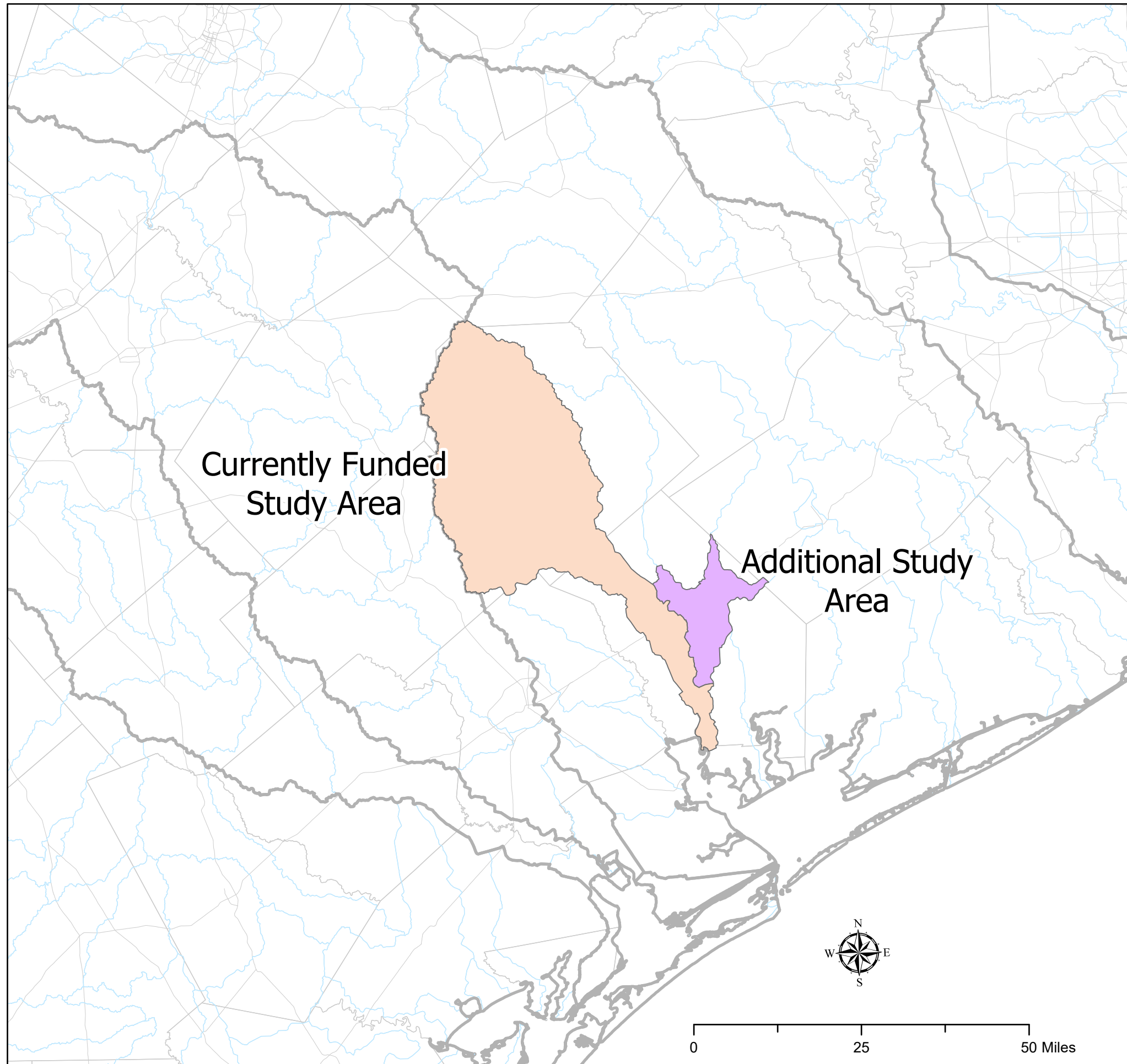
- Prior to closing, the District shall execute a Grant Agreement Amendment in a form and substance acceptable to the Executive Administrator.
- Prior to closing, the District must demonstrate its required local share of the additional \$87,975, which may be provided through in-kind services with prior approval by the Executive Administrator.
- Prior to closing, when any portion of financial assistance is to be held in escrow or in trust, the District shall execute an escrow agreement or trust agreement, approved as to form and substance by the Executive Administrator, and shall submit that executed agreement to the TWDB.
- The District must notify the Executive Administrator in writing 30 days prior to taking any actions to alter its legal status in any manner.

#### **Attachments**

1. Project Area Map
2. Jackson County County-Wide Drainage District County Map

# FIF Category 1 Project Areas

## July 7, 2022 Board Item

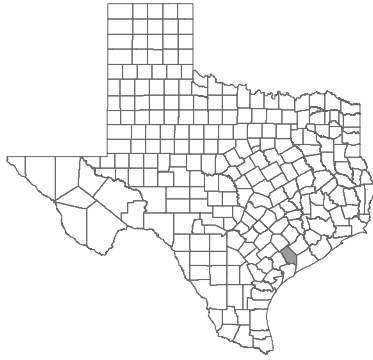


### Legend

FIF CAT1 Boundaries - Jackson County  
County Wide Drainage District

- Currently Funded Study Area
- Additional Study Area - Ganado Area

- Flood Planning Region Boundaries
- HUC 10 Boundaries
- County Boundaries



# Jackson County County-Wide Drainage District

