

Meeting of the  
Central Valley Flood Protection Board

Department of Water Resources  
Staff Report  
FloodSAFE Environmental Stewardship and Statewide Resource Office  
Delta Levees Flood Protection Program  
Delta Levees Maintenance Subventions Program

September 28, 2012

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I) INTRODUCTION:

The Delta Levees Maintenance Subventions Program is authorized by the California Water Code, Sections 12980 thru 12995. The Subventions Program has been in effect since passage of the Way Bill in 1973 which has been modified periodically by Legislation. The Water Code Section 12981 states the intent of the legislature as ***“...the physical characteristics of the delta should be preserved essentially in their present form; and that the key to preserving the delta's physical characteristics is the system of levees defining the waterways and producing the adjacent islands...”***

Water Code Section 12987(a) states: ***“Local agencies maintaining project or nonproject levees shall be eligible for reimbursement pursuant to this part upon submission to and approval by the board of plans for the maintenance and improvement of the project or nonproject levees, including plans for the annual routine maintenance of the levees, in accordance with the criteria adopted by the board.”***

DWR staff, on behalf of the Central Valley Flood Protection Board (Board), evaluates applications submitted by local agencies, i.e. reclamation districts and levee maintaining districts, and presents its recommendations to the Board. The Board reviews and approves staff recommendations prior to any agreements are executed between the parties. If approved, the Board will enter into agreements with the local agencies. The agreements are to reimburse local agencies for eligible costs as permitted by the law.

II) GUIDELINES: PROCEDURES AND CRITERIA

Water Code Section 12984 requires the Department of Water Resources to develop and submit to the Central Valley Flood Protection Board, for adoption by the Board, criteria for the maintenance and improvement of nonproject levees. DWR requires

guidelines for all expenditures under Proposition 1E (*Disaster Preparedness and Flood Prevention Bond Act of 2006*) and/or Proposition 84 (*The Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006*). To meet these requirements, DWR has developed the Guidelines: Procedures and Criteria as approved by the Board on September 23, 2011.

**III) FUNDING:**

Historically, the Subventions Program funds averaged about \$6 million annually. The maintenance works covers nearly 700 miles of levees, project and non-project, each year. Since the passage of Propositions 1E and 84, the funding level for the Subventions Program has significantly increased. The table below summarizes the funding level and the actual state reimbursements through the Subventions Program. Funding details for the proposed and recent fiscal years are discussed in the paragraphs that follow.

<b>Fiscal Year</b>	<b>Maximum Reimbursement (\$)</b>	<b>Total Project Cost (\$)</b>	<b>Local Share (\$)</b>	<b>State Reimbursement (\$)</b>
2007-2008	25.75 million	23 million	7 million	16 million
2008-2009	20 million	17 million	5 million	12 million
2009-2010	18 million	13 million	4 million	9 million
2010-2011	15 million	16 million	5 million	11 million
2011-2012	12 million	Final Claims due October 31, 2012	To be determined	To be determined
2012-2013	12 million	To be determined	To be determined	To be determined

**Fiscal Year 2007-08:**

The allocated funding for this fiscal year was \$25.75 million. The Board executed 65 work agreements with local agencies for the work to be completed no later than June 30, 2008. The final claims received in fall 2008 from 60 local agencies totaled about \$23 million of work, of which approximately \$16 million was the State cost share and \$7 million was the local cost share. The unused funds will revert back to the source, which is Proposition 84.

**Fiscal Year 2008-09:**

The allocated funding for this fiscal year was \$20 million. The Board executed 66 work agreements with local levee maintaining agencies for the work to be completed no later than June 30, 2009. Staff received final claims from 63 local agencies before the

deadline of November 30, 2009. All final claims, showing about \$17 million of completed work, were audited by staff and approximately \$12 million of the state cost share has been reimbursed. The unused funds will revert back to the source, which is Proposition 84.

Fiscal Year 2009-10:

The allocated funding for this fiscal year was \$18 million. The board executed 66 work agreements with local levee maintaining agencies for the work to be completed no later than June 30, 2010. Staff has received final claims from 62 local agencies before the deadline of November 30, 2010. All final claims, showing about \$13 million of completed work, were audited by staff and approximately \$9 million of the state cost share has been reimbursed. The unused funds will revert back to the source, which is Proposition 84.

Fiscal Year 2010-11:

The allocated funding for this fiscal year was \$15 million. The board executed 65 work agreements with local levee maintaining agencies for the work to be completed no later than June 30, 2011. Staff has received final claims from 61 local agencies before the deadline of November 30, 2011. All final claims, showing about \$16 million of completed work, were audited by staff and approximately \$11 million of the state cost share has been reimbursed. The unused funds will revert back to the source, which is Proposition 84.

Fiscal Year 2011-12:

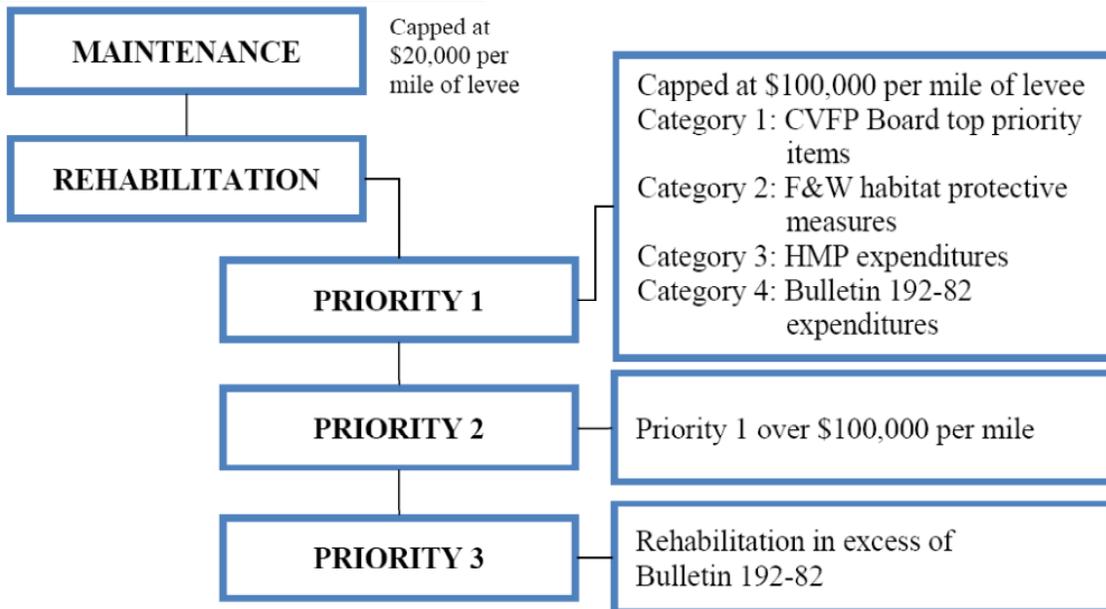
The allocated funding for this fiscal year was \$12 million. The board executed 65 work agreements with local levee maintaining agencies for the work to be completed no later than June 30, 2012. The deadline to submit final claims is November 1, 2012. Local agencies may request a 30-day extension of time.

Fiscal Year 2012-13:

The allocated funding for this fiscal year is proposed to be \$12 million. This amount is a reasonable funding level and is the outcome of discussions between staff and the stakeholders. Staff has prepared a funding plan for the Board's approval allocating the proposed \$12 million for Fiscal Year 2012-13 Subventions Program. The source of funding for the plan is Proposition 1E.

Staff has received 67 applications totaling approximately \$46 million. Tables 1 thru 3 are prepared for the Boards review and approval. Table 1 lists application amounts by local maintaining agencies and show eligible amount of reimbursements by priority, as defined in the Guidelines: Procedures and Criteria and as shown in Funding Prioritization Scheme (see Figure 1). Table 2 shows maximum and estimated eligible reimbursements and corresponding advance amounts. Table 3 provides summary of reimbursements and corresponding rates for each priority up to the anticipated funding of \$12 million.

**Figure 1 – Funding Prioritization Scheme**



**IV) STAFF RECOMMENDATIONS:**

Therefore staff recommends the following:

- 1) Board approve Table 2, which establishes reimbursement amounts and the limit on advances providing that the approval is conditional upon DWR receiving adequate funding level to proceed with the Subventions Program.
- 2) Authorize DWR staff to proceed with preparation and circulation of the work agreements for signature by the Board's Executive Officer.

Tables and Attachments:

Table 1	Application Amounts by Priority
Table 2	Estimated Reimbursements
Table 3	Summary of Estimated Reimbursements

**Table 1  
2012-13 DELTA LEVEE MAINTENANCE SUBVENTIONS PROGRAM  
APPLICATION AMOUNTS BY PRIORITY**

RD NO	District Name	Application Amount \$	Net Allowable Maintenance \$	Levee Rehabilitation				
				Priority One			Priority 2 \$	Priority 3
				Category 2 Fish & Wild. \$	Category 3 HMP \$	Category 4 Eligible Bull.192-82 \$		
2126	Atlas Tract	114,000	43,700	5,000	0	63,000	0	0
2028	Bacon Island	285,000	270,600	0	0	0	0	0
	Bethel Island MID	250,000	188,500	50,000	0	0	0	0
2042	Bishop Tract	216,500	148,200	2,500	50,000	8,000	0	0
404	Boggs Tract	161,000	13,300	4,500	0	65,500	77,000	0
756	Bouldin Island	648,000	342,000	0	0	288,000	0	0
2033	Brack Tract	965,500	205,200	0	0	749,500	0	0
2059	Bradford Island	161,000	94,600	9,000	50,000	0	0	0
	Brannan-Andrus LMD	1,633,500	558,600	39,000	0	1,006,500	0	0
800	Byron Tract	762,500	184,300	10,000	150,000	408,500	0	0
2098	Cache-Haas Slough	152,250	140,750	500	0	0	0	0
2117	Coney Island	139,500	102,600	3,500	0	28,000	0	0
2111	Deadhorse Island	240,000	49,400	9,000	100,000	79,000	0	0
2137	Dutch Slough	582,700	72,200	4,000	311,200	64,800	126,700	0
536	Egbert Tract	109,000	98,400	0	0	0	0	0
2029	Empire Tract	1,035,000	199,500	0	720,000	105,000	0	0
773	Fabian Tract	300,500	270,700	11,000	0	0	0	0
2113	Fay Island	245,500	30,400	26,500	100,000	33,500	53,500	0
3	Grand Island	2,491,000	547,200	0	0	1,915,000	0	0
2060	Hasting Tract	254,000	238,000	0	0	0	0	0
2025	Holland Tract	398,000	209,000	0	150,000	28,000	0	0
799	Hotchkiss Tract	178,000	169,100	0	0	0	0	0
830	Jersey Island	854,000	294,500	50,000	130,000	364,000	0	0
2038	Jones Island, Lower	490,000	171,000	75,000	0	235,000	0	0
2039	Jones Island, Upper	490,000	176,700	75,000	0	229,000	0	0
2044	King Island	800,000	172,900	0	595,000	23,000	0	0
307	Lisbon	367,500	125,400	35,000	0	200,500	0	0
2027	Mandeville Island	4,920,000	271,700	0	800,000	630,000	3,204,000	0
2110	McCormack-Wm. Tract	245,000	167,200	0	0	69,000	0	0
2030	McDonald Island	3,680,000	260,300	25,000	1,345,000	0	2,036,000	0
2041	Medford Island	554,000	112,100	0	250,000	186,000	0	0
150	Merritt Island	575,000	343,900	0	0	213,000	0	0
999	Netherlands	415,500	373,100	10,000	0	0	0	0
348	New Hope Tract	798,000	320,600	260,000	200,000	0	0	0
2024	Orwood/Palm Tract	1,227,000	264,100	65,000	190,000	694,000	0	0
1007	Pico Naglee	366,000	157,700	65,000	75,000	60,000	0	0
551	Pearson District	621,000	267,900	0	0	339,000	0	0
2058	Pescadero District	130,000	47,500	5,000	20,000	55,000	0	0
2090	Quimby Island	322,500	133,000	12,500	50,000	120,000	0	0
2037	Rindge Tract	857,500	300,200	0	520,000	21,500	0	0
684	Roberts Island, Lower	555,000	304,000	75,000	0	160,000	0	0
524	Roberts Island, Middle	271,000	184,300	4,500	25,000	47,500	0	0
544	Roberts Island, Upper	531,000	285,000	5,000	0	226,000	0	0
403	Rough & Ready Island	255,500	129,200	12,500	0	107,000	0	0
501	Ryer Island	362,500	319,400	22,500	0	0	0	0
2074	Sargent-Barnhart	5,433,630	66,500	232,500	0	117,500	5,013,630	0
341	Sherman Island	612,000	370,500	15,000	0	207,000	0	0
2115	Shima tract	119,000	95,900	16,500	0	0	0	0
1614	Smith Tract	551,500	53,200	25,000	0	255,000	215,500	0
2089	Stark Tract	263,500	66,500	2,000	0	191,500	0	0

**Table 1**  
**2012-13 DELTA LEVEE MAINTENANCE SUBVENTIONS PROGRAM**  
**APPLICATION AMOUNTS BY PRIORITY**

RD NO	District Name	Application Amount \$	Net Allowable Maintenance \$	Levee Rehabilitation				
				Priority One			Priority 2 \$	Priority 3
				Category 2 Fish & Wild. \$	Category 3 HMP \$	Category 4 Eligible Bull.192-82 \$		
38	Staten Island	1,190,000	467,400	20,000	400,000	278,000	0	0
548	Terminus Tract	625,000	305,900	25,000	140,000	138,000	0	0
1601	Twitchell Island	453,500	226,100	11,500	25,000	179,000	0	0
563	Tyler Island	682,500	435,100	15,000	150,000	59,500	0	0
1	Union Island, East	460,000	266,000	25,000	0	155,000	0	0
2	Union Island, West	523,500	307,800	10,000	0	189,500	0	0
1607	Van Sickle Island	201,500	70,300	0	0	127,500	0	0
2065	Veale Tract	520,000	96,900	0	390,000	28,000	0	0
2023	Venice Island	730,125	233,700	15,000	469,125	0	0	0
2040	Victoria Island	399,000	286,900	10,000	87,000	0	0	0
554	Walnut Grove	93,300	38,900	6,000	0	45,000	0	0
2026	Webb tract	288,500	245,100	0	0	30,500	0	0
828	Weber Tract	322,800	32,300	27,000	0	143,000	118,800	0
2122	Winter Island	299,500	91,200	0	200,000	3,500	0	0
2072	Woodward Island	490,000	167,200	75,000	0	239,000	0	0
2119	Wright-Elmwood Tract	615,500	134,900	30,000	0	443,500	0	0
2068	Yolano	165,000	156,300	0	0	0	0	0
	<b>Total 67 Districts</b>	<b>46,049,805</b>	<b>13,572,550</b>	<b>1,532,000</b>	<b>7,692,325</b>	<b>11,651,800</b>	<b>10,845,130</b>	<b>0</b>

**Draft Table 2**  
**2012-13 DELTA LEVEE MAINTENANCE SUBVENTIONS PROGRAM**  
**ESTIMATED REIMBURSEMENTS**

RD NO	Name (Engineer)	Application Amount	Levee Length	Deductible	Eligible	Maximum	Estimated	Advance
		\$	Miles	\$1,000 Per Mile	Costs	Reimbursement 75 % of (4)	Available Reimbursement	75 % of (6)
		(1)	(2)	(3)	(4)	(5)	(6)	(7)
2126	Atlas Tract (KSN)	114,000	2.3	(2,300)	111,700	83,775	36,525	27,394
2028	Bacon Island (MBK)	285,000	14.4	(14,400)	270,600	202,950	202,950	152,212
	Bethel Island MID (Milani)	250,000	11.5	(11,500)	238,500	178,875	178,875	134,156
2042	Bishop Tract (KSN)	216,500	7.8	(7,800)	208,700	156,525	117,390	88,042
404	Boggs Tract (KSN)	161,000	0.7	(700)	160,300	120,225	13,350	10,012
756	Bouldin Island (MBK)	648,000	18.0	(18,000)	630,000	472,500	256,500	192,375
2033	Brack Tract (MBK)	965,500	10.8	(10,800)	954,700	716,025	153,900	115,425
2059	Bradford Island (Green Mt.)	161,000	7.4	(7,400)	153,600	115,200	82,065	61,549
	Brannan-Andrus LMD (DCC)	1,633,500	29.4	(29,400)	1,604,100	1,203,075	448,200	336,150
800	Byron Tract (KSN)	762,500	9.7	(9,700)	752,800	564,600	158,821	119,116
2098	Cache-Haas Slough (MBK)	152,250	11.0	(11,000)	141,250	105,938	105,938	79,454
2117	Coney Island (KSN)	139,500	5.4	(5,400)	134,100	100,575	79,575	59,681
2111	Deadhorse Island (KSN)	240,000	2.6	(2,600)	237,400	178,050	52,531	39,398
2137	Dutch Slough (MBK)	582,700	3.8	(3,800)	578,900	434,175	84,320	63,240
536	Egbert Tract (MBK)	109,000	10.6	(10,600)	98,400	73,800	73,800	55,350
2029	Empire Tract (MBK)	1,035,000	10.5	(10,500)	1,024,500	768,375	212,485	159,364
773	Fabian Tract (KSN)	300,500	18.8	(18,800)	281,700	211,275	211,275	158,456
2113	Fay Island (KSN)	245,500	1.6	(1,600)	243,900	182,925	51,406	38,554
3	Grand Island (MBK)	2,491,000	28.8	(28,800)	2,462,200	1,846,650	410,400	307,800
2060	Hasting Tract (MBK)	254,000	16.0	(16,000)	238,000	178,500	178,500	133,875
2025	Holland Tract (MBK)	398,000	11.0	(11,000)	387,000	290,250	169,846	127,384
799	Hotchkiss Tract (HDR)	178,000	8.9	(8,900)	169,100	126,825	126,825	95,119
830	Jersey Island (MBK)	854,000	15.5	(15,500)	838,500	628,875	269,725	202,294
2038	Jones Island, Lower (Green Mt)	490,000	9.0	(9,000)	481,000	360,750	184,500	138,375
2039	Jones Island, Upper (Green Mt)	490,000	9.3	(9,300)	480,700	360,525	188,775	141,581
2044	King Island (MBK)	800,000	9.1	(9,100)	790,900	593,175	181,622	136,216
307	Lisbon (KSN)	367,500	6.6	(6,600)	360,900	270,675	120,300	90,225
2027	Mandeville Island (KSN)	4,920,000	14.3	(14,300)	4,905,700	3,679,275	273,620	205,215
2110	McCormack-Wm. Tract (MBK)	245,000	8.8	(8,800)	236,200	177,150	125,400	94,050
2030	McDonald Island (KSN)	3,680,000	13.7	(13,700)	3,666,300	2,749,725	331,402	248,552
2041	Medford Island (MBK)	554,000	5.9	(5,900)	548,100	411,075	105,902	79,426
150	Merritt Island (MBK)	575,000	18.1	(18,100)	556,900	417,675	257,925	193,444
999	Netherlands (MBK)	415,500	32.4	(32,400)	383,100	287,325	287,325	215,494
348	New Hope Tract (W&B)	798,000	17.4	(17,400)	780,600	585,450	452,911	339,683
2024	Orwood/Palm Tract (Green Mt)	1,227,000	13.9	(13,900)	1,213,100	909,825	263,413	197,560
1007	Pico Naglee (Green Mt.)	366,000	8.3	(8,300)	357,700	268,275	173,573	130,180
551	Pearson District (MBK)	621,000	14.1	(14,100)	606,900	455,175	200,925	150,694
2058	Pescadero District (G&K)	130,000	2.5	(2,500)	127,500	95,625	41,121	30,841
2090	Quimby Island (KSN)	322,500	7.0	(7,000)	315,500	236,625	113,490	85,118
2037	Rindge Tract (MBK)	857,500	15.8	(15,800)	841,700	631,275	270,549	202,912
684	Roberts Island, Lower (Green I)	555,000	16.0	(16,000)	539,000	404,250	284,250	213,188
524	Roberts Island, Middle (KSN)	271,000	9.7	(9,700)	261,300	195,975	143,783	107,837
544	Roberts Island, Upper (KSN)	531,000	15.0	(15,000)	516,000	387,000	217,500	163,125
403	Rough & Ready Island (KSN)	255,500	6.8	(6,800)	248,700	186,525	106,275	79,706
501	Ryer Island (KSN)	362,500	20.6	(20,600)	341,900	256,425	256,425	192,319
2074	Sargent-Barnhart (Siegfried)	5,433,630	3.5	(3,500)	5,430,130	4,072,598	224,250	168,188
341	Sherman Island (W&B)	612,000	19.5	(19,500)	592,500	444,375	289,125	216,844
2115	Shima tract (KSN)	119,000	6.6	(6,600)	112,400	84,300	84,300	63,225
1614	Smith Tract (KSN)	551,500	2.8	(2,800)	548,700	411,525	58,650	43,988
2089	Stark Tract (KSN)	263,500	3.5	(3,500)	260,000	195,000	51,375	38,530
38	Staten Island (DCC)	1,190,000	24.6	(24,600)	1,165,400	874,050	400,472	300,354
548	Terminus Tract (Green Mt.)	625,000	16.1	(16,100)	608,900	456,675	260,398	195,298
1601	Twitchell Island (KSN)	453,500	11.9	(11,900)	441,600	331,200	180,383	135,287
563	Tyler Island (KSN)	682,500	22.9	(22,900)	659,600	494,700	350,671	263,003
1	Union Island, East (KSN)	460,000	14.0	(14,000)	446,000	334,500	218,250	163,688

**Draft Table 2**  
**2012-13 DELTA LEVEE MAINTENANCE SUBVENTIONS PROGRAM**  
**ESTIMATED REIMBURSEMENTS**

<b>RD NO</b>	<b>Name (Engineer)</b>	<b>Application Amount \$ (1)</b>	<b>Levee Length Miles (2)</b>	<b>Deductible \$1,000 Per Mile \$ (3)</b>	<b>Eligible Costs \$ (4)</b>	<b>Maximum Reimbursement 75 % of (4) \$ (5)</b>	<b>Estimated Available Reimbursement \$ (6)</b>	<b>Advance 75 % of (6) \$ (7)</b>
2	Union Island, West (KSN)	523,500	16.2	(16,200)	507,300	<b>380,475</b>	238,350	<b>178,762</b>
1607	Van Sickle Island (MBK)	201,500	3.7	(3,700)	197,800	<b>148,350</b>	52,725	<b>39,544</b>
2065	Veale Tract (MBK)	520,000	5.1	(5,100)	514,900	<b>386,175</b>	106,724	<b>80,043</b>
2023	Venice Island (KSN)	730,125	12.3	(12,300)	717,825	<b>538,369</b>	227,483	<b>170,612</b>
2040	Victoria Island (KSN)	399,000	15.1	(15,100)	383,900	<b>287,925</b>	230,271	<b>172,703</b>
554	Walnut Grove (DCC)	93,300	3.4	(3,400)	89,900	<b>67,425</b>	33,675	<b>25,256</b>
2026	Webb tract (MBK)	288,500	12.9	(12,900)	275,600	<b>206,700</b>	183,825	<b>137,869</b>
828	Weber Tract (Green Mt.)	322,800	1.7	(1,700)	321,100	<b>240,825</b>	44,475	<b>33,356</b>
2122	Winter Island (MBK)	299,500	4.8	(4,800)	294,700	<b>221,025</b>	85,860	<b>64,395</b>
2072	Woodward Island (Green Mt.)	490,000	8.8	(8,800)	481,200	<b>360,900</b>	181,650	<b>136,238</b>
2119	Wright-Elmwood Tract (KSN)	615,500	7.1	(7,100)	608,400	<b>456,300</b>	123,675	<b>92,756</b>
2068	Yolano (MBK)	165,000	8.7	(8,700)	156,300	<b>117,225</b>	117,225	<b>87,920</b>
<b>Total 67 Districts</b>		<b>46,049,805</b>	<b>756.0</b>	<b>(756,000)</b>	<b>45,293,805</b>	<b>33,970,355</b>	<b>12,000,000</b>	<b>9,000,000</b>

**Table 3**  
**2012-13 Delta Levee Maintenance Subventions Program**  
**Estimated Reimbursement Summary**

Levee Costs Work Categories	Eligible Costs	Available Reimbursement Amount	Reimbursement Rate
Maintenance Deductible	\$756,000		
Net Maintenance Costs	\$13,572,550	\$10,179,413	75.0%
Fish and Wildlife Costs	1,532,000	\$1,149,000	75.0%
HMP Costs	7,692,325	\$671,588	8.7%
Bulletin 192-82	\$11,651,800	\$0	0.0%
<b>Priority 1 Total</b>	<b>\$20,876,125</b>	<b>\$1,820,588</b>	
<b>Priority 2</b>	<b>\$10,845,130</b>	<b>\$0</b>	<b>0.0%</b>
<b>Priority 3</b>	<b>\$0</b>	<b>\$0</b>	<b>0.0%</b>
<b>Total</b>	<b>\$46,049,805</b>	<b>\$12,000,000</b>	

**Note: If the Delta Levee Maintenance Subventions Program were fully funded, the maximum reimbursement rate for each work category would be 75% of eligible cost.**