

AGREEMENT BETWEEN
THE UNITED STATES OF AMERICA
and

for
EMERGENCY ASSISTANCE

THIS AGREEMENT, entered into this ____ day of _____, 20__ by and between THE UNITED STATES OF AMERICA (hereinafter called the "Government") represented by Commander, U.S. Army Corps of Engineers, Walla Walla District executing this agreement, and the _____ (hereinafter called the "Sponsor");

WITNESSETH THAT:

WHEREAS, Public Law 99, 84th Congress, approved 28 June 1955, authorized the Chief of Engineers to flood fight and perform rescue operations.

WHEREAS, the Sponsor has requested assistance under Public Law 84-99, and the Sponsor qualifies for assistance in accordance with the established policies of the U.S. Army Corps of Engineers;

NOW, THEREFORE, the parties agree as follows:

1. The Government will provide emergency flood fight assistance essential to save lives and protect property at the discretion of the Army Corps of Engineers. All work conducted by the Government is considered to be temporary flood protection measures.

2. The Sponsor agrees, that in consideration of the Government providing assistance, to fulfill the requirement of non-Federal cooperation required by the U.S. Army Corps of Engineers regulations, to wit:

a. Provide without cost to the Government all lands, easements and rights-of-way necessary for the authorized work, for the use of borrow area and/or spoil areas, and for access to and from the site(s) of the structure(s), work area(s), borrow sites, and spoil areas.

b. Hold and save the Government free from damages due to the authorized work, except damages due to the fault or negligence of the Government or its contractors.

c. Identify and flag all utilities within the project areas.

d. Provide all traffic control as may be necessary for emergency operations.

3. The Sponsor further agrees to:

a. Remove at no cost to the Government, all work constructed by the Government located below the ordinary high water mark of waters of the United States or in wetlands. Removal must be completed within 120 days of conclusion of the flood event, or

b. Apply for all permits required under Section 10 of the Rivers and Harbors Act of 1899 and/or Section 404 of the Clean Water Act if the work is to be upgraded and/or retained as a permanent project.

4. IN WITNESS WHEREOF, the parties hereto have executed this agreement of the day and year first above written.

SPONSOR

_____ (Signature)

_____ (Name)

_____ (Title)

Address:

THE UNITED STATES OF AMERICA

_____ (Signature)

Department of the Army
Walla Walla District, Corps of Engineers
201 North Third Avenue
Walla Walla, Washington 99362-1876