

Local Levee Assistance Program

LOCAL LEVEE CRITICAL REPAIR AND LOCAL LEVEE EVALUATION PROPOSAL SOLICITATION PACKAGE



*State of California
California Natural Resources Agency
Department of Water Resources
Division of Flood Management
September 2011*

LOCAL LEVEE CRITICAL REPAIR AND LOCAL LEVEE EVALUATION PROPOSAL SOLICITATION PACKAGE

The California Department of Water Resources invites you to submit a proposal for funding of a Local Levee Critical Repair project or a Local Levee Evaluation under Proposition 84, approved by the electorate on November 7, 2006.

PROPOSAL DUE DATE

5:00PM DECEMBER 8th, 2011

Must be postmarked by this time and date

PROPOSAL SUBMITTAL

All applicants must register online with the Bond Management System (BMS) at www.water.ca.gov/bms. Submit proposals online through BMS and attach electronic copies of the proposal documents (either in a MS Word compatible format or in a searchable PDF format with content copying enabled) and send one hard copy for each proposal to the address below. Hard copies or hard-copy attachments must be completely legible and suitable for copying.

To submit hard copy of proposal by mail:
California Department of Water Resources
P. O. Box 942836, Sacramento, CA 94236-0001
Attention: David Wright

By hand delivery or overnight carrier:
David Wright, Program Manager
3464 El Camino Avenue, Suite 200
Sacramento, California 95821

QUESTIONS? NEED ASSISTANCE? CONTACT:

David Wright, Program Manager
Department of Water Resources
(916) 574-1191
dwright@water.ca.gov

California Natural Resources Agency
Department of Water Resources
Division of Flood Management

**LOCAL LEVEE ASSISTANCE PROGRAM
LOCAL LEVEE CRITICAL REPAIR (LLCR) AND LOCAL LEVEE
EVALUATION (LOLE)**

NOTICE OF APPLICATION ASSISTANCE WORKSHOP

WORKSHOPS DATE AND LOCATION

October 17, 2011 9:00AM – 12:00PM Resources Building Auditorium 1416 9 th Street Sacramento, CA 95814
October 18 th , 2011 12:00PM – 3:00PM Room 10 1515 Clay Street Oakland, CA 94612
October 20, 2011 10:00AM – 1:00PM 1 st Floor Conference Room Department of Toxic Substances Control 5796 Corporate Ave Cypress, CA 90630-4732
WebEx Presentation October 24 th , 2011 1:30PM – 3:30PM To Attend: Email richmond@water.ca.gov

Purpose of Workshops: To assist applicants in preparing proposals in response to the September 2011 Proposal Solicitation Package for State flood control project funding under the Local Levee Assistance Program—Local Levee Critical Repair and Local Levee Evaluation.

Workshop Agenda:	Welcome and Introductions	5 min.
	Presentation on LLAP	20 min.
	Presentation on LOLE & LLCR	30 min.
	Presentation on BMS	20 min.
	Questions & Answers	15 min.
	Individual Assistance	90 min.

For More Information Contact:

David Wright, Project Manager
Department of Water Resources
Telephone: (916) 574-1191
Email: dwright@water.ca.gov

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PART 1 - BACKGROUND AND OBJECTIVE

On November 7, 2006, the voters of California approved Proposition 84, which provided funds for programs to repair and evaluate local levees and flood control facilities. Through Proposition 84 the Local Levee Critical Repair (LLCR) strategy and the Local Levee Evaluation (LOLE) strategy of the Local Levee Assistance Program (LLAP) were created.

The objective of LLCR strategy is to assist local flood management agencies with the repair of local flood control facilities, including but not limited to critically erosion-damaged levees, levees with unstable slopes, and other unstable facilities. The LLCR strategy may also fund structures that are designed to reduce flood risk and may include but are not limited to floodwalls, berms, detention basins, or any structures to address freeboard deficiencies or substandard encroachment. This strategy is applicable Statewide.

The objective of LOLE strategy is to assist local flood management agencies with the funding necessary to conduct surveys, hydrology and hydraulic studies, and geotechnical evaluations of levees that are at risk of failing and, therefore, at risk of not meeting the Title 44 CFR Section 65.10 requirements.

The LLAP places a high value on the concept and commitment of responsibility to manage and protect natural resources (water, air, land, plants and animals) and ecosystems in a sustainable manner and create human systems consistent with natural systems. Therefore, value is placed on projects that promote environmental stewardship.

In September of 2011, the Department published “Guidelines for Providing Funding to Local Public Agencies under Proposition 84 of 2006” (cited here as the guidelines), detailing much of the conditions and requirements of the LLCR and LOLE Programs. The guidelines are incorporated as part of this PSP. All definitions of terms and all requirements for projects or evaluations in the guidelines apply equally to this PSP.

How much money will be made available?

\$49.7 million is being made available at this time. The funds allocated for the LLAP program will be expended through a competitive solicitation. Funding will be offered competitively, Statewide, to selected qualified applicants. This program will not be available for levees identified in Cal. Pub. Res. Code § 5096.955 (a) (added by SB 85 in 2007) and which are evaluated separately by the Department. If a potential applicant is uncertain regarding whether a particular levee is identified in Cal. Pub. Res. Code § 5096.955 (a), the applicant should contact the Department’s Project Development and Local Flood Programs Branch.

For LLCR projects, the Department will apply a maximum of State funding of \$5,000,000 per project, whether or not the applicant submits applications for more than one project. The Department will require an independent peer review of each LLCR project exceeding \$3,000,000 in total cost and for all projects where field conditions during construction are substantially different than anticipated during design. For LOLE projects, the Department will apply a maximum of State funding of \$2,000,000 per project, whether or not the applicant submits applications for more than one evaluation. The Director may authorize variances to these rules to fund projects or evaluations with exceptional circumstances.

A Consensus Rating Team, composed of at least three non-management staff members and, at the Department's discretion, reviewers from outside the Department, will evaluate all applications as set forth in the guidelines and will categorize each proposed project to determine project and evaluation eligibility. A Selection Panel, composed of Department managers will review scores and comments in order to determine project and evaluation priority.

Execution of agreements and disbursements are subject to the availability of funds, including any mandates from the Department of Finance, the Pooled Money Investment Board (PMIB) or any other State authority.

PART 2 – ELIGIBLE PROJECTS

Who is considered an eligible applicant?

An applicant for funds from the Local Levee Assistance Program may be a local public agency or a joint exercise of power agency representing more than one local public agency. The local public agency must be responsible for flood control in the area of the proposed project or evaluation and be qualified to contract with the State.

What types of projects will the LLAP fund?

Local Levee Assistance Program funds are available Statewide for facilities that are not a part of the State Plan of Flood Control for the Central Valley, are not located within the Sacramento-San Joaquin Delta, and are not urban non-project levees eligible for evaluation under Section 5096.955 (a) (2) of the Public Resources Code.

The LLAP will fund the design and repair of existing local flood control facilities under the LLCR segment. The types of facilities that may be funded through this segment include but are not limited to critically erosion-damaged levees, levees with unstable slopes, and other unstable facilities. The LLCR strategy may also fund structures that are designed to reduce flood risk and may include but are not limited to floodwalls, berms, detention basins, or any structures to address freeboard deficiencies or substandard encroachment. This strategy is applicable Statewide. The sponsor of an LLCR project may use State funds to perform work in preparation for acquisition of right of way and other real property rights for the project being designed as well as payment for the acquisition. Design work may be funded separately under the LLCR of the LLAP, but must be part of a comprehensive plan to design and construct the necessary improvements of a damaged levee. Other work covered may include preparation of environmental documentation, relocation expenses for property owners and tenants, utility relocations, damages to property, or costs related to conducting an independent peer review. Projects must result in a complete, sustainable and maintainable facility. Any facilities to be repaired must be under the jurisdiction of a local public agency.

In addition, under the LOLE and LLCR, credit may be issued to the sponsor for a portion of pre-project costs incurred after June 30, 2008, but before a funding agreement has been fully executed. The sponsor may use approved credit to reduce the local share of incurred project costs. For construction projects, the sponsor should submit a letter informing the Department of the project work and the Department will issue a pre-approval letter to the sponsor.

The conducting of necessary land surveying, hydrology and hydraulic studies, environmental permitting, and a geotechnical evaluation of a levee that is at risk of failing and, therefore, at risk of not meeting the Title 44 CFR Section 65.10 will be

funded under the LOLE segment. A proposal for the evaluation of a levee not at risk of losing FEMA accreditation will be considered for Funding if the sponsor is able to document that a levee has serious problems with seepage, stability, erosion or under-seepage. To be selected, a proposal must be designed to conduct a geotechnical evaluation and any necessary surveying, environmental compliance, hydrology, or hydraulic studies. Qualifying evaluation work will consist of field testing levees by drilling, cone penetration, or other acceptable method, laboratory testing of the resulting samples, and an engineering study of the levee with respect to seepage, under seepage, erosion and/or slope stability using the data obtained from the testing. Other eligible costs may include temporary right of way for performing the work.

All projects awarded grant funding through LLAP must be compatible with the flood control goals and objectives of the Department's FloodSAFE implementation. It is at the discretion of the Department to not approve funding of projects which do not meet the above mentioned goals and objectives at a level appropriate for use of State funds.

PART 3 – APPLICATION PROCESS

How does my agency submit a funding application?

An application and supporting documents must be made in an electronic format. Files must be readable using Microsoft Office 2007 or lower products (i.e. Word, Excel, PowerPoint, or Access). Spreadsheet documents should be submitted in a Microsoft Excel file type and in a live unprotected, file that includes all formulas, macros, and computations that calculate out to the proposed amounts. Print or scan images of spreadsheets, files containing only values, or "read only" files are acceptable and may be submitted. When scanning documents to an Adobe PDF (Portable Document Format) file, the scanner resolution should be set to at least 200 dots per inch.

An application must be submitted via the internet using the Bond Management System website (BMS). This can be done by creating an account on BMS by registering your organization in the new system. A series of questions must be answered on BMS and any additional information uploaded by the applications due date. For more information about using BMS, please visit the website at: <http://water.ca.gov/bms/>.

Electronically submitted applications must be followed, within three working days, by one printed copy of each submitted item. All applications and supporting documents must be appropriately date-marked by the submittal deadline. Any material received after the deadline, except printed copies of electronically submitted applications or supporting documents will not be reviewed or considered for funding and will be returned to the applicant. The sealed envelope containing the hard copy must be addressed to the office specified in the solicitation, and cites the closing date of the solicitation, the PSP name, and the name and address of the applicant. If using a commercial carrier, ensure that the outermost wrapper is marked with the same information.

What must be included in a completed funding application?

All information requested herein must be provided by means of BMS or its omission explained. Department staff will review each application for completeness. If the PSP requests information not relevant to a proposal, the applicant must clearly state the reason why the information was not provided. During the Consensus Rating Period applicants may submit supplemental information for the purpose of clarifying information, but may not submit additional information for the application. Applications not containing all required information or acceptable reasons for omission will not be further reviewed or considered for funding.

Appendix A includes forms that must be uploaded through BMS. These forms can be downloaded from the BMS PSP Preparation link. A complete funding application through BMS must include the following items.

Applicant Information

By means of BMS, provide all applicable information requested under the Applicant Information section. Some Geographic and Benefits information may not apply to every project.

Project Information Sheet

Provide the information as shown in appendix A.

Environmental Information Form

Provide the information required on the form in appendix A.

Authorizing Resolution

The resolution will identify the agency is officially authorized to make this application.

Certifications and Signatures

The agency's authorized representative will sign a declaration to certify that the applicant:

- Will have an acceptable Labor Compliance Plan during the life of the Agreement,
- Has sufficient funds to pay the local share and operate and maintain the project,
- Will operate, maintain, repair, rehabilitate, and replace the project in perpetuity or until the Department agrees in writing that this is no longer necessary and will provide a maintenance plan satisfactory to the Department.

Attorney's Certification

The attorney's certification will:

- Certify that the applicant:
 - Is a Local Public Agency.
 - Is qualified to contract with the State.
 - Has authority to obtain funds for the project.
 - Is responsible for flood control in the project area.
- Describe the legal steps the applicant must take to contract with the State.
- State whether the applicant must have an election to enter into a funding agreement with the State.
- State whether other governmental agencies must approve such an agreement.

- State whether or not there is pending litigation involving the applicant.
- Cite statutes or other references for any of these items.

Qualifications of the Project

For LLCR projects

- That the project consists of repairs to levees or other flood control facilities.
- That the project will be constructed solely to repair levees that have sustained critical erosion damage or that have unstable slopes, or to stabilize other unstable flood control facilities.
- That an engineer registered in the State of California has found that the facilities in the project area are critically damaged and incapable of safely carrying the design flood flow.
- That the facilities are not a part of a State-federal project and are not located in the Sacramento-San Joaquin Delta.
- The project is needed to protect life and property.

For LOLE projects

- That the work will consist of hydrology and hydraulic studies and the geotechnical evaluation of a levee.
- That the proposed project consists of an evaluation of a levee that has exhibited seepage, underseepage, erosion or other signs of instability and is at risk of failing and, therefore, at risk of not meeting the requirements of Title 44 CFR Section 65.10.
- That a levee to be evaluated is not part of the State Plan of Flood Control for the Central Valley, as defined in the LLAP guidelines.
- That a levee to be evaluated is located within the legal boundary of the Sacramento-San Joaquin Delta, as defined in California Water Code Section 12220.
- No levees to be evaluated are urban levees that qualify for Cal. Pub. Res. Code. § 5096.955 (a) (2)(added by SB 85 in 2007).

Executive Summary

Provide a summary of the project in not more than two pages, including a short description of the proposed work and, for LLCR projects, the extent of the improvement expected in flood carrying capacity or stability.

Project Environment

Describe the project area and include one-page maps of the vicinity and the project area, showing the extent of proposed work. Provide a statement that the project is not part of the State Plan of Flood Control, not under consideration by the State for being added to the State Plan of Flood Control, and not located within the legal boundaries of the Sacramento-San Joaquin Delta. If the legal boundary of the Sacramento-San Joaquin Delta passes through the project area map, show the boundary. If a project or evaluation lies within the jurisdiction of the CVFPB, a statement must be provided

stating that the applicant is in the process of obtaining appropriate permits and will comply with all CVFPB requirements.

Description of Work

Describe the extent of the proposed work, the methods planned to perform the work, and the potential for discovery of critical conditions requiring additional work. Provide sufficient information so that the Department may determine the project type.

Benefits of the Project

In the form of a narrative, describe the benefits of the project and provide sufficient information to enable the Department to rank the project in accordance with the criteria set forth in the guidelines. Include a statement that the project sponsor embraces the concept and commitment of environmental stewardship and a description of the opportunities the project will engage to manage and protect natural resources and ecosystems in a sustainable manner. This information should be supplemented as needed by available documentation.

If the project is part of a larger regional project with greater flood benefits, support information describing the scope and benefits of the larger project is needed along with a funding summary. If the project is using benefits from a project larger than what will be funded by the awarded grant, the feasibility of the larger project must be verified both technically and financially. Provide sufficient information to enable the Department to develop a flood benefit ranking for the larger project. Documentation of an acceptable benefit-to-cost ratio, greater than one, must be provided. The scope and funding summary must prove that the larger project can be implemented within the next five years. Otherwise, only the incremental benefits directly related to the project being awarded grant funding under the LLAP will be considered.

Funding Summary

Briefly discuss the estimated project cost and financial resources to be utilized in meeting those costs. If design work is included as part of the proposal, include a financial plan as described in the guidelines. Refer to the guidelines for information regarding eligible costs and cost sharing requirements.

Project Phasing

The project should be broken down into phases. Each phase is a manageable piece of work with a clear deliverable and time frame. If included in the proposed project the following phases should be delineated within the phasing plan:

- Environmental
- Design

- Construction
- Reporting

For each phase of the project the phasing plan should include:

- Description
- Potential Issues
- Tasks
- Milestones

What attachments and additional information are required to be submitted?

An application may include attachments with supplemental materials such as design plans and specifications, detailed cost estimates, feasibility studies, reports on pilot projects, maps, diagrams, letters of support, copies of agreements, records of previous geotechnical explorations, or other applicable items. Applicants seeking funding for projects or evaluations benefiting a Disadvantaged Area must also provide Median Household Income data regarding the benefited area.

Include the following attachments:

Project Plans, Specifications and Estimates

If a project has a completed design available, provide all plans, specifications and construction estimates, prepared and signed by an engineer registered pursuant to California law. If a project requires design work, provide any available preliminary design reports, plans and estimates. All design work shall conform to the requirements of the LLAP guidelines.

A project cost estimate sufficient for evaluation of the project's benefit ratio must be provided. Include within the cost estimate items for design, advance preparation for right of way acquisition, environmental work, project management, and other supplementary costs in agreement with the costs of the items in the task breakdown.

Task Breakdown

Provide a breakdown of the project into tasks, including permitting work, design work, advance preparation for right of way acquisition, and environmental work using task names outlined in the guidelines. Describe each task fully and correlate construction tasks to the items and quantities in the construction estimate.

Schedule

Provide a project schedule based on the project task breakdown. The schedule must include a CPM diagram and show the calendar days to complete the project. Provide an estimate of the required construction period, a discussion of the quality of the estimate,

and a statement of the expected completion date relative to the next two flood seasons (November through April).

Standards

Provide a list of all criteria, standards and guidelines used by the project designer. The Department will determine whether the references given are readily available to Department staff. If department staff does not have convenient access to a given reference, the sponsor of a project will be required to supply a copy of the reference.

Environmental Documentation

Provide a copy of available environmental documentation as required in the guidelines. Final Environmental Impact Reports or Negative Declarations must be accompanied by a Notice of Determination. Provide documentation that the project is in compliance with the California Endangered Species Act and other applicable environmental laws. As a Responsible Agency, the Department will review and consider the project's CEQA environmental document(s) prior to providing funding for any project that is subject to CEQA. As the Lead Agency, the local public agency will be responsible for the preparation, circulation, and consideration of the environmental document.

Resolution

Include a resolution(s) of the applicant's governing body authorizing a designated representative to sign the certifications required for the application, and sign and file the application, or complete the resolution.

Finance Plan

Include a finance plan that demonstrates to the Department's satisfaction that the project sponsor will be able to complete the project or evaluation. It must provide information on the immediate and longer-term financial implications resulting from project initiation and include at a minimum the six main sections set forth in the guidelines. If the project includes design work, the finance plan must conform to the requirements set forth in the guidelines. See the guidelines document a detailed description of the financial plan.

Labor Compliance Program

Submit evidence that the sponsor has an acceptable Labor Compliance Program in place.

Median Household Data

For projects seeking funding to benefit a disadvantaged area, provide California median annual household income data for the benefited area.

Feasibility Study

For LLCR projects, attach a feasibility study or alternatives analysis with technical and financial supporting information demonstrating that the project is economically feasible, evaluating project benefits and describing any alternatives to the project.

Engineer's Certification

For LLCR projects, attach a certificate by an engineer licensed to practice under California law, finding that the facilities to be repaired are critically damaged or unstable and incapable of safely carrying the design flood flow.

Additional Requirements

Attach any additional information requested in the guidelines, including cost information and a properties list for acquisition of right of way and other real property rights for the project being designed.

APPENDIX A

Project Information Sheet, Environmental Information Form and Format for Required Resolutions and Declarations

The following sample forms may be completed, scanned, and submitted with the funding application or reproduced in an electronic format of the applicant's choosing. However, all fields and verbiage of the various forms must be included in the reproduced form verbatim. The Department will notify an applicant if an application contains a form, resolution, or declaration that is not in substantial conformance with these samples.

Project Information		
Title of Project		
Short Description		
Applicant Information		
Name <i>(Name of government entity submitting proposal)</i>		
Type of Entity:		
Mailing Address		Physical Address
Telephone	Fax	Email
Applicant Point of Contact (Authorized Representative)		
Name		Title
Mailing Address		
Telephone	Fax	Email
Alternate Point of Contact		
Name		Title
Mailing Address		
Telephone	Fax	Email
Community Information		
Cities/Communities in the Protected Area:		
Members Of Congress		
Name		District No.
Name		District No.
State Senators		
Name		District No.
Name		District No.
Members Of State Assembly		
Name		District No.
Name		District No.

ENVIRONMENTAL INFORMATION FORM

Funding Recipients are responsible for complying with all applicable laws and regulations for their projects, including the California Environmental Quality Act (CEQA). Work that is subject to the California Environmental Quality Act (CEQA) shall not proceed under this Agreement until documents that satisfy the CEQA process are received by the Department of Water Resources and Department has completed its CEQA compliance. Work that is subject to a CEQA document shall not proceed until and unless approved by the Department. Such approval is fully discretionary and shall constitute a condition precedent to any work for which it is required. Once CEQA documentation has been completed, the Department will consider the environmental documents and decide whether to continue to fund the project or to require changes, alterations or other mitigation.

Funding Recipient: _____

Project Manager: _____

Phone Number: _____ Work Agreement # _____

Address: _____

1. List the source of any other grants or funds received from the Department of Water Resources to implement a portion of this project.

2. Is this project exempt from CEQA compliance? Yes No (if no – skip to #3)

If “yes”, provide reasons for exemption. Cite the CEQA Article, Section and Title of the CEQA exemption, if appropriate.

CEQA statutory exemptions: http://ceres.ca.gov/topic/env_law/ceqa/guidelines/art18.html

CEQA categorical exemptions: http://ceres.ca.gov/topic/env_law/ceqa/guidelines/art19.html

Check appropriate box below:

- Lead Agency has already filed a Notice of Exemption (NOE) with the State Clearinghouse and/or County Clerk (Attach copy of NOE, receipt of payment of DFG fees, and, if applicable, a copy of Board Resolution).
- Lead Agency will file a NOE with the State Clearinghouse and/or County Clerk. Provide estimated date: _____
- Lead Agency will NOT file a NOE with the State Clearinghouse and/or County Clerk.

If Lead Agency chooses not to file a NOE, sufficient documentation and information must be submitted to the Project Director, along with this form, to allow the Department to make its own CEQA findings.

3. If the project will require CEQA compliance, identify the Lead Agency.

CEQA Lead Agency: _____

4. Please check types of CEQA documents to be prepared:

- Initial Study
- Negative Declaration / Mitigated Negative Declaration
- Environmental Impact Report

5. Please describe the status of the CEQA documents, expected date of completion, and estimated cost, if requesting Department funds relating to CEQA compliance:

Status: _____

Date of Completion: _____

Estimated Costs: _____

6. If the CEQA document has been completed, please provide the name of the document and the State Clearinghouse number if available. Submit two copies to the Program Manager.

7. Please list all environmental permits you must obtain to complete the project:

(Attach additional pages as necessary)

Type of Permit Required

Permitting Agency

8. This form was completed by:

Print or Type Name

Phone Number

Signature

Date

- The Department received environmental documents.
- The Department made findings.

Please send the completed form to your Project Manager.

Resolution No. _____

Resolved by the _____ of the
(Name of Agency's Governing Body)

(Name of Agency)

That pursuant to and subject to all of the terms and provisions of California Public Resources Code Section 75032 application by this _____
(Type of Agency)

be made to the California Department of Water Resources to obtain funding for _____ . The _____
(Project Title) (Title/Name of Authorized Representative)

_____ is hereby authorized and directed to prepare the necessary data, make investigations, sign certifications required as part of the application, and sign and file such application with the California Department of Water Resources.

Passed and adopted at the regular meeting of the _____ of the
(Name of Agency's Governing Body)

(Name of Agency)

on _____ .
(Date)

Authorized Signature _____

Printed Name _____

Title _____

Clerk/Secretary _____

LLCR Applications - Certifications and Signatures

(Name of Agency)

hereby applies to the California Department of Water Resources for funding in the amount of \$_____ as authorized by Section 75032 of the California Public Resources Code for the purpose of constructing the urgently needed flood control repairs identified herein as _____
(Title of Project)

On behalf of the applicant agency, I certify the following:

- ❖ During the lifetime of any funding agreement resulting from this proposal, applicant will have a Labor Compliance Program complying with the California Labor Code. (Project sponsors will be required to provide evidence of such a Program.)
- ❖ Applicant has sufficient funds or other resources to finance the proposed percentage of the cost of the project and to operate, maintain, repair, rehabilitate, or replace the project as long as necessary. (Project sponsors will be required to provide a finance plan.)
- ❖ If applicant is awarded funding and becomes sponsor of this project, applicant will (1) operate, maintain, repair, rehabilitate, and replace the project facilities as needed in perpetuity, or until the Department of Water Resources agrees in writing that such services are no longer needed, and (2) provide a maintenance plan satisfactory to the Department of Water Resources.

By _____ Date _____
(Signature of Authorized Representative)

(Printed Name of Authorized Representative) (Title)

LOLE Applications - Certifications and Signatures

(Name of Agency)

hereby applies to the California Department of Water Resources for funding in the amount of \$_____ as authorized by Section 75032 of the California Public Resources Code for the purpose of evaluating levees at risk of losing or that have lost FEMA accreditation or levees with a history of seepage, under-seepage, or instability problems. This levee evaluation project is known as:

(Title of Project)

On behalf of the applicant agency, I certify the following:

- ❖ During the lifetime of any funding agreement resulting from this proposal, applicant will have a Labor Compliance Program complying with the California Labor Code. (Project sponsors will be required to provide evidence of such a Program.)
- ❖ Applicant has sufficient funds or other resources to finance the proposed percentage of the cost of the project and to operate, maintain, repair, rehabilitate, or replace the project as long as necessary. (Project sponsors will be required to provide a finance plan.)

By _____ Date _____
(Signature of Authorized Representative)

(Printed Name of Authorized Representative) (Title)

Attorney's Certification

(The applicant's attorney shall answer the following questions pertaining specifically to this proposal and shall cite statutory authority or other reference for each question where indicated.)

- ❖ Is the applicant agency a political subdivision of the State of California?
()Yes ()No

Citation:_____

- ❖ Does the applicant have legal authority to enter into a grant or funding contract with the State of California? ()Yes ()No

Citation:_____

- ❖ What steps are required by law for the applicant to contract with the State?

Citation:_____

- ❖ What is the statutory authority under which the applicant may obtain funds for the purpose, amount, and duration requested?

Citation:_____

- ❖ What is the statutory authority under which the applicant agency was formed and is authorized to operate?

Citation:_____

- ❖ Is the applicant agency required to hold an election before entering into a funding contract with the State? ()Yes ()No

Citation:_____

- ❖ Will a funding agreement between the applicant agency and the State be subject to review and approval by other governmental agencies? ()Yes ()No

Identify all such agencies:_____

Citation:_____

- ❖ Describe any pending litigation that impacts the financial condition of the applicant agency or the operation of flood management facilities. If none are pending, so state.

- ❖ Does the applicant agency have legal authority and jurisdiction to implement a flood control program at the project site and in the protected area? ()Yes ()No

Citation:_____

I certify that I am a duly qualified and licensed attorney in California representing the applicant agency and that I have answered the questions on this page and the preceding page to the best of my knowledge.

By _____ Date _____
(Signature of Applicant Agency's Attorney)

(Printed Name of Applicant Agency's Attorney) (Title)

(Name of Applicant Agency)

Qualifications of the LLCR Project

In summary of the accompanying material, I declare as follows:

- ❖ The proposed project consists of repairs to levees or other flood control facilities, as shown on the accompanying plans.
- ❖ All facilities to be repaired have sustained critical levee erosion damage, have damaged and unstable levee slopes, or are otherwise damaged and unstable, and all are incapable of carrying the design flood flow, as substantiated by the accompanying engineer’s certificate.
- ❖ No facilities to be repaired are part of the State Plan of Flood Control for the Central Valley, as defined in the Local Levee Assistance Program Guidelines and as shown on the accompanying plans.
- ❖ No facilities to be repaired are located within the legal boundary of the Sacramento-San Joaquin Delta, as defined in California Water Code Section 12220 and as shown where appropriate on accompanying maps.
- ❖ The project is urgently needed to protect life and property.

By _____ Date _____
(Signature of Applicant Agency’s Attorney)

(Printed Name of Applicant Agency’s Attorney) (Title)

(Name of Applicant Agency)

Qualifications of the LOLE Project

In summary of the accompanying material, I declare as follows:

- ❖ The proposed project consists of an evaluation of a levee that is either (a) at risk of losing FEMA accreditation, has lost FEMA accreditation or, (b) has exhibited seepage, under-seepage, erosion or other signs of instability.
- ❖ No levees to be evaluated are part of the State Plan of Flood Control for the Central Valley, as defined in the Local Levee Assistance Program Guidelines and as shown on the accompanying plans.
- ❖ No levees to be evaluated are located within the legal boundary of the Sacramento-San Joaquin Delta, as defined in California Water Code Section 12220, and as shown where appropriate on accompanying maps.
- ❖ No levees to be evaluated are urban levees identified in Cal. Pub. Res. Code. § 5096.955 (a) (2)(added by SB 85 in 2007).

By _____ Date _____
(Signature of Applicant Agency's Attorney)

(Printed Name of Applicant Agency's Attorney) (Title)

(Name of Applicant Agency)