California Central Valley Flood Protection Board

Draft Strategic Plan

2013-2017

INTRODUCTION:

1. Overview

The Central Valley Flood Protection Board (CVFPB), in its regulatory role, has spent the past ten decades serving as the liaison between the State of California, its residents, property owners, Central Valley agencies, and the United States government, with the goal of providing the highest level of flood protection possible to California's Central Valley, while also considering environmental and habitat concerns.

The CVFPB is governed by a Board consisting of seven Governor-appointed and Senate-confirmed members, plus two non-voting ex-officio members from the California Legislature. The monthly public Board meetings provide an open forum where all interests may express their views regarding flood management, and where permits, Board-sponsored projects, and other actions are reviewed and approved.

The CVFPB works in close partnership with local agencies, the Department of Water Resources (DWR) and the U.S. Army Corps of Engineers (USACE) to reduce the risk of catastrophic flooding in California's Central Valley. The CVFPB has jurisdictional authority throughout the drainage basin of the Central Valley and for the 1.7 million acres within 14 counties that make up the Sacramento-San Joaquin Drainage District. Under California law, any modification to the federal/State flood control system, encroachment, or project on or near the Sacramento and San Joaquin Rivers or their tributaries must be approved by the Board. The CVFPB and its staff make sure that there are no negative hydraulic, geotechnical, or other structural impacts associated with the approved alterations, encroachments, or projects.

While USACE has been the primary source of funding for flood improvement projects, the State and many local government agencies have stepped forward in recent years to provide funding for projects as well. In its agreements with USACE, the CVFPB fulfills the State's cost-sharing responsibilities to the federal government by providing lands, easements, rights-of-way, relocations, and cash payments for USACE-constructed or cost-shared flood control projects. When a project is completed and Local Maintaining Agency assurance agreements are secured, the CVFPB accepts responsibility for the project and transfers it to the local agency to operate and maintain.

2. History

In 1911 the Legislature created the California State Reclamation Board, which was given regulatory authority over the Sacramento Valley's Local Maintaining Agencies (LMAs), 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 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. In I913 the Reclamation Board was given regulatory authority over the San Joaquin Valley's LMAs. In this same year, the Legislature created the Sacramento-San Joaquin Drainage District to give the Reclamation Board the authority to acquire the necessary property and easements for flood control.

In 2007 the Legislature restructured the Reclamation Board and renamed it the "Central Valley Flood Protection Board." The legislation gave the Board the responsibility to review and adopt the historic 2012 Central Valley Flood Protection Plan (CVFPP) and required all cities and counties within the boundaries of the Sacramento-San Joaquin Drainage District to provide a copy of their updated general plans to the Board for review and comment. Legislation approved in 2009 granted new authorities to the CVFPB and reiterated the importance of its encroachment enforcement powers for flood control.

In keeping with the 2009 legislation and in response to the USACE's more rigorous inspection program, the CVFPB has recently sharpened its focus on removing unauthorized and non-compliant encroachments to ensure the Central Valley Flood Protection Plan's effectiveness in flood protection improvement. The USACE has declared substantial portions of flood control projects in the Central Valley ineligible for continued participation in the federal Public Law 84-99 Levee Rehabilitation Program, which provides federal funds for levee repairs following flood events.

Resulting from the Board's adoption of the Central Valley Flood Protection Plan, the Board continues to be involved in the implementation of the CVFPP by working with DWR, USACE, and stakeholders via the Coordinating Committee, an informal forum to promote integration of regional planning and basin-wide studies.

In carrying out its programs with flood protection as its priority, the CVFPB also meets all legal requirements regarding the environmental impacts and habitat concerns of its actions and, whenever possible, supports projects with multi-benefit objectives. Working closely with California Department of Fish and Wildlife, U.S. Fish and Wildlife Service, and the National Marine Fisheries Service, the Board evaluates the impacts of flood control works on the environment. Approximately 6,800 acres of CVFPB land is leased for habitat enhancement.

Recently, the State has evaluated its water issues from a broader and more strategic perspective by planning and implementing water management programs that combine flood management, ecosystem enhancement, water supply, and other water management actions to deliver multiple benefits across watershed and jurisdictional boundaries. This approach, known as Integrated

Water Management (IWM), calls for bringing together multiple disciplines and interests to define problems and opportunities and then working creatively and collaboratively to achieve practical, cost-effective, and sustainable multi-benefit solutions. The CVFPB, through its review process and other efforts, such as the Coordinating Committee, actively supports and participates in this broader approach.

3. Goals of the Strategic Planning Process

The Board undertook a strategic planning process for the CVFPB in 2013. The purpose was to rethink and refresh the mission and goals of the CVFPB, develop specific objectives and strategies, and define specific measures of success through which the Board could hold itself and the staff of the Central Valley Flood Protection Board accountable. The seven-member governing Board approved the resulting strategic plan in June 2013.

4. Major Trends and Planning Factors

One of the initial steps taken in the strategic planning process was to assess the significant trends affecting the work of the Central Valley Flood Protection Board. These were the important trends identified:

- Population trends: An increasing number of homes and businesses are located in deep flood prone areas.

- Environmental trends: Precipitation patterns in the Sierra are changing significantly, with lower percentages of precipitation retained in the snowpack compared to historical norms.

- Infrastructure trends: With increased understanding of how to design and build effective flood containment systems, the costs of new projects are increasing. At the same time, much of the existing flood protection infrastructure in the State is aging.

- Legal trends: The state of California was held legally liable for damages to private property resulting from floods in 1986. Damages from flooding in February 1986 and in January 1997 were in the hundreds of millions of dollars, shedding light on the susceptibility of communities in the Central Valley to major flood events – especially with respect to life-threatening deep flooding in urban areas. To address this situation, in the latter part of 2007 the California Legislature passed, and the Governor signed, five interrelated bills aimed at addressing the problems of flood protection and liability, which also aided in the prioritized expenditure of the bond funds. A sixth bill passed in 2007 requires additional consideration of flood risk in local land use planning throughout California. Together, these bills outline a comprehensive approach to improving flood management at the State and local levels.

- Financial trends: The devastation and loss of life resulting from Hurricane Katrina in 2005 further raised public awareness of catastrophic storm events throughout the nation. In response, California voters passed in 2006 the Disaster Preparedness and Flood Prevention Bond Act (Proposition 1E) and the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act (Proposition 84). These two measures authorized the sale of nearly $5 billion in bonds for flood management improvements, with approximately $3.6 billion identified for repair and improvements to the state-federal flood system in the Central Valley. Since the passage of Propositions 1E and 84, billions of dollars have been available for flood control projects in California, but that funding can only be appropriated until July 1, 2016, and there are political divisions across the State in terms of support for new flood protection funding.

CENTRAL VALLEY FLOOD PROTECTION BOARD

MISSION: To reduce the risk of catastrophic flooding to people and property within the California Central Valley.

We achieve our mission through:

- Adopting, monitoring and overseeing the implementation of the Central Valley Flood Protection Plan.
- Providing oversight of existing flood risk reduction facilities.
- Evaluating and approving new flood protection facilities.
- Being consistent, timely and effective in fulfilling our permitting and enforcement authorities.
- Providing a forum for public participation and inter-agency coordination between federal, state, and local agencies and stakeholders.
- Taking an integrated approach to flood protection for the purpose of public safety, economic stability, and environmental stewardship.

Goal 1: Preserve the integrity and function of flood protection systems in the Central Valley.

Objective 1.1: Assure judicious and timely permitting.

Strategies:

1.1.1 Develop processes and templates to help assure timely decisions on projects.
1.1.2 Implement a separate permitting track for flood system improvement projects.
1.1.3 Establish authority to charge filing fees for permits.

Objective1.2: Expand enforcement capacity and authority.

Strategies:

1.2.1 Create comprehensive database that includes a detailed inventory of encroachments, including non-permitted and out-of-compliance encroachments.
1.2.2 Quantify, delineate, categorize, and prioritize encroachments and the need for enforcement actions.
1.2.3 Resolve encroachments that are in conflict with assurances provided to USACE and that compromise system performance.
1.2.4 Develop efficient and effective sources of real property data.
1.2.5 Obtain additional enforcement authority through legislation and update regulations accordingly.
1.2.6 Establish authority to issue administrative fines without going to court.

Objective 1.3: Work with Local Maintaining Agencies (LMAs) to assure effective levee maintenance and improvement.

Strategies:

1.3.1 Work with LMAs to concentrate resources on high-risk areas.
1.3.2 Develop program to hold LMAs accountable for meeting their operation and maintenance objectives.
1.3.3 Create regulatory structures to delegate authority to LMAs and, upon their request, enable them to initiate enforcement actions.

Goal 2: Oversee the implementation of the Central Valley Flood Protection Plan.

Objective 2.1: Work with local, regional, state and federal agencies to advance implementation of the Central Valley Flood Protection Plan.

Strategies:

2.1.1 Assure the Board's commitments in its resolution adopting the CVFPP are met.
2.1.2 Facilitate projects moving forward to implementation in accordance with the State System-wide Investment Approach (SSIA).
2.1.3 Monitor plan implementation benchmarks and communicate to the public.
2.1.4 Work with DWR to communicate technical data and tools to public and agencies.
2.1.5 Work with local, state and federal agencies to resolve issues around long-term management of vegetation.
2.1.6 Work with LMAs, DWR and USACE to address legacy design, construction, and SPFC facility obsolescence issues.

Objective 2.2: Facilitate iterative process for concurrent development and integration of regional plans, basin plans, and conservation strategy in cooperation with local agencies and DWR.

Strategies:
2.2.1 Utilize the coordinating committee to facilitate effective communication and coordination.
2.2.2 Convene partnering agencies to provide regular updates to the Flood Protection Board.
2.2.3 Ensure regional plans meet timetable required for the 2017 plan update.

Goal 3: Provide leadership in optimizing flood protection planning, management and operations.

Objective 3.1: Facilitate the transition to new planning and funding paradigms (in the context of the changing role of the U.S. Army Corps of Engineers).

Strategies:
3.1.1 Provide a forum for redefining the future roles and responsibilities of federal, state and local flood protection agencies.
3.1.2 Assure the Central Valley Flood Protection Board is engaged early on in the planning activities of DWR, USACE, and other relevant agencies.
3.1.3 Examine the State's internal planning and operating processes and recommend potential changes.

Objective 3.2: Assure high levels of performance by our organization.

Strategies:
3.2.1 Analyze staffing needs and recommend changes.

3.2.2 Examine Board committee structure needs and recommend changes.

Goal 4: Develop broad public support for regional and system-wide multi-benefit flood risk reduction projects and programs.

Objective 4.1: Partner with DWR, USACE, and local and regional agencies to build public support for multi-benefit flood risk reduction projects and programs.

Strategies:

4.1.1 Partner with DWR, USACE, and local and regional agencies to build support for additional measures and funding to protect public safety and reduce state liability, including deep flood prone areas.

4.1.2 Build support for better floodplain management.

4.1.3 Ascertain viability of and explore options for the Central Valley Flood Protection Board's Designated Floodway Program.