

**Meeting of the Central Valley Flood Protection Board
December 20, 2013**

**Staff Report – Transmittal for Knights Landing Unit 2 - Yolo Bypass - Service Area 6
Levee System: Letter of Intent to Submit a System-Wide Improvement Framework to the
U.S. Army Corps of Engineers**

Yolo and Sutter Counties

1.0 – ITEM

Consider authorizing the Executive Officer to send a letter to the U.S. Army Corps of Engineers (USACE) transmitting a Letter of Intent (LOI) for a System-Wide Improvement Framework (SWIF) prepared by the Knights Landing Ridge Drainage District (KLRDD) on behalf of the local maintaining agencies (LMA) and the Department of Water Resources (DWR) for the Knights Landing Unit 2 - Yolo Bypass - Service Area 6 Levee System (Levee System) as defined by the USACE's Periodic Inspection dated June 27, 2013.

2.0 – LOCATION

The Levee System is located mostly within Yolo County with a small portion in Sutter County. The levees covered by the proposed LOI for a SWIF consist of 6.6 miles of levees along the left bank of the Knights Landing Ridge Cut, 6 miles of levees along the right bank of the Sacramento River upstream of the Fremont Weir, and 2.6 miles of levee along the left bank of the Yolo Bypass.

3.0 – AGENCY

The LMAs in the Levee System are the KLRDD, Yolo County, and DWR. These LMAs have the responsibility of maintaining the Levee System, and play a key role in planning, coordinating, and implementing flood risk reduction activities within this Levee System.

KLRDD will be taking the lead in developing a SWIF plan with the support and assistance of Yolo County, DWR and CVFPB staff, as well as collaboration with USACE and environmental and historical resource agencies

4.0 – USACE PERIODIC INSPECTION

In January through February 2012, the USACE performed a Periodic Inspection (PI) of the Levee System. PIs are conducted to verify proper operation and maintenance; evaluate operational adequacy and structural stability; identify features to monitor over time; and improve the ability to communicate the overall condition. The PI Report produced by the USACE for the Levee System determined that the Levee System was “Unacceptable,” and “Inactive” for USACE Public Law 84-99 (PL 84-99) Rehabilitation and Inspection Program (RIP) assistance.

5.0 – PURPOSE OF THE LOI AND SWIF

USACE approval of the LOI will allow the LMAs to move forward with the preparation of a SWIF that is intended to meet the policy and public safety objectives of USACE and the State of California concurrent with making improvements that address system-wide issues and correct unacceptable inspection items in a prioritized manner to optimize flood risk reduction. USACE approval of the LOI will make the Levee System active for PL 84-99 RIP for a period of two years while the SWIF is being prepared.

If the SWIF is accepted by the USACE, the Levee System will remain eligible for USACE PL84-99 RIP, while the local levee maintainers perform the work described in the SWIF.

6.0 – STAFF RECOMMENDATION

As agreed to in the initial operations and maintenance assurances to the USACE, the CVFPB serves as the non-federal sponsor for all of the State-federal project levees within the jurisdiction of the Sacramento-San Joaquin Drainage District, including this Levee System. In this capacity, it is the CVFPB's responsibility to transmit the LOI and subsequent SWIF to the USACE on behalf of the LMAs.

Staff has reviewed the draft LOI (See Attachment 2) submitted by KLRDD, and finds that it adequately addresses the six requirements for submitting a LOI for a SWIF as described in the USACE's November 29, 2011 Policy for Development and Implementation of System-Wide Improvement Frameworks (SWIFs) (See Attachment 4).

Staff has received formal statements of support for the LOI from the Levee System's LMAs. In order to submit the LOI as soon as possible, KLRDD has requested that the CVFPB authorize the Executive Officer to transmit the LOI once finalized and signed. Staff agrees with this request and is recommending that the CVFPB authorize the Executive Officer to finalize a letter of transmittal to the USACE and forward it with the signed LOI to the USACE.

7.0 – ATTACHMENTS

1. Draft Letter of Transmittal to USACE.
2. Letter of Intent Prepared by the Knights Landing Ridge Drainage District
3. Letters of Support from Yolo County and DWR for an LOI for a SWIF.
4. Excerpt from USACE Policy for Development and Implementation of System-Wide Improvement Frameworks, dated November 29, 2011.

CENTRAL VALLEY FLOOD PROTECTION BOARD

3310 El Camino Ave., Rm. 151
SACRAMENTO, CA 95821
(916) 574-0609 FAX: (916) 574-0682
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December 20, 2013

Colonel Michael J. Farrell
District Commander
U.S. Army Corps of Engineers
1325 J Street
Sacramento, California 95814

Subject: Knights Landing Unit 2 - Yolo Bypass – Service Area 6 Levee System - Letter of Intent for Developing & Implementing a System-Wide Improvement Framework Plan

Colonel Farrell:

The Central Valley Flood Protection Board (CVFPB) wishes to notify USACE with this letter that the Knights Landing Ridge Drainage District (KLRDD) has taken the lead in coordinating with local maintaining agencies (LMA's) and the Department of Water Resources (DWR) to develop and implement a System-Wide Improvement Framework (SWIF) plan for the Knights Landing Unit 2 - Yolo Bypass – Service Area 6 Levee System (Levee System) to retain eligibility for rehabilitation assistance authorized under Public Law (P.L.) 84-99.

USACE approval of this Letter of Intent (LOI) will allow KLRDD to move forward with preparation of a SWIF that is intended to meet the policy and public safety objectives of USACE, the State of California, and KLRDD, concurrent with making improvements that address system-wide issues and correct unacceptable inspection items in a prioritized manner to optimize flood risk reduction.

We respectfully submit this Letter of Intent on behalf of KLRDD, in accordance with the USACE's *Policy for Development and Implementation of System-Wide Improvement Frameworks* and request a two-year extension of eligibility for P.L. 84-99 rehabilitation assistance for the Levee System while KLRDD develops and implements a SWIF. Following approval of this Letter of Intent, KLRDD will commence efforts to develop a SWIF for USACE approval.

Sincerely,

Jay S. Punia
Executive Officer

Attachments:

1. KLRDD – Letter of Intent for System-Wide Improvement Framework

cc: (See attached list)

cc: Mr. Lewis Bair
General Manager
Knights Landing Ridge Drainage District
P.O. Box 50
Grimes, California 95950-0050

Ms. Regina Espinosa
Manager of County Service Areas & Special Districts
Yolo County Planning & Public Works Department
292 West Beamer Street
Woodland, California 95695

Mr. Keith Swanson
Mr. Noel Lerner
Mr. Mark List
Department of Water Resources

Mr. Len Marino
Mr. Michael C. Wright
Mr. Jon Tice
Central Valley Flood Protection Board

COMMISSIONERS
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DAN TIBBITTS

**KNIGHTS LANDING RIDGE
DRAINAGE DISTRICT**

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GENERAL MANAGER
AND SECRETARY
LEWIS BAIR
—
ASSISTANT MANAGER
KATHRYN CHANDLER

November 26, 2013

Mr. William Edgar,
President
Central Valley Flood Protection Board
3310 El Camino Avenue, Room 151
Sacramento, CA 95821

RE: Knights Landing Levee System – Letter of Intent to Develop and Implement a System-Wide Improvement Framework Plan

Dear Mr. Edgar,

Knights Landing Ridge Drainage District has taken the lead in coordinating and developing the supporting materials for a Letter of Intent (LOI) for a System-Wide Improvement Framework (SWIF) plan in order for the Knights Landing Levee system to regain eligibility for rehabilitation assistance authorized under Public Law 84-99. In undertaking this effort, we are working closely with our neighboring local levee maintaining agencies, Yolo County and the Department of Water Resources.

As the Central Valley Flood Protection Board is the body which provided the initial operations and maintenance assurances to the U.S. Army Corps of Engineers (USACE) for the Sacramento River West Bank levees, we respectfully request that the CVFPB forward this package to the USACE on behalf of the Knights Landing Levee System LMAs.

Should you have any questions, please do not hesitate to contact me at 530-437-2221.

Sincerely,



Lewis Bair
General Manager

cc: Regina Espinoza, Yolo County
Jon Tice, Central Valley Flood Protection Board

Attachments:

- Knights Landing Levee System Letter of Intent Support Information;
- Yolo County Letter of Support
- Department of Water Resources Letter of Support

ATTACHMENT 1 – SUPPORT INFORMATION

Knights Landing Levee System Letter of Intent

Introduction

The Knights Landing levee system consists of approximately 15.19 miles of levees that surround the town of Knights Landing and the adjacent lands to the southeast (Figure 1).

There are three levee segments in the system: one segment on the Sacramento River west bank, one segment on the Knights Landing Ridge Cut left bank, and one segment on the Yolo Bypass. The Knights Landing levee system also includes a short segment of Sycamore Slough and the Knights Landing Outfall Gates. The primary function of the Knights Landing Outfall Gates and the Knights Landing Ridge Cut is to provide drainage for the Colusa Basin when flows in the Sacramento River are too high to allow drainage out of the Colusa Basin.

The Central Valley Flood Protection Board (CVFPB) is the non-federal sponsor for the system. The Knights Landing Ridge Drainage District (KLRDD), Yolo County, and the California Department of Water Resources (DWR) are the local maintaining agencies (LMAs) that operate and maintain the levee segments.

Identification of Levee System

The Knights Landing system to be covered by the SWIF is listed in the National Levee Database (NLD) under *System ID 5205001411*.

The system includes three levee segments as summarized in Table 1.

Table 1. Summary of Knights Landing levee segments.

Levee Segment	Length [miles]	LMA	NLD Segment ID	USACE PI Report Segment Rating	PL 84-99 Status
Knights Landing Ridge Cut - Unit 2, Left Bank (KNT2)	6.60	KLRDD	5204001412	Unacceptable	Inactive / as of 8/16/13
Service Area 6 - Yolo County - Sacramento River Right Bank Above Fremont Weir (S6YC)	5.98	Yolo County	5204001061	Unacceptable	Inactive / as of 8/16/13
Yolo Bypass - West Levee - Unit 1 (YBW1)	2.61	DWR	5204001121	Unacceptable	Inactive / as of 8/16/13

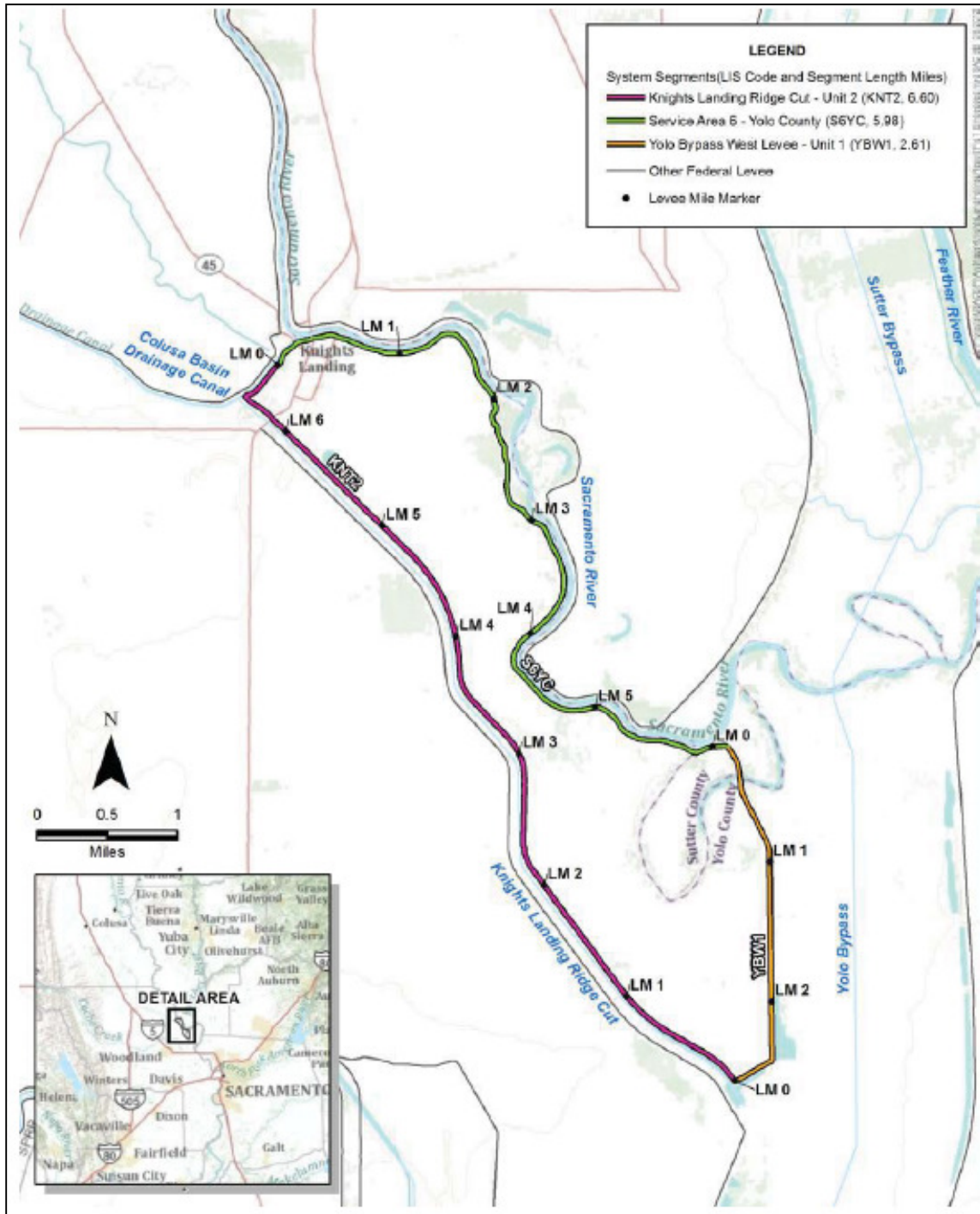


Figure 1. Knights Landing Levee System Location Map (Source: USACE PI Report, June 2012)

History of the Levee System

The Knights Landing levee system is part of the Sacramento River Flood Control Project (SRFCP) which was originally authorized by the Flood Control Act of 1917. The SRFCP is a federally authorized, non-federally operated and maintained, agricultural, industrial, and rural flood protection project. The Knights Landing levees were originally built by local interests in the 1800s, and were later incorporated into the SRFCP during the late 1950s.

The Knights Landing system complied with USACE project standards by the late 1940s. Repairs and improvements to the system have been constructed as needed since then. Construction history for each of the levee segments are detailed in *USACE Periodic Inspection Report No. 1* (June 2012) as summarized below.

Table 2. History of improvements for levee segment KNT2.

Contract	Contractor	Description	End Date
DA-04-167-eng-791	Foster & McHarg	Levee strengthening and alignment to adopted grade and section of the east and west levees of Knights Landing Ridge Cut.	18 September 1952
DA-04-167-civeng-57-38	Daniel Bayles, Jr.	Emergency levee repairs on the left bank of Knights Landing Ridge Cut from County Road No. 16.	25 September 1956
DA-04-167-civeng-63-79	M. Malfitano and Son, Inc.	Emergency levee repairs on the right and left banks on Knights Landing Ridge Cut.	15 October 1963

Source: USACE PI Report, June 2012.

Table 3. History of improvements for levee segment S6YC.

Contract.	Contractor	Description	End Date
W-04-167-eng-1106	H. Earl Parker, Inc.	Bank protection works, levee setback, and enlargement to adopted grade along the west levee of the Sacramento River.	6 November 1943
W-04-167-eng-806	H. Earl Parker, Inc.	Levee setback and bank protection work along the west levee of the Sacramento River from RMs 85.3 to 85.5 and RMs 88.8 to 89.3.	17 February 1953
DA-04-167-civeng-64-71	H. Earl Parker, Inc.	Bank protection on the right and left banks at various sites from Boyer's Bend to Monument Bend.	20 October 1964
DACW05-68-c-0014	A. Teichert and Son, Inc.	Bank protection on the right bank of the Sacramento River at RMs 87.0 and 89.2.	November 1968
DACW05-70-c-0008	H. Earl Parker, Inc.	Bank protection on the right bank of the Sacramento River at RM 84.5.	23 September 1970
DACW05-71-c-0051	Claude C. Wood	Bank protection on the right bank of the Sacramento River at RMs 84.6 and 89.3.	30 October 1972
DACW05-73-c-0059	Luhr Brothers, Inc.	Stone protection, bank sloping, and selective clearing on the right bank of the Sacramento River at RMs 84.3 and 85.9.	15 November 1974
DACW05-76-c-0107	James Ferry and Son. Construction	Stone protection, bank sloping, and selective clearing on the right bank of the Sacramento River at RMs 86.5, 86.7, 86.8, 87.5, and 88.2.	6 July 1979
DACW05-78-c-0046	Claude C. Wood	Stone protection, bank sloping, and selective clearing on the right bank of the Sacramento River at RM 85.9.	7 November 1979

Source: USACE PI Report, June 2012.

Table 4. History of improvements for levee segment YBW1.

Contract No.	Contractor	Description	End Date
W-04-167-eng-70	Larsen and Harms	Levee enlargement to adopted grade and section of the west levee of Yolo Bypass from Fremont Weir to Knights Landing Ridge Cut.	6 November 1943

Source: USACE PI Report, June 2012.

Status of Vegetation Variance

An approved vegetation variance is currently not in place for the Knights Landing levee system. Once the SWIF process is underway, it will be determined if a variance is necessary.

Population at Risk

The Knights Landing levee system primarily protects the population centered in the town of Knights Landing which is made up of approximately 1,000 residents (Source: 2010 U.S. Census).

In addition to the population, surrounding residential, commercial, and agricultural infrastructure is also at risk including heavy farming equipment which is vital to the local economy.

Description of Deficiencies

Deficiencies for the Knights Landing levees have been identified in USACE's 2012 Periodic Inspection Report. Table 5 below summarizes the unresolved deficiencies for each of the maintenance areas which will inform the development of the SWIF plan.

Table 5. Number of unacceptable items listed for each maintenance area.

Category	KNT2	S6YC	YBW1	Total
Length (miles)	6.60	5.98	2.61	15.19
Item 1: Vegetation	36	92	36	164
Item 2: Sod Cover	0	11	0	11
Item 3: Encroachments	89	180	47	316
Item 4: Closure Structures	1	0	0	1
Item 5: Slope Stability	15	6	7	28
Item 6: Erosion/Bank Caving	19	17	10	46
Item 7: Settlement	3	0	0	3
Item 8: Depressions/Rutting	6	2	1	9
Item 9: Cracking	27	2	27	56
Item 10: Animal Control	47	23	21	91
Item 11: Culverts/Discharge Pipes ¹	0	0	0	0
Item 12: Riprap Revetments and Bank Protection	0	13	5	18
Item 13: Revetments Other Than Riprap	0	0	0	0
Item 14: Underseepage Relief Wells/Toe Drainage	0	0	0	0
Item 15: Seepage	0	0	4	4

Source: USACE PI Report, June 2012.

The majority of the issues listed in Table 5 are faced by LMA's throughout the Central Valley. Additionally, 90% of all identified unacceptable items fall under five deficiency categories: Vegetation Growth, Encroachments, Erosion/Bank Caving, Cracking and Animal Control.

The scope and extent of the identified issues along with the associated required regulatory permitting makes correcting the deficiencies a complex and involved undertaking. The Knights Landing levee system is maintained by three different LMAs. Preparing a SWIF will be a way to efficiently coordinate a consistent approach to addressing the identified deficiencies.

Tackling these issues within the Knights Landing system will reduce flood hazards and consequences in a risk-prioritized manner over time, on a system basis with the objective

to correct the worst (highest risk) deficiencies first. A SWIF will be a way to coordinate this effort into one coherent plan.

It is the intent of the non-Federal sponsor to repair deficiencies in accordance with USACE Operation and Maintenance (O&M) standards.

Commitment of Non-Federal Resources towards the SWIF

The KLRDD LMA is a district formed under California law and is supported by a mixture of ad valorem property taxes and special benefit assessments. Yolo County and DWR are funded through local and state tax revenue. The combinations of these revenues have and will continue to support annual operations and maintenance activities. KLRDD has already increased assessments to prepare for the SWIF as they realize that this will be a significant effort.

The local LMAs will secure all funding necessary for levee rectification work. The combined annual O&M income for the LMAs total approximately \$120,000. The rough total estimated cost for the rectification work is \$300,000. This cost estimate is considered an “order of magnitude” estimated which will be refined during development of the SWIF. In addition, KLRDD has secured approximately \$6M in State bond funds made available through California State Proposition 1E administered by the California Department of Water Resources (California DWR), for the implementation of a levee repair project along the Knights Landing Ridge Cut levee. KLRDD is matching these state bond funds with \$1M of their own funds raised through the formation of a special assessment district which quadrupled the existing assessment. Once the initial repair project is completed, this increased operations and maintenance assessment will be used to fund additional repair work. The Knights Landing levee system LMAs envision implementing future repair projects similarly funded through State and Local partnerships.

California DWR has also expended significant resources in the Urban Levee Evaluation (ULE) and Nonurban Levee Evaluation (NULE) programs as well as the development of the Central Valley Flood Protection Plan. These efforts have generated substantial volumes of hydrologic, hydraulic, geotechnical, and mapping information which will greatly inform the development of the SWIF. Any shortfall of funding to implement the SWIF work would be likely addressed through a combination of property assessments increases and State grant funding.

Interim Risk-Reduction Measures

Residents have been informed of the current levee conditions through media releases, newspaper articles, and a public outreach program conducted to support raising property assessment to pay for increased levee maintenance. An Interim Risk Reduction Measures (IRRM) Plan will be developed as a part of the Knights Landing SWIF. The IRRMP will include a combination of emergency response plans, communication and coordination with the property owners and evacuation planners (LMAs and Yolo County), that

addresses the increased risk to life caused by deficiencies within the Knights Landing levee system. The IRRMP will address: implementing stockpiles of flood fight materials; coordinated communications between LMAs and Yolo County emergency managers; improving emergency operation and evacuation plans, and coordinating those plans between the agencies; developing multiagency contracts with equipment and material suppliers to increase reliability during an emergency; and to provide regional manpower assistance to areas in need in time of emergency. The LMA's will continue close coordination with Yolo County emergency managers to improve communication and evacuation planning and update emergency operations to address areas of increased interim risk.

Finally, the LMAs are currently implementing actions to reduce risk while they seek a SWIF, as part of their routine maintenance activities. The LMAs will continue to reduce risk by repairing items that are listed as unacceptable in the PI report.

Interagency Collaborative Efforts

The KLRDD will coordinate with the respective risk management, emergency response, and land use functions of each of the relevant maintaining agencies, Yolo County, and the town of Knights Landing.

Collaboration with a number of agencies, including USACE, is planned for the development, implementation, and oversight of the SWIF. These agencies include:

- Federal Emergency Management Agency (Levee evaluation and future NFIP accreditation)
- U.S. Fish and Wildlife Service (protected species consultation)
- National Marine Fisheries Services (protected species consultation)
- California Department of Fish and Wildlife (protected species consultation and Wildlife Areas)
- California Department of Water Resources (Funding resources, flood risk management, levee evaluations, State maintained areas)
- Central Valley Flood Protection Board (Encroachment permitting and floodway technical assistance)

Anticipated Permitting Requirements

The development and implementation of the SWIF will require consultation with a number of resource, regulatory, and permitting agencies. For example, many endangered and threatened species are found in the region, and species in or adjacent to the Knights Landing levee system include:

- Valley Elderberry Longhorn Beetle (USFWS)
- Giant Garter Snake (USFWS)
- Sacramento River winter-run Chinook salmon (NMFS)
- Central Valley spring-run Chinook salmon (NMFS)
- Central Valley steelhead (NMFS)

- North American Green Sturgeon (NMFS)

The required permits and approvals to implement the SWIF will likely include:

- Compliance with the California Environmental Quality Act (CEQA)
- California Department of Fish and Wildlife Streambed Alteration Agreement
- Central Valley Flood Protection Board floodway encroachment permits
- Compliance with the National Environmental Policy Act (NEPA)
- U.S. Fish and Wildlife Service (protected species consultation)
- National Marine Fisheries Services (protected species consultation)
- Clean Water Act Section 404 permits
- USACE approvals under 33 USC 408

DEPARTMENT OF WATER RESOURCES

DIVISION OF FLOOD MANAGEMENT

P.O. BOX 219000

SACRAMENTO, CA 95821-9000



November 19, 2013

Mr. William Edgar, President
Central Valley Flood Protection Board
3310 El Camino Avenue, Suite 151
Sacramento, California 95821

Dear Mr. Edgar:

This letter is in regard to Knights Landing Ridge Drainage District's (KLRDD) desire to submit a Letter of Intent (LOI) to develop a System-Wide Improvement Framework (SWIF) for the Knights Landing Levee system. KLRDD's October 2, 2013 letter to the Central Valley Flood Protection Board (CVFPB) envisions submitting the LOI on behalf of its member agencies and other public entities that maintain federal levees within the Knights Landing Levee system, including the Department of Water Resources' (DWR) Sacramento Maintenance Yard. As you know, DWR maintains the west levee of the Yolo Bypass from Fremont Weir to Knights Landing Ridge Cut, the channels within the Knights Landing Levee system, and maintains and operates the Knights Landing Outfall Gates structure.

DWR intends to cooperate with Knights Landing and support the SWIF development effort within the parameters of our maintenance responsibilities and practices. The overall goal of resolving levee deficiencies on a systemwide level in order to steadily reduce flood hazard and consequence in a risk-prioritized manner over time is a common theme articulated in three key documents: (1) Knights Landing's LOI; (2) the Central Valley Flood Protection Plan (CVFPP), adopted by CVFPB on June 29, 2012; and (3) USACE's "Policy for Development and Implementation of System-Wide Frameworks (SWIF Policy) dated November 29, 2011.

DWR endorses Knights Landing's responses to the six "Requirements for Submitting a Letter of Intent for a SWIF" as described in Section 7.a of USACE's SWIF Policy. DWR will, upon approval of the LOI, collaborate with Knights Landing in fulfilling the nine "Requirements for Development of a SWIF" described in Section 7.b of the SWIF Policy. DWR will continue its levee maintenance under California Water Code Sections 8361 as guided by the Standard O&M manual, integrating the levee vegetation management approach embodied in the CVFPP.

USACE approval of this LOI will allow Knights Landing to move forward with preparation of a SWIF that is intended to meet the policy and public safety objectives of USACE, the State of California, and the Knights Landing Ridge Drainage levee maintaining agencies (LMAs), while providing a pathway for reaching functional compatibility between USACE

Mr. William Edgar
November 19, 2013
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policy and CVFPP levee vegetation management strategy during the two-year SWIF development period.

The CVFPP as adopted on June 29, 2012, articulates the State's long-term vision for reducing flood risk through prioritization of management actions. The CVFPP's State Systemwide Investment Approach (SSIA) is a 25-year, \$14 to \$17 billion effort to address the whole range of flood system performance issues from emergency response to operations and maintenance to land use to planning to capital investment.

It is important to note that remediation of many of the levee defects highlighted by USACE periodic inspections and/or DWR's Flood Control System Status Report is beyond the reasonable scope of responsibility of LMAs. Thus, collaboration at the federal, State, and local levels on remediation of levee defects that transcend the technical and financial resource capabilities associated with annual maintenance programs would serve the public well. For example, DWR is developing a number of programs to cost share with the LMAs on certain types of repairs which exceed their resource capabilities, as well as a new program to address larger-scale levee repairs and improvements requiring construction of stability berms, seepage berms, and seepage cutoff walls.

Table 5 of Knights Landing's letter to the CVFPB indicates that over 60 percent of the unacceptable items for Knights Landing that were likely to prevent performance in the next flood event were in the category of encroachments, animal control, erosion/bank caving, and cracking. The unacceptable items that were not likely to prevent performance in the next flood event were in the category of unwanted vegetation. The SWIF to be developed will present a risk-prioritized plan to address animal control and vegetation issues in light of complex environmental issues related to endangered species and associated permitting challenges, within the context of limited available resources.

Regarding the difficult situation with encroachments, we applaud CVFPB for its commitment to reinforce its role in resolving encroachment related issues (such as abandoned pipelines and structures within the easements), including initiation of legislative action to supplement the CVFPB's authority to carry out encroachment enforcement actions.

We look forward to working with CVFPB, KLRDD, Yolo County, and USACE in this important effort to improve the long-term functioning of the Central Valley flood protection system.

Mr. William Edgar
November 19, 2013
Page 3

If you have any questions or additional information is needed, your staff may contact Noel Lerner, Chief, Flood Maintenance Office at (916) 574-0384.

Sincerely,



Keith E. Swanson, Chief
Division of Flood Management

Enclosure

cc: Mr. Lewis Bair, General Manager and Secretary
Knights Landing Ridge Drainage District
P.O. Box 50
Grimes, California 95950-0050



County of Yolo

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October 1, 2013

Jay Punia
Executive Officer
Central Valley Flood Protection Board
33 10 El Camino Avenue, Room 15 1
Sacramento, CA 95821

RE: Knights Landing Levee System - Support for Knights Landing Ridge Drainage District Letter of Intent to Develop and Implement a System-Wide Improvement Framework Plan

Dear Mr. Punia,

Knights Landing Ridge Drainage District is taking the lead in coordinating and developing the supporting materials for a Letter of Intent (LOI) for a System-Wide Improvement Framework (SWIF) plan in order for the Knights Landing Levee system to regain eligibility for rehabilitation assistance authorized under Public Law 84-99. Yolo County is a neighboring local maintaining agency (LMA) working closely with Knights Landing Ridge Drainage District in this effort, and supports the LOI being prepared for submittal to the Central Valley Flood Protection Board (CVFPB) by Knights Landing Ridge Drainage District.

Yolo County joins with Knights Landing Ridge Drainage District in requesting that the CVFPB forward this LOI to the USACE on behalf of the LMAs.

Regina Espinoza
Yolo County Planning and Public Works
County Service Area Manager

cc: Lewis Bair, General Manager, Knights Landing Ridge Drainage District
Jon Tice, Central Valley Flood Protection Board

CECW-HS

SUBJECT: Policy for Development and Implementation of System-Wide Improvement Frameworks (SWIFs)

c. Transitioning “Acceptable” or “Minimally Acceptable” Levees. Levees sponsors with levees that are “Active” in the rehabilitation assistance program under an existing vegetation variance or deviation from the standard that want to use the SWIF process to transition to a new vegetation inspection standard through the vegetation variance request process, or that would like to systematically improve the condition of participating levees, may maintain their P.L. 84-99 rehabilitation assistance eligibility as long as they continue to meet the milestones set forth in their applicable SWIF.

d. Reinstating Eligibility While Developing and Implementing a SWIF. Levee sponsors that receive an overall levee system inspection rating of “Unacceptable” or have been “Inactive” in the rehabilitation program may regain eligibility for P.L. 84-99 rehabilitation assistance through the SWIF process. Upon approval by USACE of the letter of intent, requirements described below, the levee sponsor will receive an initial of up to two-year reinstatement of eligibility for P.L. 84-99 rehabilitation assistance. Continued eligibility will be determined annually based on milestones described in the subsequent SWIF. Levee sponsors who have never been eligible for rehabilitation assistance under P.L. 84-99 cannot gain P.L. 84-99 rehabilitation assistance eligibility through the SWIF process.

7. Requirements for Development and Submittal of a SWIF. The development of a SWIF is a two-step process consisting of (1) a Letter of Intent from the sponsor briefly describing levee system deficiencies and justification for how a system-wide approach will optimize flood risk reduction, and (2) development of a SWIF for addressing deficiencies and reducing flood risk. Once a Letter of Intent has been approved by USACE, a levee sponsor has up to two years to develop a SWIF plan. Eligibility after this two-year period will be dependent on the levee sponsor’s progress in achieving the milestones defined in the SWIF. The SWIF plan is intended to be a specific document that guides sponsor activities, including anticipated milestones, but may also be adaptable and should be revised if conditions or needs change during implementation. The requirements for the Letter of Intent and SWIF are described as follows:

a. Requirements for Submitting a Letter of Intent for a SWIF. A Letter of Intent must be signed by all associated levee sponsors for each levee system involved in developing the SWIF and must include the following:

(1) Identification of levee system or systems to be covered by the SWIF, including system name and system identification number as listed in the National Levee Database;

(2) Brief description of deficiencies or issues that will be included in the SWIF and discussion of how a system-wide approach will improve and optimize overall flood risk reduction. This includes identifying any conditions not within the control of the levee sponsor(s) that prevents them from correcting “Unacceptable” inspection items in a timely manner;

CECW-HS

SUBJECT: Policy for Development and Implementation of System-Wide Improvement Frameworks (SWIFs)

(3) Demonstration that significant non-federal resources have been, or will be, committed for developing and/or implementing the SWIF (e.g., state legislative action, bond financing);

(4) Anticipated interim risk reduction measures that will be implemented throughout the SWIF process, including overall risk communication approach that addresses the risk to life increased by system-wide deficiencies;

(5) Brief description of existing or planned interagency collaborative efforts that will contribute positively to SWIF development, implementation and oversight; and

(6) List of anticipated state and federal permits and consultation requirements, needed to implement the SWIF.

b. Requirements for Submittal of a SWIF. SWIFs are developed and implemented by levee sponsor(s), reviewed and accepted by USACE, and monitored by a USACE district to address system-wide issues in a prioritized way to optimize system-wide risk reduction. As a minimum for acceptance by USACE, the levee sponsor's SWIF must include the following:

(1) Identification of levee system or systems covered by the system-wide improvement framework, including system name and identification number as listed in the National Levee Database;

(2) Description of proposed levee improvement and justification on how the SWIF optimizes flood risk reduction;

(3) A plan and schedule for interagency collaboration, including environmental and/or Tribal consultation if applicable, in the implementation of the SWIF;

(4) Documentation of specific agreements, such as project specific agreements, between levee sponsors and USACE or other agencies/organizations related to implementation of levee modifications, under Section 408 or other overlapping USACE policies and studies, applicable to the levee systems identified in the system-wide improvement framework;

(5) Documentation of any regional considerations, approaches, and tools to be used during implementation of the system-wide improvement framework;

(6) Description of interim maintenance standards that will be implemented during the SWIF to mitigate conditions of uncorrected "Unacceptable" inspection items;

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(7) IRRM plan, including a risk communication plan that addresses the risk to life increased by system-wide deficiencies;

(8) Schedules and milestones that will be used to monitor progress and to determine continued eligibility for P.L. 84-99 rehabilitation assistance while the SWIF is being implemented; and

(9) For those levee systems shown as accredited on the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map that are part of the SWIF, demonstration that FEMA has been informed that these levee systems with “Unacceptable” inspection items are being addressed in a system-wide improvement framework. Please note that an extension of eligibility for rehabilitation assistance through the SWIF process by USACE does not constitute an extension of accreditation for FEMA purposes. FEMA determines how a SWIF may or may not impact accreditation.

8. Approval Process. The approval authority for reinstating eligibility for rehabilitation assistance under P.L. 84-99 via a Letter of Intent, and for acceptance of a SWIF is the Director of Contingency Operations and Homeland Security (DCO/HS) under USACE. District Commanders shall evaluate the levee sponsors’ request for an extension, based on the criteria outlined in this memorandum. If the District recommends approval of an eligibility reinstatement, the District Commander shall forward this recommendation to the Division Commander for concurrence. The Division Commander will review the request and, if in concurrence, will endorse the recommendation and submit the request to the DCO/HS through the Regional Integration Team. The District and MSC Commanders shall coordinate these requests with their Levee Safety Officers for technical input. Eligibility reinstatement will not be implemented until the request is approved by DCO/HS. District Commanders are also responsible for monitoring levee sponsor milestones in implementing SWIFs, conducting reviews for eligibility extensions following initial reinstatement, submitting an accepted SWIF to the local FEMA regional office, and providing approval recommendations through the approval process described herein.

9. Progress Reporting and Continued P.L. 84-99 Eligibility. Once a Letter of Intent has been approved through the process in paragraph 8, a levee sponsor(s) has up to two years of reinstated rehabilitation assistance eligibility under P.L. 84-99 to develop a system-wide improvement framework. The District Commander shall review the levee sponsor’s progress for development of the SWIF after the first year and, if deemed not satisfactory, the District Commander may recommend to the DCO/HS that the levee sponsor no longer be eligible for P.L. 84-99 rehabilitation assistance. Eligibility after the two-year period for SWIF development will then be dependent on the levee sponsor’s progress in achieving the milestones defined in the SWIF. Continued P.L. 84-99 rehabilitation assistance eligibility during the implementation of the SWIF