

## ATTACHMENT A

### FLOOD MAINTENANCE ASSISTANCE PROGRAM (FMAP)

This questionnaire and submittal would provide us the needed information to evaluate the appropriate level of participation in FMAP. FMAP has several requirements that must be met to receive eligible funding as described in the Proposal Solicitation Package (PSP). Please answer the following questions and provide the requested information.

LMA Reclamation District 2035

Authorized LMA Representative Mike Hall, General Manager

*(Name and Title)*

Address 1296 E. Gibson Road, Ste. A-361, Woodland, CA 95776

Phone Number (530) 308-0681

District Engineer Jay Punia

Legal Counsel Scott A. Morris

Legislative District Senate 3, Assembly 4

*(Senate and Assembly)*

Other Contact Information Jay Punia, (916) 870-0770

1. Does LMA have State Plan of Flood Control (SPFC) facilities? (Y/N) YES
2. Does LMA have current PL 84-99 eligibility? (Y/N) YES If Yes, please provide supporting documentation. **Attach File**
3. Does LMA have an approved LOI or SWIF with USACE? (Y/N) YES If Yes, please provide a copy of the approval. **Attach File**
4. If No, has LMA submitted a LOI or SWIF currently pending with USACE? (Y/N) YES If Yes, please provide a copy of the documents. **Attach File**
5. If No on questions 3 & 4, is LMA willing to commit to pursuing and obtaining a USACE SWIF, which includes submittal of LOI & SWIF? (Y/N) YES
6. Is there more than one LMA in your leveed area (USACE system)? (Y/N) YES  
If Yes, is LMA cooperating or willing to cooperate with the other LMAs to pursue and obtain an approved USACE LOI and SWIF within a USACE System?  
(Y/N) YES
7. Is LMA willing to execute a new assurance agreement (OMRR&R) with CVFPB for the entire leveed area (USACE system)? (Y/N) YES

8. Is LMA willing to secure sufficient local funding to perform OMRR&R activities required by the assurance agreement? (Y/N) YES
9. Is LMA willing to meet DWR reporting requirements, such as AB 156? (Y/N) YES
10. Is LMA willing to provide actual cost and scope of the last two full years of O&M activities? (Y/N) YES
11. Is LMA willing to prioritize deficiencies within the leveed area (USACE system) and commit to OMRR&R activities that will reduce flood risk and make LMA compliant with PL 84-99? (Y/N) YES
12. Is LMA willing to coordinate and work with RFMP to implement the plan identified in the SWIF? (Y/N) YES
13. Is LMA currently participating in other DWR programs such as Delta Subventions, EIP/UFRR, or FSRP? (Y/N) YES If yes, please identify and describe the project or activity:

RD 2035 obtained funding through the DWR's FSRP and repaired its Levee Patrol Roads in 2019.

Additional questions required of all new solicitations to fulfil State's requirement under EO B-30-15, AB 1482, & AB 2800. Answering in any way does **not** affect a LMA's eligibility to receive funding.

14. Does the LMA have a strategic business plan? (Y/N) NO If yes, please submit a copy.
15. Has the LMA conducted a climate change vulnerability assessment? (Y/N) NO If yes, please submit a copy.
16. Does the LMA have a main contact person for climate change? (Y/N) NO  
If yes, to what position in the origination does that person report?  
  
N/A
17. Has the LMA considered the risk of climate change in its capital reserves and investments? (Y/N) NO

Please provide the following project information:

- **Briefly describe the leveed area (USACE system) and what is protected within the project basin.**

The Cache Creek -RD 2035 -Willow Bypass Levee System includes five segments (as listed below) along the right bank of Cache Creek, the western and southern boundaries of the Cache Creek Settling Basin, the west bank of Yolo Bypass and the left bank of Willow Slough. Cache Creek separates System 412 and System 411. Cache Creek - Right Bank, Yolo County Public Works (segment CCKY); Cache Creek - Unit 2, Right Bank (segment CCK2); RD 2035 - Conaway - Unit 2 Yolo Bypass (segment CON2). System 412 levees protect agricultural land and a portion of the City of Woodland.

- **Explain how you intend to become compliant with the SWIF process and USACE and DWR inspections.**

RD 2035 is responsible for operation and maintenance of approximately 12 miles of SPFC levees in System 412. RD 2035 is part of the Lower Sacramento River/Delta North Region. RD 2035 plans to implement SWIF and start addressing the deficiencies identified by the USACE Periodic Inspection Report to maintain eligibility in the PL 84-99 program. RD 2035's ratings have been upgraded from Unacceptable (U) to Acceptable (A) for the last two (5) years. The deficiencies will be evaluated and ranked according to their relative risk with the objective of correcting the worst deficiencies first so that the flood risk reduction is optimized

- **Please provide verifiable and detailed information of eligible OMRR&R activities and projects conducted by the LMA the last two full years.**

Deficiencies for the Cache Creek -RD 2035 -Willow Bypass Levee System have been identified in the USACE's PI Report based on the inspections held from December 11, 2012 to January 7, 2013. RD 2035 took the lead and developed the supporting material for the Letter of Intent (LOI) and developed a SWIF for the Cache Creek -RD 2035 -Willow Bypass Levee System (System 412 per the USACE) and regained eligibility in the P.L. 84-99 Rehabilitation and Inspection Program (RP). RD 2035 also conducted Proposition 218 elections and increased its annual operations and maintenance budget from \$323,532 to \$495,000. Projects: Repaired the entire levee crown road; USACE repaired 7 land side slips and water side erosion in 2019-20; rodent control and vegetation management activities are performed annually by RD.

- **Provide a list of eligible OMRR&R activities and projects that you intend to conduct or construct.**

Attached Table 1 shows the proposed scope of work, schedule and budget for fiscal calendar year 2023.

- **Please prioritize the activities and detail the scope of the projects. This includes project description, proposed schedule, and proposed budget. Budget details must include personnel, equipment, and material costs.**

RD 2035 is committed to, and will focus on, addressing encroachments, slope stability, erosion and bank caving, and controlling burrowing animal and vegetation on its levees. These actions are necessary to address the deficiencies in order to meet the interim eligibility criteria outlined in Paragraph 6 of USACE's interim policy memorandum. However, all other deficiencies identified as unacceptable will also be addressed according to the SWIF plan. The deficiencies will be evaluated and ranked according to their relative risk with the objective of correcting the worst deficiencies first so that the flood risk reduction is optimized.

- **Describe the project benefits and how it works toward USACE and DWR levee inspection compliance.**

Funding and implementing the programs described in the scope of work will allow RD 2035 to develop a more robust levee operations and maintenance program. This will help the RD 2035 to achieve compliance with USACE and DWR levee inspection criteria and allow RD 2035 to continue its eligibility in the USACE PL 84-99 Program. More importantly it will reduce the risk of flooding for the area protected by the System 412 levees.]

## ATTACHMENT B

### Local Maintaining Agency Authorizing Resolution Resolution No. 2022-001

A Resolution by the Board of Trustees  
of the Reclamation District 2035

Authorizing a Proposal for funding from the Department of Water Resources and Designating a Representative to Execute the Agreement and any Amendments thereto, for the 2023-FMAP-RD2035-01 Project

WHEREAS, the Reclamation District 2035 is a California Public Agency with responsibility for flood maintenance and right-of-way authority of the Project facilities;

WHEREAS the Reclamation District 2035 acknowledges that it must submit a new operations, maintenance, repair, rehabilitation, and replacement agreement with the Central Valley Flood Protection Board prior to the receipt of Flood Maintenance Assistance Program funds;

WHEREAS, the Reclamation District 2035 is authorized to enter into an agreement with the Department of Water Resources and the State of California;

THEREFORE, BE IT RESOLVED by the Board of Trustees  
of the Reclamation District 2035 as follows:

1. That pursuant and subject to all of the terms and conditions of the Budget Act of 2022, the Board of Trustees authorize the General Manager, or designee, to execute the funding agreement with the Department of Water Resources and any amendments thereto.
2. That the General Manager, or designee, shall prepare the necessary data, make investigations, and take other such actions as necessary and appropriate to obtain funding for the 2023-FMAP-RD2035-01 Project.

#### CERTIFICATION

I hereby certify that the foregoing Resolution No. 2022-001 was duly and regularly adopted by the Board of Trustees of the Reclamation District 2035 at the meeting held on 6/14/22, motion by BOB BAKER and seconded by ANGELO CHRISTIE, motion passed by the following vote:

AYES: 3  
NOES:  
ABSTAIN:  
ABSENT:

Attest: S. Denise

Denise Costa

Mike Hall  
Mike Hall, General Manager  
Reclamation District 2035

## ATTACHMENT C

### Attorney Certification

*(The Applicant's attorney shall answer the following questions regarding this proposal and where indicated, shall cite statutory authority or other references.)*

- Is the Applicant a political subdivision of the State of California? ☒ Yes ☐ No

Citation: Water Code §50000

- Does the Applicant have legal authority to enter into a Funding Agreement with the State of California? ☒ Yes ☐ No

Citation: California Water Code §50650 et seq.

- What steps are required by law for the Applicant to sign a Funding Agreement with the State?

Resolution voted on by the Board of Trustees approving the Funding Agreement.

Citation: Water Code §§50650 et seq; Section 50656

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

Citation: Water Code §§50650 et seq; Section 50900 and Section 50932

- What is the statutory authority under which the Applicant was formed and is authorized to operate?

Citation: Water Code §50000 et seq.

- Is the Applicant required to hold an election before entering into a funding contract with the State? ☐ Yes ☒ No

Citation: Water Code §§50650 et seq; Section 50656

- Will an agreement between the Applicant and the State be subject to review and approval by other governmental agencies? ☒ Yes ☐ No

Identify all such agencies:

Potentially the California Department of Water Resources and the Central Valley Flood Protection Board.

Citation: \_\_\_\_\_

- Describe any pending litigation that impacts the financial condition of the Applicant or the operation of flood management facilities. If none is pending, so state.

N/A

- Does the Applicant have legal authority and jurisdiction to implement a flood control program? ☒ Yes ☐ No

Citation: Water Code §51000 et seq.

*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 Scott A. Morris Date June 7, 2022  
(Signature of Applicant Agency's Attorney)

Scott A. Morris, General Counsel

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

172071

(Bar No.)

Reclamation District No. 2035

(Name of Applicant Agency)