

**STATE OF CALIFORNIA
THE NATURAL RESOURCES AGENCY
CENTRAL VALLEY FLOOD PROTECTION BOARD
PROPOSED RESOLUTION NO. 2012-25
PROVIDING THE BOARD'S VISION FOR AND
ADOPTION OF THE 2012 CENTRAL VALLEY FLOOD PROTECTION PLAN
AND PROVIDING A FRAMEWORK FOR INTERPRETATION AND
IMPLEMENTATION OF THE PLAN
JUNE 2012**

HISTORY:

A. WHEREAS, The history of the Sacramento Valley flood system is chronicled by Robert Kelley in *Battling the Inland Sea*. The earliest levees in the Sacramento River basin were originally constructed by landowners to prevent the flooding of swamp and overflow areas in order to convert these lands to agricultural use. These levees failed repeatedly, in part due to channel aggradation from hydraulic mining debris. In response, levees were strengthened and raised close to the main channel to concentrate floodwaters in order to scour mining debris from river channels for both navigation and flood control. As early as the 1860's however, a Colusa newspaper publisher named Will S. Greene argued that it was not possible to contain entire floods in a single channel between the levees and instead advocated for a bypass system to safely accommodate large flood flows. In a report to the State legislature in 1880, William Hammond Hall, the first State Engineer, also recognized that large floods could not be contained within a single channel between the levees and argued that "floods will occasionally come which must be allowed to spread" into bypasses and flood basins; and

B. WHEREAS, The prevailing view from about 1870 to about 1905 was that Sacramento River floodwaters could be contained between the Sacramento River levees. The State's Dabney Commission Report of 1905 proposed continued use of the Sacramento River as the main "single channel" conveyance, but also proposed that water be allowed to flood out of the river onto agricultural lands when flood flows were too high. The Dabney Commission was based on a flood flow of about 250,000 cubic feet per second (cfs) near Rio Vista. The Dabney Commission Report was never adopted however; and

C. WHEREAS, Recently installed river gages indicated that the floods of 1907 and 1909 each produced a flow of about 600,000 cfs which was far in excess of the flow that could be contained by the Sacramento River levees; and

D. WHEREAS, The U.S. Army Corps of Engineers' (USACE) Jackson Plan of 1910 was based on the 1907 and 1909 floods with peak flows of about 600,000 cfs and recommended a coordinated river and bypass system, as had been promoted by Colusa resident Will S. Green. The purposes were to (1) allow conversion of valley swamp and overflow lands to agriculture; (2) improve commercial navigation, and (3) maintain river velocities sufficient to transport soil,

sand, and rock that were being washed down into valley rivers as a result of hydraulic gold mining in the Sierra Nevada. In 1917 Congress authorized the Jackson Plan as the Sacramento River Flood Control Project (SRFCP). The levees were typically constructed of material dredged from the river bottom and shaped into a specified geometry, which resulted in relatively inexpensive, but unreliable levees; and

E. WHEREAS, The Jackson Plan has worked well to reduce the frequency and damage associated with flooding. Construction of reservoirs with flood control storage in the second half of the 20th Century increased the ability of the system to accommodate flood flows larger than originally envisioned. Although the Jackson Plan was perceived as a success by early 20th Century landowners it does not meet society's expectations today; and

F. WHEREAS, Flood management in the San Joaquin Valley began with the construction of levees to reclaim fertile tule lands and to protect against out-of-bank flows; and

G. WHEREAS, The Flood Control Act of 1944 authorized the Lower San Joaquin River and Tributaries Project. The project included constructing levees on the San Joaquin River downstream of the Merced River, Stanislaus River, Old River, Paradise Cut, and Camp Slough. Construction began on the Lower San Joaquin River and Tributaries Project in 1956. This project included construction of New Hogan Dam on the Calaveras River, New Melones Dam on the Stanislaus River, and Don Pedro Dam on the Tuolumne River. New Melones Dam was later reauthorized for construction under the Flood Control Act of 1962. The Chowchilla and Eastside Bypasses were constructed by the State as part of the Lower San Joaquin River Flood Control Project; and

H. WHEREAS, The Flood Control Act of 1944 also authorized construction of Isabella (Kern River), Success (Tule River), Terminus (Kaweah River), and Pine Flat (Kings River) dams in the Tulare Lake Basin. Following major flooding in 1955 construction of levees and bypasses on the San Joaquin River upstream of the Merced River was authorized. From 1962 to 1963 Congress authorized construction of Buchanan Dam on the Chowchilla River and Hidden Dam on the Fresno River, and authorized federal participation in the cost of New Exchequer Dam on the Merced River. In addition to flood protection all of these reservoirs provide water supply for irrigation uses and, in some cases, hydropower generation. The 2008 legislation as described below that required preparation of the Central Valley Flood Protection Plan (CVFPP) did not include the Tulare Lake Basin as a part of the CVFPP. Significant flood flows are diverted from the Kings River to the San Joaquin River at Mendota Pool during large flood events; and

I. WHEREAS, Several smaller flood management projects have been developed in the Sierra Nevada foothills on San Joaquin River tributaries. These projects generally consist of dry dams constructed to protect downstream metropolitan areas and nearby agricultural lands. The Merced County Stream Group Project was constructed to restrict flood flows on several streams to non-damaging levels from the foothill line to the City of Merced. Farmington Dam on Little Johns Creek provides flood protection for intensely developed agricultural lands below the dam, the City of Stockton, and the rural towns of Farmington and French Camp; and

J. WHEREAS, The very large 1986 and 1997 storms pushed the total flood system – levees, bypasses and reservoirs – to maximum capacity. Some levees failed and areas were flooded. In 1997 some reaches of the Sacramento and San Joaquin systems were pushed beyond their capacity resulting in numerous levee breaks and substantial flooding. If the flood control reservoirs had not been built the peak flow at the mouth of the Sacramento River is estimated to have been about one million cfs, and there would likely have been many more levee breaks and widespread flooding; and

K. WHEREAS, In 1911 the Legislature created the Reclamation Board. The Reclamation Board was given regulatory authority over the Sacramento Valley’s local levee maintaining agencies with the objectives of (1) assuring a logical, integrated system for controlling flooding along the Sacramento and San Joaquin Rivers and their tributaries in cooperation with the USACE, (2) cooperating with various agencies in planning, constructing, operating, and maintaining flood control works, and (3) maintaining the integrity of the flood control system and designated floodways. In 1913 the Reclamation Board was given regulatory authority over the San Joaquin Valley’s local levee maintaining agencies. In 2007 the Legislature restructured the Reclamation Board and renamed it as the “Central Valley Flood Protection Board.”

FLOOD RISK:

L. WHEREAS, The primary flood management challenges facing the Sacramento and San Joaquin River Basins are (1) insufficient levee integrity and insufficient capacity to handle large rain floods in the Sacramento Basin, (2) insufficient levee integrity and insufficient capacity to handle large rain floods and prolonged snowmelt runoff events in the San Joaquin Basin and (3) urban developments in deep floodplains, because damages and potential life loss from inundation would be so large.

M. WHEREAS, Flood risks in the Central Valley are among the highest in the nation, putting the people of California and their economic livelihoods at risk (CWC § 9601); and

AGRICULTURE:

N. WHEREAS, Agriculture in the Sacramento and San Joaquin River Basins provides substantial economic and societal benefits to the region, the nation, and the world, providing vast quantities of food and fiber. Many specialty crops produced in these Basins are grown only in a few other places in the world. Agriculture provides substantial open space and habitat. This agricultural economy needs to be protected whenever possible; and

DEGRADATION OF HABITATS:

O. WHEREAS, Riverine habitats and ecosystem functions along Central Valley rivers have been degraded over time. Upstream reservoirs further altered the natural hydrology, and levees constructed adjacent to the active channel hydraulically severed millions of acres of floodplain

habitat from rivers that were essential for fish and wildlife now actively protected under State and federal law. Roughly four percent of the historical riparian forests that once lined valley streams remain today. Much of this remaining habitat is growing on, within, or close to facilities of the State Plan of Flood Control (SPFC); and

LEEVE REQUIREMENTS:

P. WHEREAS, In response to this and other flood-related threats to people, property, and the environment, the Legislature enacted legislation requiring that new development approved by cities and counties within flood hazard zones in the Sacramento-San Joaquin Valley must be supported by a finding related to the urban level of flood protection for land use actions in the urban and urbanizing areas, and the Federal Emergency Management Agency standard of flood protection for land use actions in non-urbanized areas. The urban level of flood protection is defined as the level of protection that is necessary to withstand flooding that has a 1-in-200 chance of occurring in any given year using criteria consistent with, or developed by, DWR. After 2025, for urban and urbanizing areas protected by SPFC levees, cities and counties must find that the new development is protected to at least the urban level of flood protection.

While the Legislature did not require a specific level of flood protection for non-urban areas, the SSIA includes the use of structural means to achieve 100-year flood protection for some small communities within the SPFC Planning Area and non-structural means to support continued small community land use for other small communities.

FUNDING AND LEGISLATIVE ACTS:

Q. WHEREAS, In 2006 the people of California approved Proposition 84, the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006 (Section 1, Division 43 PRC) which authorized \$800,000,000 for flood control projects; and

R. WHEREAS, In 2006 the people of California approved Proposition 1E, the Disaster Preparedness and Flood Prevention Bond Act of 2006 (Statutes of 2006, Chapter 33, AB 140), authorizing approximately \$4.09 billion to be invested in flood and related water management improvements; and

S. WHEREAS, The Central Valley Flood Protection Act of 2008 (Statutes of 2007, Chapter 364, SB5) (2008 Act) was enacted, directing the Department of Water Resources (DWR) to prepare a proposed Central Valley Flood Protection Plan (proposed CVFPP) by January 1, 2012, and directs the Central Valley Flood Protection Board (Board) to adopt a final CVFPP (adopted CVFPP) by July 1, 2012 (CWC § 9612(b)).

Further, the 2008 Act declares that the Board shall hold at least two hearings to receive comments on the proposed CVFPP, and that the Board shall accept written comments on the proposed CVFPP (CWC § 9612(c)).

Further, the 2008 Act declares that the Board may make changes to the proposed CVFPP to resolve issues raised in the hearings or to respond to comments received by the Board, and that the Board shall publish its proposed changes to the proposed CVFPP at least two weeks before adopting the CVFPP (CWC § 9612(d)).

Further, the 2008 Act declares that the adopted CVFPP shall be updated in subsequent years ending in 2 and 7 (CWC § 9612(e)); and

T. WHEREAS, The 2008 Act declares that the adopted CVFPP shall be a descriptive document reflecting a systemwide approach to protecting the lands currently protected from flooding by existing facilities of the SPFC.

Further, The adopted CVFPP shall provide a description of: (a) both structural and nonstructural means for improving the performance and elimination of deficiencies of levees, weirs, bypasses, and facilities, including facilities of the SPFC; while accomplishing other multiple benefits; (b) probable impacts of projected climate change, projected land use patterns, and other potential flood management challenges on the ability of the system to provide adequate levels of flood protection; (c) both structural and nonstructural methods for providing an urban level of flood protection to current urban areas and a list of recommended next steps to improve urban flood protection; and (d) structural and nonstructural means for enabling or improving systemwide riverine ecosystem function including, but not limited to, establishment of riparian habitat and seasonal inundation of available flood plains where feasible.

Further, The adopted CVFPP shall provide an evaluation of structural improvements and repairs necessary to bring each of the facilities of the SPFC to within its design standard. The evaluation shall include a prioritized list of recommended actions necessary to bring each facility not identified in CWC § 9614(h) to within its design standard; and include a list of facilities recommended to be removed from the SPFC, including the reasoning for and any recommended actions associated with removal; and

U. WHEREAS, The 2008 Act declares that the adopted CVFPP shall not be construed to expand the liability of the State for the operation or maintenance of any flood management facility beyond the scope of the SPFC and that neither the development nor the adoption of the CVFPP shall be construed to constitute any commitment by the State to provide, to continue to provide, or to maintain at, or to increase flood protection to, any particular level (CWC § 9603(a)); and

V. WHEREAS, In addition to the 2008 Act, the 2007 flood legislation consists of AB 162, AB 70, AB 2140, and AB156 to strengthen the link between local land use decisions and regional flood management; and specified that requirements vary depending on location within California, the Sacramento-San Joaquin Valley, and the Sacramento-San Joaquin Drainage District; and

CENTRAL VALLEY FLOOD PROTECTION PLAN:

W. WHEREAS, DWR released its proposed CVFPP (entitled "2012 Central Valley Flood Protection Plan" published in December 2011). DWR's proposed CVFPP is a general framework or roadmap, rather than an engineering proposal for specific construction. Given the complexity and scope of the CVFPP it will take additional time for DWR to size and finalize the engineering and hydrologic aspects of the CVFPP, and

X. WHEREAS, In developing the proposed CVFPP, DWR identified a primary goal and four supporting goals. The primary goal is to improve flood risk management, which means to reduce the chance of flooding, damages once flooding occurs, and improve public safety, preparedness, and emergency response, through identifying, recommending, and implementing structural and non-structural projects and actions that benefit lands currently receiving protection from facilities of the SPFC; and formulating standards, criteria, and guidelines to facilitate implementation of structural and nonstructural actions for protecting urban areas and other lands of the Sacramento and San Joaquin River Basins and the Delta. The supporting goals are: (1) improve operations and maintenance; (2) promote ecosystem functions; (3) improve institutional support; and (4) promote multi-benefit projects; and

Y. WHEREAS, As described in Section 1.6 of the proposed CVFPP, the plan formulation was a multi-step process and was prepared in coordination with local flood management agencies, the Board, federal agencies (i.e., USACE, U.S. Fish and Wildlife Service, FEMA, National Marine Fisheries Service, etc.), local and tribal governments, owners and operators, partners, stakeholders and interest groups, and the general public (*see* Volume I, Attachment 5); and

Z. WHEREAS, In developing the proposed CVFPP, DWR formulated and evaluated three preliminary approaches highlighting different ways to focus future flood management investments and address CVFPP goals. These approaches were: (1) Achieve State Plan of Flood Control Design Flow Capacity; (2) Protect High Risk Communities; and (3) Enhance Flood System Capacity (*see* Section 2 of the proposed CVFPP); and

AA. WHEREAS, DWR developed and recommends adoption of the State Systemwide Investment Approach (SSIA), an approach that draws from the strengths of each of the preliminary approaches (*see* Section 3 of the proposed CVFPP); and

BB. WHEREAS, DWR's proposed CVFPP includes (a) levee and other regional flood risk reduction improvements; and (b) increased system capacity such as expanding existing bypasses, modifying some bypass weirs, reoperating reservoir storage and operations, and modifying Folsom Dam; and

CC. WHEREAS, The proposed CVFPP would provide the following benefits: a) Levee improvements would lower the likelihood of flooding areas protected by levees; b) Increased system capacity, such as expanded bypasses or reservoir reoperation would provide flood benefits to both urban and rural areas by (1) lowering the water surface elevation of floodwater

against levees, recognizing that water pressure is a main driver for several levee failure mechanisms, and (2) by providing additional capacity to handle larger floods; c) With levee improvements and the increased system capacity in a very large flood, there will be a greater likelihood of containing the floodwaters within the system rather than having levees fail, resulting in uncontrolled flooding of urban and rural lands. In smaller floods the elevation of floodwater against the levees would be lower, which would reduce the likelihood of urban and rural levee failures; and

VEGETATION MANAGEMENT POLICY:

DD. WHEREAS, Many of the levees along rivers in the Sacramento and San Joaquin River Basins were constructed close to the rivers in order to maintain high velocities to scour out rock, sand, and dirt settling in the rivers. Many of these levees have woody vegetation on or near the levee. In some cases, this was incorporated into the design of the levee project while in others, maintenance practices have resulted in woody vegetation being left to grow on the levee; and

EE. WHEREAS, Rivers in California provide many public purposes including recreation, fisheries and fishing, habitat, esthetics, State and local parks, etc. Because many of the levees are very close to the rivers, the levee vegetation has become integral and essential to these valuable public purposes, and

FF. WHEREAS, The USACE has always had policies limiting vegetation on certain levees, those vegetation-prohibition policies have not been consistently enforced, and the USACE itself has, at times, planted such vegetation. Recently the USACE has issued an engineering technical letter (ETL) specifying standards that no woody vegetation may remain on federal-State levees or be within fifteen (15) feet of the levee toe on either side of the levee. The cost of complying with these standards would be substantial. If a levee does not meet the standards, flood-damaged levees would not be eligible for federal rehabilitation (Public Law 84-99) assistance. The USACE is currently requiring compliance with the standards in projects that it sponsors, provides assistance for, or approves under Code of Federal Regulations Section 408. It has also required compliance with the ETL for modifications of project levees in the CVFPP planning area; and

GG. WHEREAS, Many different interests, including DWR and the Board, have objected to the adoption and implementation of the USACE standards. The proposed CVFPP outlines a different levee-vegetation management strategy for these “close to the river” levees in the Sacramento and San Joaquin River Basins. DWR’s vegetation management strategy would allow some of the existing woody vegetation to remain. This proposed interim management strategy would be implemented while scientific studies progress to determine whether vegetation removal or attrition are necessary for public safety considerations, appropriate, and the best use of limited funds; and

PUBLIC MEETINGS AND HEARINGS:

HH. WHEREAS, At the direction of the Board its staff engaged in a review of: (1) the technical analyses conducted by DWR in the development of the proposed CVFPP; and (2) the proposed CVFPP Conservation Framework that describes how environmental stewardship is integrated into flood management activities; and

II. WHEREAS, DWR presented and highlighted key elements of the proposed CVFPP to the Board at its monthly meeting on January 27, 2012, at which time the Board also described its process for reviewing the technical documents and accepting public comments. The Board solicited recommendations of focus topics for Board review of the proposed CVFPP at its monthly meeting on February 24, 2012; and

JJ. WHEREAS, DWR, as lead agency under the CEQA, PRC § 21000 *et seq.*, and pursuant to a lead agency agreement, prepared a Draft Program Environmental Impact Report (DPEIR) on the CVFPP, (State Clearinghouse (SCH) No. 2010102044, March 6, 2012) ~~for a~~. The 45-day public review period ~~that~~ ended on April 20, 2012, ~~and~~. DWR presented the DPEIR to the Board at its monthly meeting on March 23, 2012; and

KK. WHEREAS, The Board, as a responsible CEQA agency in the preparation of the DPEIR, held four joint public hearings with DWR on April 5th (Sacramento), 6th (Marysville), 9th (Stockton) and 11th (Woodland) to accept comments on the draft PEIR, hear further public comments on the proposed CVFPP, hear a report by Board staff on their technical review of the proposed CVFPP, documents incorporated by reference, and attachments; and

LL. WHEREAS, The public comments fell into five general categories: (1) project definition; (2) system and local improvements; (3) participation by stakeholders; (4) implementation; and (5) secondary but related issues. Public comments were focused on the following key issues:

a) Inclusion of bypass expansions and new bypasses in the proposed CVFPP, including the potential Sutter Bypass expansion, Yolo Bypass expansion, a new Feather to Butte Bypass, and a Paradise Cut Bypass. Certain maps, such as those depicted on Figures 3-1 and 3-2 in the proposed CVFPP, show potential bypass enlargements. These enlargements are conceptual in nature as presented in the proposed CVFPP and the Figures do not reflect actual alignments.

b) Agricultural land conversion and potential effects of the proposed CVFPP on agricultural lands and production, including the sustainability of rural-agricultural economies.

c) Levels of flood protection targeted in the proposed CVFPP for urban and non-urban areas, including potential effects on local maintaining agency operations and maintenance responsibilities, eligibility for emergency repair funding, federal funding for rural improvements, and the need for rural levee repair and improvement standards.

- d) New urban level of flood protection requirements for cities and counties that come into effect upon CVFPP adoption, including information and criteria needed for local cities and counties to make findings.
- e) Maintenance, repair and rehabilitation of existing flood management system facilities, versus construction of new facilities.
- f) Integration of water supply, ecosystem restoration, recreation, and other benefits into flood management system improvements, including the need for objectives to measure the success of integration and concern for potential land use and public safety implications.
- g) Desire for a vision statement summarizing the overall intent of the adopted CVFPP and SSIA.
- h) Formulation and selection of the SSIA, including rationale for and cost-effectiveness of the approach.
- i) The potentially high cost of the SSIA including financing, federal cost-sharing, and the local ability to pay for improvements.
- j) Suggestions that new reservoir flood storage should be included in the SSIA.
- k) Consideration of the Sacramento-San Joaquin Delta (Delta) in the proposed CVFPP, including the potential for hydraulic impacts to the Delta and flood protection for Delta lands not protected by SPFC facilities.
- l) Need for policies or guidance addressing the potential hydraulic impacts of the proposed CVFPP, including impacts associated with repairing existing SPFC.
- m) Level of engagement in proposed CVFPP development of stakeholders, including land owners and other interested parties, and how these stakeholders will be engaged following adoption of the CVFPP.
- n) Proposal for and timing of post-adoption activities (such as regional planning and basinwide feasibility studies), including the role of the USACE in these activities and coordination with other, ongoing projects and programs in the Central Valley.
- o) Use and prioritization of available and future funds to implement the adopted CVFPP, including allocation to achieve public safety goals in both urban and non-urban areas, and consideration of economic feasibility.
- p) The need for increased flexibility for small communities and rural-agricultural areas in complying with FEMA's standards applicable to special flood hazard areas; and

MM. WHEREAS, During the public hearings Board staff reported its findings regarding the completeness and adequacy of DWR's technical analysis, including its conclusion that DWR applied well established standards of engineering and scientific practice in the preparation of the proposed CVFPP; and

NN. WHEREAS, The Board held a public workshop with DWR on April 20, 2012 to discuss key issues raised by the public, to consider how these issues might be addressed in the adopted CVFPP, and to discuss the proposed structure of an adoption package; and

OO. WHEREAS, The Board held its regular monthly Board meeting on April 27, 2012 and received a summary report from Board staff on public comments received to date, received a report from DWR on the Regional Planning Process, and publicly discussed the proposed adoption package; and

PP. WHEREAS, The Board publicly discussed the adoption package to seek further public comments at various meetings, including: a special Board meeting on May 11, 2012; the Board's regular monthly meeting on May 25, 2012 (continued on June 1 and June 8, 2012); and a special Board meeting on June 15, 2012 to authorize the proposed CVFPP adoption package, and to post the adoption package on the Board's public web site for a two-week period per CWC § 9612(d); and

QQ. WHEREAS, DWR, as lead agency [and pursuant to a lead agency agreement](#), prepared a Final Program Environmental Impact Report (FPEIR) (SCH No. 2010102044-~~on~~, June ~~-----~~, 2012~~;~~), certified the FPEIR and CEQA findings, mitigation measures, a Mitigation Monitoring ~~and/or~~ Reporting Program (MMRP), [and](#) a Statement of Overriding Considerations pursuant to CEQA and the CEQA Guidelines (incorporated herein by reference) on June ~~-----~~[28](#), 2012, and intends to file a Notice of Determination with the State Clearinghouse. The DPEIR and FPEIR are incorporated herein by reference and available at the Board or DWR offices; and

RR. WHEREAS, [the FPEIR serves as the basis for program-level CEQA compliance for all discretionary actions by other State and local agencies necessary to implement the CVFPP. Adoption of the CVFPP by the Board is a programmatic discretionary action that can rely on the program-level FPEIR. Consistent with the provisions of the CEQA Guidelines Section 15152\(d\), State or local agency discretionary actions on future projects shall be based upon the FPEIR together with additional project-level environmental analysis and public comment for such projects not examined in detail in the FPEIR.](#)

SS. WHEREAS, The Board reviewed the findings of its staff, documents and correspondence in its file, and environmental documents prepared by DWR.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. RESOLVED, That the above recitals are true and correct.

GOALS:

2. RESOLVED, That the Board hereby adopts the primary goal and four supporting goals, as described in Whereas X, for the CVFPP previously proposed by DWR and by this resolution the Board is also adopting a specific vision for the CVFPP that is consistent with those goals and the Board's goals of: (1) managing flood risk along the Sacramento and San Joaquin Rivers and their tributaries in cooperation with the USACE; (2) cooperating with various agencies of the federal, State and local governments in establishing, planning, constructing, operating, and maintaining flood control works; (3) and maintaining the integrity of the existing flood control system and designated floodways through the Board's regulatory authority by issuing permits for encroachments.

VISION STATEMENT:

3. RESOLVED, That the Board's vision for the CVFPP is to:|

- (a) Have as first priority the protection of life and property by reducing both the probability and consequences of flooding.
- (b) Protect life and property in urban and rural areas by assuring that the existing system is properly maintained and managed.
- (c) Protect life and property in urban and rural areas by improving reliability and expanding the capacity of the existing system to provide a margin of safety in the event of larger flood events.
- (d) Cooperate with various federal, State, and local agencies and stakeholders to manage flood risk.
- (e) Restore ecosystem function to promote the recovery and stability of native species and overall biotic diversity and provide for recreation.
- (f) Promote economic sustainability in urban, rural, and agricultural areas.
- (g) Improve long-term system resiliency to address uncertainties such as the effects of climate change, other changes in hydrology, or uncertain geotechnical conditions.

TECHNICAL FINDINGS:

4. RESOLVED, That the Board finds that the adopted CVFPP meets the requirements and intents of the 2008 Act.

5. RESOLVED, That the Board finds that DWR, in preparing the proposed CVFPP, applied well-established standards of engineering practice, and utilized best available scientific data and methodologies to evaluate a range of conceptual, preliminary approaches including modifying existing SPFC facilities to achieve their design standards, focusing flood system improvements on protecting public safety and populations at risk, and enhancing overall flood system capacity and ecosystem functions.

6. RESOLVED, That the Board finds that the SSIA identified the most promising elements of each of the three preliminary approaches.

7. RESOLVED, That the Board finds that SSIA helps achieve the Board's vision for flood management in a balanced manner through responsible investment of public funds, commensurate with flood risks, in projects that integrate multiple benefits, where feasible, in proactive SPFC maintenance and residual risk management, and through wise management of floodplains protected by the SPFC.

8. RESOLVED, That the Board finds that the USACE is often an essential partner for flood protection repairs and improvements for the communities in the Sacramento and San Joaquin River Basins.

9. RESOLVED, That the Board finds that the adopted CVFPP will be used as a long-term planning document acting as the framework for: (1) regional plans to be prepared by local agencies and stakeholders under a DWR-sponsored process; (2) systemwide improvement plans to be prepared by DWR, with stakeholder input, in consideration of regional plans; and (3) other local, regional, and basinwide plans to be prepared by USACE and / or DWR. The adopted CVFPP does not authorize or approve any site-specific ground-disturbing actions or construction activities.

10. RESOLVED, That the Board finds that in addition to local benefits, existing and expanded bypasses provide systemwide benefits. Therefore, systemwide flood control beneficiaries should contribute to the cost of providing systemwide benefits including but not limited to bypass modifications and maintenance. The Board also believes that to the extent that bypass modifications are considered prior to the adoption of the 2017 CVFPP, such modifications should focus first on the furthest downstream bypasses on the systems, such as the Yolo and proposed Paradise Cut Bypasses.

AMENDMENTS AND ADOPTION:

11. RESOLVED, That the Board, in consideration of public comment, amends and adopts the proposed CVFPP, including the documents listed in Resolved 24, based on the following framework that will guide implementation of the adopted CVFPP:

(a) The Board will exercise its authority and jurisdiction in partnership with DWR to conduct post-adoption planning and implementation, and provide a public forum for activities related to the adopted CVFPP including participating with DWR in regional planning, basinwide and project-specific feasibility studies, project-level environmental compliance to refine adopted CVFPP elements and physical features; enforcing maintenance requirements and other applicable permitted conditions; issuing permits; acquiring lands and easements; executing cost-sharing agreements; and other activities needed to update and implement the adopted CVFPP.

(b) Future processes and activities will occur which will continue to ensure meaningful public and stakeholder participation as the reconnaissance-level proposals expressed in the adopted CVFPP are further studied at regional and basinwide levels of detail to determine whether or not they will improve flood management, and are feasible and fundable. The use of different lists of stakeholders in this Resolution is not intended to present the exclusive list of stakeholders who may be interested in a particular issue, and the ordering of the list is not intended to indicate that one stakeholder group is more significant than another.

(c) The Board intends to provide a forum, through the establishment of one or more advisory committees or other group pursuant to CWC § 9612(f), to discuss guidelines that prioritize and implement flood risk reduction projects and programs, consistent with the adopted CVFPP, using remaining funding from Propositions 84 and 1E and any further sources of funding identified.

(d) The Board will designate an advisory committee or other group to develop specific, measurable, achievable, results oriented and time-bound conservation objectives for consideration by the Board for possible inclusion in the adopted CVFPP and the Conservation Strategy.

(e) DWR anticipates completing a draft Central Valley Flood System Conservation Strategy not later than 2014, expanding on the Conservation Framework attached to the adopted CVFPP, to describe long-term, systemwide conservation objectives and covered actions associated with the flood management system.

(f) Pursuant to CWC § 9620(c), DWR will prepare a recommended schedule and funding plan in 2013 to implement the recommendations of the adopted CVFPP, and DWR, by December 31, 2012, will brief the Board as to how it intends to collaborate with local, State and federal agencies on the development of the recommended schedule and funding plan.

(g) DWR intends to provide funding, to be cost shared by local agencies, to implement urban, small community, and rural levee repairs and improvements consistent with the adopted CVFPP.

(h) The Board will create an advisory committee, or other appropriate group, working with DWR, local maintaining agencies, interested stakeholders, and the USACE to develop rural levee repair and improvement criteria, to be applied to planned or emergency work. The Board intends for the advisory committee or group to produce draft criteria to be available by July 1, 2013.

(i) The Board should, consistent with the CVFPP, seek to preserve rural agricultural landscapes, minimize the loss of agricultural production by using agriculture to achieve habitat values, i.e. "working landscapes", and minimize the impacts to adjacent landowners from construction of flood system improvements that include newly created habitat.

The Board recognizes that mitigation of the impacts of newly established or expanded bypasses and habitat areas on agriculture is a concern to the agricultural community, but also recognizes that the issue of mitigating for effects presents complex questions of both law and policy. The current policy of the Natural Resources Agency to examine the issue on a case-by-case basis. However, this policy is now evolving as agencies consider the effects of large-scale infrastructure projects on habitat and farmland. The Board encourages DWR to consider mitigation on a case-by-case basis.

(j) DWR, in coordination with the Board, USACE, local agencies and the public will initiate State-led basinwide feasibility studies for the Sacramento and San Joaquin River Basins (in time to inform the 2017 CVFPP update) to evaluate and refine the conceptual system improvement elements described in the adopted CVFPP, including bypass expansions and new bypasses, and evaluate appropriate regional plan elements at the system-wide level. These are likely to include the formation of one or more working groups to identify potential implementation challenges and solutions, potential effects on local and regional land uses and economies, and specific multi-benefit objectives for system elements.

(k) In accordance with the authority and jurisdiction of the Board to approve or deny any flood risk reduction project affecting any facility of the SPFC, the Board will review project-specific implementation actions, and associated environmental review and compliance documents, as appropriate, developed through post-adoption planning activities associated with the adopted CVFPP.

(l) In conducting post-adoption implementation activities associated with the adopted CVFPP, DWR will work with the Board on other ongoing projects and programs in the Central Valley to identify mutual objectives, complementary project elements, and improve the efficiency of outreach and engagement with stakeholders and the public.

(m) Wherever feasible, improvements to the SPFC should be implemented in accordance with CWC § 9616 and provide for multiple benefits through projects designed to improve public safety while achieving other benefits, such as restoration of ecosystem functions and habitats within the flood management system.

(n) DWR will continue to make investments in new data, analysis tools, and systemwide benefit policies to support refinement of the physical elements of the adopted CVFPP, and assess the feasibility of project-specific implementation actions and local planning efforts.

(o) DWR will conduct additional analyses to evaluate the effects of climate change and the effectiveness of various flood system improvements proposed in the SSIA to accommodate future changes in hydrology and sea level rise, for use in the basinwide feasibility studies.

(p) The proposed CVFPP includes the Folsom Dam Joint Federal Project, the Folsom Dam Water Control Manual Update Project, the Folsom Dam Raise Project, the Yuba-Feather Rivers Joint Project for Forecast Coordinated Operations (FCO), and FCO for other reservoirs. These projects will have the effect of increasing and / or improving the use of the reservoir storage space for flood management. In addition to these projects, DWR will: (1) consider reservoir reoperations, expansions or modifications, including those proposed by local or regional entities; and (2) continue to consider flood management as an objective of its ongoing multi-benefit surface storage investigations and systemwide reoperation studies. Should these related DWR efforts identify flood management as a component of a feasible reservoir storage project, such project may be proposed for implementation under the adopted CVFPP and / or may be reflected in future updates to the adopted CVFPP.

(q) DWR will continue to provide guidance, criteria, data, analyses and technical support to assist cities and counties in making findings related to the urban level of flood protection and related land use planning requirements that come into effect upon adoption of the CVFPP to assist them to meet their statutory deadlines. The Board encourages DWR to provide preliminary 100- and 200-year floodplain mapping of areas protected by SPFC facilities to cities and counties by July 1, 2013 to allow cities and counties to meet their statutory deadlines.

(r) Studies and analyses that result from implementation of the adopted CVFPP will be included in the 2017 update of the CVFPP and will be shared with the USACE to be considered in its Central Valley Integrated Flood Management Study scheduled for release at the same time, consistent with the State's goal to maximize federal and local cost sharing.

(s) DWR will sponsor regional flood management planning efforts which will develop regional plans that present stakeholder perspectives of flood management priorities for each region, the results of which will be coordinated between regions and integrated into or consistent with the basinwide plans. Regional planning should create a role for all interested stakeholders including representatives from agricultural, city and county, conservation, environmental, landowner, and water supply interests as well as the flood control agencies and organizations. The Board will provide a link on its website at <http://cvfppb.water.ca.gov> to a location on DWR's website for announcements and documentation on the regional planning process.

(t) The Board intends to: (1) participate in each regions' planning process by providing a representative for each region who can participate in regional meetings and act as a liaison

between the regional planning process and the Board; and (2) hold hearings to allow the Board to evaluate the content of the different regional plans, consider the interplay of the various regional plans, consider the coordination and integration of the regional plans with and into the basinwide feasibility studies, and provide a public forum for stakeholder comments. The Board will engage in the development and integration of the regional and basinwide plans in a manner consistent with this Resolution.

(u) Regional planning efforts should include a focus on managing the river corridors covered by the CVFPP to reduce flood risk and promote ecosystem functions, and should build on the existing river corridor management efforts, including those efforts in the Sacramento and San Joaquin River basins which have had some success.

(v) The Board desires to support viable, cost effective and locally supported repair and improvement projects, but may not support projects that physically interfere with systemwide improvements developed consistent with the adopted CVFPP.

(w) The Board will partner with State and local agencies to work with FEMA and Congress to seek needed regulatory reform and reduced insurance rates for rural and small communities located in the FEMA floodplain to assure continued economically viable agricultural operations.

(x) The Board intends, in cooperation with DWR, to reach out to State and federal agencies and departments to facilitate coordination between the CVFPP and other major water and conservation-related programs in the Sacramento and San Joaquin River Systems.

(y) For those deliverables and processes set forth in items (a) through (x) above, it is understood that DWR shall provide quarterly reports to the Board regarding schedules and progress.

12. RESOLVED, That the Board will consider whether to adopt as part of the CVFPP the Draft Urban Level of Flood Protection Criteria (ULOP) and the Urban Levee Design Criteria (ULDC) six-months after their public release, not earlier than November 14, 2012. The Board will not adopt the ULOP and ULDC as part of the CVFPP until participating with a group of representatives from cities, counties, DWR staff and other stakeholders, in an effort to resolve concerns, guide implementation, and incorporate any changes necessitated through legislation to the ULOP and ULDC.

13. RESOLVED, That the Board may adopt interim updates to the adopted CVFPP consistent with the requirements of CEQA.

14. RESOLVED, That the Board, in accordance with its authority and jurisdiction, will review and provide comments on proposed amendments to the safety elements of general plans within the Sacramento and San Joaquin Drainage District relating to: (1) uses of land and policies in areas subject to flooding; and (2) methods and strategies for flood risk reduction and protection pursuant to CGC § 65302(g) (Statutes of 2007, Chapter 369, AB 162).

15. RESOLVED, That nothing in the proposed CVFPP and appendices, nor any referenced policies or guidelines, is intended to change the Board's practice for the evaluation of hydraulic impacts. Under this practice the Board has consistently found that no adverse hydraulic impacts are associated with levee strengthening projects that do not change the alignment or height of the levee, or the cross section of the channel and overflow area.

16. RESOLVED, That DWR, in coordination with the Board, USACE, and other stakeholders, intends to develop appropriate policies or guidance for the consideration of potential temporary or permanent hydraulic impacts associated with incremental implementation of projects consistent with the adopted CVFPP.

17. RESOLVED, That urban, small community, and rural areas that desire to reduce their flood risk may pursue levee alterations or other improvements and other changes when not inconsistent with the adopted CVFPP.

18. RESOLVED, That the adopted CVFPP shall be updated by DWR in 2017 and considered for adoption by the Board at that time, and every five years thereafter, in subsequent years ending in 2 and 7, documenting progress made in refining and implementing the CVFPP.

19. RESOLVED, That DWR shall update the Flood Control System Status Report in 2016, and in subsequent years ending in 1 and 6 to help inform future CVFPP updates.

20. RESOLVED, That DWR shall update the State Plan of Flood Control Descriptive Document as necessary by agreement between the Board and DWR as facilities are added to or removed from the SPFC.

21. RESOLVED, That to the extent that changes in law or administrative rules affect implementation of the adopted CVFPP, the adopted CVFPP will be implemented consistent with such changed laws and administrative rules.

22. RESOLVED, That the new USACE levee vegetation standards would require removal of all woody vegetation, the larger roots of woody vegetation, forbs, and non-perennial grasses-.

Instead of serving multiple public purposes such as recreation and esthetics, the levees would, under the USACE standard, become single-purpose flood control facilities.

A number of California Congressional members have introduced bipartisan legislation to ask the USACE to further study its levee vegetation policy. In addition, the State's Department of Fish and Game and other organizations have filed separate litigation against the USACE regarding lack of compliance with the federal Endangered Species Act and the National Environmental Policy Act.

Management of vegetation on Central Valley levees is at the heart of the disagreement between the USACE vegetation policy and resource agency recovery efforts for river corridors. At a

minimum, USACE should have completed an Environmental Impact Statement, consulted with the United States Fish and Wildlife Service and other relevant state and federal agencies in developing its nationwide levee vegetation removal policy. Further USACE should coordinate with California agencies in the development of an appropriate approach to the management of levee vegetation in California's Central Valley.

DWR has developed an alternate levee vegetation management strategy, as proposed in the CVFPP and the Conservation Framework.

This Resolution amends and approves the proposed CVFPP levee vegetation management strategy as an interim strategy. The objectives of the strategy are to provide for levee safety and to protect the other important public purposes served by vegetation on the levees.

The Board adopts the levee vegetation management strategy in Section 4.2 of the CVFPP with the following changes: (1) not to implement the new USACE vegetation policy and implementation procedures that significantly compromise the multi-purpose uses provided by the river system in California, including environmental protection, recreation, aesthetics, and other broad public benefits, (2) would allow, by exception woody vegetation on and near levees if appropriate and consistent with public safety needs, and (3) would allow woody vegetation on the lower portion of the waterside of new levees that are not setback from the river if appropriate and consistent with public safety needs.

In summary, the levee vegetation management strategy would (1) not implement the USACE's levee vegetation policy; (2) not allow woody vegetation on or near new setback levees away from the river and that do not contribute to the multiple purposes served by rivers, (3) permanently allow woody vegetation on the lower portion of the waterside of existing or new levees that are not set back from the river, (4) temporarily allow other existing woody vegetation to remain on and near the rest of the levees until the end of the natural life of the existing woody vegetation, (5) require that woody vegetation be managed to assure visibility and accessibility: visibility for inspection of levee status and accessibility for maintenance, repair, and flood-fighting, and (6) would allow, by exception, woody vegetation on and near levees if appropriate and consistent with public safety needs.

DWR and the Board will work with the State Department of Fish and Game, the State Department of Parks and Recreation, appropriate federal agencies, local maintaining agencies, and other stakeholders to further develop a more comprehensive State levee vegetation management strategy in light of ongoing scientific research, the state of engineering practice, subsequent review, litigation, or legislation.

If the USACE levee vegetation policy becomes non-operative, the Board also intends to revisit the adopted CVFPP interim levee vegetation management strategy.

23. RESOLVED, The Board has serious concerns that the proposed Feather River Bypass (including the enlargement of the Cherokee Canal) (a) could have adverse, unmitigated hydraulic effects on downstream landowners, and (b) is unlikely to be found economically justifiable. In addition, the Board is aware of existing flood-carrying capacity limitations in the Cherokee Canal attributed to its original design, further diminished by channel vegetation and sediment management challenges, possibly compromising critical flood protection at the local level. Therefore, the proposed Feather River Bypass is removed from the CVFPP. The Board thus advises DWR to: (1) consider improving the Canal to its original design capacity; (2) consider alternatives to expansion of the Canal, with alternatives evaluated on an equal footing, and (3) if DWR concludes that expansion is necessary it will fully and carefully evaluate the hydraulic and environmental effects and associated benefits, all with considered public input. This bypass may be brought forward in the 2017 update of the CVFPP.

~~[A majority of the Board voted to include the highlighted language above, but acknowledged that it may re-visit that decision at the June 29, 2012 Board meeting.]~~

CAVEATS:

24. RESOLVED, That the following caveats are included:

- a) It is expected that appropriate flood risk reduction projects will continue to be implemented during post-adoption regional and basinwide planning efforts.
- b) Given the uncertainty of federal funding and approval in the current economic climate, other mechanisms may need to be utilized to make timely and cost-effective flood risk reduction improvements.
- c) In an area with a willing and able local agency, that agency can carry out basinwide improvements consistent with the adopted CVFPP.
- d) Evaluation of the implications of climate change should be consistent with current science, but it should be recognized that climate change will likely continue beyond 2100.
- e) It is recognized that implementation of specific projects and programs is dependent on funding.
- f) The proposed CVFPP is a planning document and it is intended to guide subsequent studies, planning, public outreach, environmental review, and decision-making processes relating to individual projects and program elements. Nothing in the proposed CVFPP, this Resolution, or in other actions taken by the Board to adopt the CVFPP represents a commitment to later carry out or approve any such projects and program elements, nor does the adoption of the CVFPP foreclose the development of alternatives as part of the environmental review of any such projects and program elements. The implementation of individual projects and program

elements shall occur in compliance with all applicable laws and regulations and the terms of this Resolution.

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DOCUMENTS INCLUDED IN THE ADOPTED CVFPP:

25. RESOLVED, That the adopted 2012 Central Valley Flood Protection Plan includes the following documents:

a) The contents of this *Resolution 2012-25*;

b) The Public Draft entitled "2012 Central Valley Flood Protection Plan" in the form published by DWR in December 2011, as modified by this Resolution 2012-25 and the Errata discussed in 24 (f) below, and including all the structural and environmental components described in the December 2011 document;

c) The *State Plan of Flood Control Descriptive Document* (DWR, November 2010), as modified by this Resolution 2012-25;

d) The *Flood Control System Status Report* (DWR, December 2011), as modified by this Resolution 2012-25;

e) The following attachments to the Public Draft of the 2012 CVFPP, as modified by this Resolution 2012-25 and the Errata discussed below:

1. Volume I, Attachment 1, *Legislative Reference* (DWR, June 2012);
2. Volume I, Attachment 2, *Conservation Framework* (DWR, June 2012);
3. Volume I, Attachment 3, *Documents Incorporated by Reference* (DWR, June 2012) [1];
4. Volume I, Attachment 4, *Glossary* (DWR, June 2012);
5. Volume I, Attachment 5, *Engagement Record* (DWR, June 2012);
6. Volume I, Attachment 6, *Contributing Authors and Work Group Members List* (DWR, June 2012)

f) *Errata to the Public Draft 2012 Central Valley Flood Protection Plan and Volume 1, Attachments 1-6* (DWR, June 2012, which modifies the Public Draft of the CVFPP and Volume 1, Attachments 1-6.

g) *Public Comment Record* (Board, June 2012) commencing January 1, 2012 through May 4, 2012.

[1] Volume 1, Attachment 3 provides a summary of four documents that are either linked with the proposed CVFPP through legislative requirements or related management policies that adoption of the CVFPP will trigger, but not the documents themselves. These documents are the *State Plan of Flood Control Descriptive Document* (DWR, 2010), *Flood Control System Status Report* (DWR, 2011), *Draft Urban Level of Flood Protection Criteria* (DWR, 2012) and *Urban Levee Design Criteria*, (DWR, 2012).

26. RESOLVED, Notwithstanding Section 1.6.5 of the proposed CVFPP as changed by the Errata discussed in 2425 (a) and (f) above, that the adopted 2012 Central Valley Flood Protection Plan does not include any portion of Attachments 7, 8 or 9 contained in Volumes II, III, IV and V of the Public Draft of the CVFPP.

CEQA FINDINGS:

~~CEQA findings will be drafted by Board staff for consideration by the Board once staff receives and reviews the FPEIR from DWR.~~

~~Findings Regarding Significant Impacts~~

~~(placeholder)~~

27. Findings Regarding RESOLVED, That the Board, as a responsible agency, has independently reviewed the analyses in the DPEIR (SCH No. 2010102044, March 2012) and the FPEIR (SCH No. 2010102044, June 2012) which includes the DWR Lead Agency findings, MMRP, Findings of Fact, and Statement of Overriding Considerations on the proposed CVFPP, and has reached its own conclusions.

28. RESOLVED, That the Board, after consideration of the DPEIR (SCH No. 2010102044, March 2012) and the FPEIR (SCH No. 2010102044, June 2012) and DWR Lead Agency findings, adopts the project description, MMRP, analysis and findings which are relevant to the CVFPP.

29. Findings regarding Significant Impacts. Pursuant to CEQA Guidelines sections 15096(h) and 15091, the Board determines that the DWR Lead Agency Findings and Statement of Overriding Considerations, incorporated herein by reference, identify potential impacts of the CVFPP to the Central Valley’s flood management system, before and after mitigation. Having reviewed the FPEIR and DWR findings, the Board makes its findings as follows:

Findings regarding Significant ~~and Unavoidable~~ Impacts

~~(placeholder)~~

a. Findings Regarding and Potentially Significant Impacts that can be reduced to Less Than Significant.

~~(placeholder)~~

~~Statement of Overriding Considerations~~

~~(placeholder)~~

The Board finds that the CVFPP may have significant, avoidable impacts, as more fully described in the FPEIR and the DWR findings. The FPEIR and DWR Lead Agency findings identify the significant and potentially significant impacts associated with the CVFPP that are reduced to a less-than-significant level by mitigation measures.

As a responsible agency, the Board has responsibility for mitigating or avoiding only the direct or indirect environmental effects of those parts of the CVFPP which it decides to carry out, finance, or approve. The Board confirms that it has reviewed the FPEIR, DWR Lead Agency findings, Statement of Overriding Considerations, and the MMRP, and finds that changes or alterations have been required in, or incorporated into, the MMRP which substantially lessen such impacts. The mitigation measures are within the responsibility of another agency, DWR. The Board has confirmed that DWR has adopted and committed to implementation of the measures identified therein. Each of those mitigation measures applicable to those portions of the project which the Board will fund or approve is made a condition of the Board's approval. The Board agrees and confirms that there are no additional feasible mitigation measures within its powers that would substantially lessen or avoid any significant effect the CVFPP would have on the environment.

b. Findings Regarding Significant and Unavoidable Impacts.

The Board finds that the CVFPP may have significant, unavoidable impacts, as more fully described in the FPEIR and the DWR findings. Mitigation has been adopted for each of these potential impacts, although it does not reduce the impacts to less than significant. The Board finds that changes or alterations have been required in, or incorporated into, the MMRP which substantially lessens such impacts, as set forth more fully in the DWR findings.

The mitigation measures are within the responsibility of another agency, DWR. The Board has confirmed that DWR has adopted and committed to implementation of the measures identified therein. Each of those mitigation measures applicable to those portions of the project which the Board will fund or approve is made a condition of the Board's approval. The Board agrees and confirms that there are no additional feasible mitigation measures within its powers that would substantially lessen or avoid any significant effect the CVFPP would have on the environment. The Board also finds that the specific economic, legal, social, technological or other benefits of the project outweigh the unavoidable adverse environmental effects, as discussed in more detail below in the Board's Statement of Overriding Considerations.

30. Statement of Overriding Considerations. Pursuant to CEQA Guidelines sections 15096(h) and 15093, the Board has balanced the economic, social, technological and other benefits described in the CVFPP against its significant and unavoidable impacts. The Board finds that the benefits of the CVFPP outweigh these impacts and they may, therefore, be considered "acceptable."

The Board finds that there is an immediate need to protect the people and property at risk in the CVFPP area. The CVFPP will protect a population of over one million people, major freeways, railroads, airports, water supply systems, utilities, and other infrastructure of statewide importance, including \$69 billion in assets (includes structural and content value and estimated annual crop production values). The California Central Valley consists of deep floodplains where, depending on the circumstances, flood depths could reach life-threatening levels. The

health and safety benefits of the CVFPP, which would significantly reduce the risk of an uncontrolled flood in the California Central Valley that would result in a catastrophic loss of property and threat to residents, outweigh the remaining unavoidable significant impacts.

31. RESOLVED, The Board directs the Executive Officer to take the necessary actions to prepare and file a Notice of Determination pursuant to CEQA for the Central Valley Flood Protection Plan, Final Program Environmental Impact Report (SCH No. 2010102044).

CUSTODIAN OF RECORD:

The custodian of the CEQA record for the Board is its Executive Officer, Jay Punia, at the Board offices at 3310 El Camino Avenue, Room 151, Sacramento, California 95821.

This resolution shall constitute the written decision of the Board in the matter of adopting the 2012 CVFPP.

PASSED AND ADOPTED by vote of the Board on _____, 2012

William [H.](#) Edgar
President

Jane Dolan
Secretary