

**Meeting of the
Central Valley Flood Protection Board**

**Department of Water Resources
Staff Report
Division of Flood Management
Delta Levees Office
Delta Levees Maintenance Subventions Program**

November 16, 2018

I) INTRODUCTION

The Delta Levees Maintenance Subventions Program (Subventions Program) is authorized by the CA Water Code § 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 CA Water Code § 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...”***

The Subventions Program is a cost-share program that provides technical and financial assistance to local agencies in the Delta for the maintenance and rehabilitation of nonproject and eligible project levees. The Subventions Program is managed by DWR for the Central Valley Flood Protection Board (CVFPB). The CVFPB reviews and approves DWR's recommendations, adopts guidelines for the maintenance and improvement of levees, and enters into agreements with local levee maintaining agencies to reimburse eligible costs of levee maintenance and rehabilitation.

**II) ADDENDUM 1
DELTA LEVEES MAINTENANCE SUBVENTIONS PROGRAM 2016 GUIDELINES**

The Delta Levees Maintenance Subventions Program 2016 Guidelines (Guidelines) were adopted by the Central Valley Flood Protection Board on August 26, 2016. The Guidelines, authorized by CA Water Code § 12984, set forth the requirements for State financial assistance to local agencies and guide the administration of the Subventions Program including requirements to reflect the priorities of, and be consistent with, the Delta Plan and CA Water Code § 12986(c).

The CA Water Code § 12986 was amended and became effective July 1, 2018. The changes include definitions, application reporting requirements, and a change to the per levee mile deductible. These recent changes are reflected in the Subventions Program 2016 Guidelines by way of Addendum 1 (attached).

III) STAFF RECOMMENDATIONS

Staff recommends the following:

1. The CVFPB approve the adoption of Addendum 1 to the Delta Levees Maintenance Subventions Program 2016 Guidelines.

ATTACHMENTS:

- Addendum 1



Delta Levees Maintenance Subventions Program

2016 Guidelines

Addendum 1

**California Department of Water Resources
November 16, 2018**

INTRODUCTION

The Delta Levees Maintenance Subventions Program (Subventions Program) is a cost-share program that provides technical and financial assistance to local agencies in the Sacramento-San Joaquin Delta for the maintenance and rehabilitation of nonproject and eligible project levees. The Subventions Program is authorized by CA Water Code § 12980-12995.

The Delta Levees Maintenance Subventions Program 2016 Guidelines (Guidelines) were adopted by the Central Valley Flood Protection Board on August 26, 2016. The Guidelines, authorized by CA Water Code § 12984 and Public Resources Code § 5096.830 and § 75076, set forth the requirements for State financial assistance to local agencies and guide the administration of the Subventions Program including requirements to reflect the priorities of, and be consistent with the Delta Plan and CA Water Code § 12986(c).

The CA Water Code § 12986 was amended and became effective July 1, 2018. Changes to the CA Water Code § 12986 may affect the reimbursement to participants of the Subventions Program.

This first Addendum to the Guideline incorporates the July 1, 2018 changes to the CA Water Code § 12986.

EFFECTIVE DATE

Addendum #1 became effective July 1, 2018.

Definitions

Rural An area that is not an urban area.

Urban An area in which 10 percent or more of the land area within the project area is used for residential use.

Administration

Application Requirements

- 1.) Total urban acreage and total rural acreage of the area protected by project and nonproject levees;
- 2.) A detailed engineer's report prepared pursuant to subdivision (b) of Section 4 of Article XIII D of the California Constitution, audited financial statements or an assessment commissioners' report.

Reimbursement Provisions

In the event of a conflict between these Provisions and the CA Water Code, the CA Water Code shall prevail. In the event of a conflict between this Addendum #1 and the Delta Levees Maintenance Subventions Program 2016 Guidelines, the Addendum #1 shall prevail.

General Provisions

- 1.) Rural Levees
 - a. No costs shall be reimbursed until the local agency has spent an average of \$1,000 per levee mile for all of its rural nonproject and eligible project levees;
 - b. The local agency shall be reimbursed up to 75 percent of eligible costs incurred in excess of \$1,000 per levee mile for all of its nonproject and eligible project levees.
- 2.) Urban Levees
 - a. No costs shall be reimbursed until the local agency has spent an average of \$2,500 per levee mile for all of its nonproject and eligible project levees;
 - b. The local agency shall be reimbursed up to 75 percent of eligible costs incurred in excess of \$2,500 per levee mile for all of its nonproject and eligible project levees.