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MEMORANDUM

TO: The Honorable Members of the Whatcom County
Flood Control Zone District Board of Supervisors

THROUGH: Jon Hutchings, Public Works Director *JH*

FROM: Paula J. Harris, River and Flood Manager *PJH*
Gary S. Stoyka, Natural Resources Manager *GSS*

RE: Interlocal Agreement with Diking District #2 for Sande-Williams Levee Rehabilitation

DATE: April 5, 2019

Enclosed are two (2) originals of an Interlocal Agreement between the Whatcom County Flood Control Zone District and Diking District #2 for your review and signature.

Requested Action

Public Works respectfully requests that the County Executive, and the County Council, acting as the Flood Control Zone District (FCZD) Board of Supervisors, enter into an Interlocal Agreement (ILA) with Diking District #2 (DD#2) to provide cost-share funding in the net amount of \$68,000 for the Sande-Williams Levee Rehabilitation.

Background and Purpose

The Sande-Williams Levee is currently eligible for rehabilitation under the US Army Corps of Engineers (USACE) PL 84-99 Program. For most of the Nooksack River levees, the FCZD is the local sponsor for the PL 84-99 Program; however, DD#2 became the PL 84-99 sponsor for the Sande-Williams Levee, at their request, in 2008.

The riprap face on the levee was damaged during floods in 2017 and 2018, and DD#2 requested assistance from the USACE. The USACE intends to implement a rehabilitation project on the damaged section of the levee this summer; the estimated construction cost of the project is \$425,000. The PL 84-99 Program requires a 20% cost share from the local sponsor, which is \$85,000 for this project. DD#2 requested the FCZD provide financial assistance through the Flood Control Construction Cost Share Program, which normally provides for a 70/30 cost-share between the FCZD and the local sponsor. For this project DD#2 has insufficient funds to provide the local match and has requested the cost-share be revised to 80% funding from the FCZD and 20% from DD#2; alternate cost-shares are allowed under the program as long as they are approved by the Board of Supervisors. The FCZD Advisory Committee unanimously supported this request at their July 19, 2018 meeting.

Funding Amount and Source

The proposed ILA includes a 80/20 cost share to be applied to the \$85,000 (20% of total cost) local sponsor share, for a net FCZD contribution of 14% of the total project cost up to \$68,000. DD#2 hopes to provide some of their share (6% of total project cost) by providing in-kind service. The USACE can only receive one payment for the local sponsor share, so the FCZD will provide the \$85,000 upfront payment to the USACE, and be reimbursed by DD#2 for their share. This is within the amount budgeted for this project in the 2019 FCZD budget.

Please contact Paula Harris at extension 6285, if you have any questions or concerns regarding the terms of this agreement.