

**Central Valley Flood Protection Board
February 28, 2014**

Staff Report

Strategic Plan Implementation Workshop

Review and Approve Final Draft Action Plan

1.0 –REQUESTED ITEM

Consider Central Valley Flood Protection Board (Board) approval of the staff's final draft Action Plan to implement the Board's 2013-2017 Strategic Plan through December 2015.

2.0 – ITEM DESCRIPTION

Senior Board staff and Chief Counsel developed a draft Action Plan through a series of meetings facilitated by Consultant Eric Douglas. The Plan was presented to the full Board at a Public Workshop on February 14, 2014.

Based on discussion and Board input at the Workshop, the staff modified the Plan and presented it to the Board's Executive Committee at its February 26, 2014 meeting. The Committee approved the staff to bring the Plan to the full Board for its approval at today's meeting.

3.0 – STAFF RECOMMENDATION

Board staff recommends that the Board:

- approve the Final Draft Action Plan as presented,
- direct the staff to provide semi-annual progress reports each January and July, and
- authorize the Executive Officer to revise the Action Plan as needed, and to bring it to the Board for re-approval at least each January and July.

4.0 – ATTACHMENTS

A – Final Draft Action Plan

**Central Valley Flood Protection Board
Final Draft Action Plan to Implement the Board’s 2013-17 Strategic Plan**

Goal 1: Preserve the Integrity and Function of Flood Protection Systems in the Central Valley							
Objective:	Strategies:	Actions:	Lead Assignments:		Start:	End:	Resource analysis:
			Program:	Project:			
Objective 1.1: Assure judicious and timely permitting.	Strategy 1.1.1: Develop processes and templates to help assure timely permitting decisions. <i>Note 1: An external consultant contract will be utilized to obtain engineering, environmental and other services to implement the Board’s approved 2013-14 BCP.</i>	1. Continue to implement and refine existing fast-track permitting process.	Mitra		Ongoing	Ongoing	Need one engineer [see Note 1 at left]
		2. Explore and report to Board what types of authorizations might be included in an “over-the-counter” process.	Len	Leslie, Mitra	Mar-14	Jun-14	Existing resources
		3. Explore and report to Board potential additional delegated authority to Executive Officer related to certain types of permits.	Eric	James	Jan-14	Jul-14	Existing resources
		4. Craft language for reimbursement authority for technical and real estate assistance	Leslie		Jan-14	Aug-14	Existing resources
		5. Update technical standards (primarily Article 8) of the Regulations	Eric	Deb Gary	Mar-14	Dec-15	Consultant support, 1498, or BCP needed.
	Strategy 1.1.2: Develop new permitting track for flood system improvement projects requiring major or minor 408 approvals (not encroachments).	1. Develop and implement separate permitting process for flood system improvement projects (draft proposal by Jul-14)	Eric	Nancy, David	Mar-14	Dec-14	Existing resources
		2. Gain Board approval for new permitting process.	Eric	Nancy, David	Aug-14	Dec-14	Existing resources
		3. Update Regulations to reflect new permitting process.	Eric	Nancy, David	Jan-15	Dec-15	Existing resources
		4. Communicate new permitting process to stakeholders.	Eric	Nancy	Jan-15	Dec-15	Existing resources

**Central Valley Flood Protection Board
Final Draft Action Plan to Implement the Board's 2013-17 Strategic Plan**

Goal 1: Preserve the Integrity and Function of Flood Protection Systems in the Central Valley							
Objective:	Strategies:	Actions:	Lead Assignments:		Start:	End:	Resource analysis:
			Program:	Project:			
	Strategy 1.1.3: Establish authority to charge filing fees for permits.	<i>Note: Defer this action for now. Timing for this initiative to be determined at a later date (Will require Regulations update).</i>	Board EC		On hold	On hold	
Objective 1.2: Expand enforcement capacity and authority.	Strategy 1.2.1: Create comprehensive database that includes a detailed inventory of encroachments, including non-permitted and out-of-compliance encroachments.	1. Complete integration of permitted encroachments into Board/DWR/USACE database.	Mitra		Jan-14	Apr-15	Existing resources
		2. Develop and populate database with non-permitted and out-of-compliance encroachments as USACE completes levee inspections.	Mike	USACE	Jan-14	Oct-14	Existing resources
	Strategy 1.2.2: Quantify, delineate, categorize, and prioritize encroachments and the need for enforcement actions.	1. Develop policy paper defining a systematic approach to prioritizing encroachment actions and present to Board.	Mike		Jan-14	Apr-14	Existing resources
		2. Clarify Board property rights.	Leslie	Len	Jan-14	Jan-15	Existing resources
		3. Develop policy and update Regulations for existing and new swimming pools	Len	Leslie, Eric	Oct-14	Dec-15	Existing resources
	4. Work with DWR Public Affairs Office to communicate Board policies on permits and encroachments to stakeholders.	Jay		Ongoing	Ongoing	Existing resources	

**Central Valley Flood Protection Board
Final Draft Action Plan to Implement the Board's 2013-17 Strategic Plan**

Goal 1: Preserve the Integrity and Function of Flood Protection Systems in the Central Valley							
Objective:	Strategies:	Actions:	Lead Assignments:		Start:	End:	Resource analysis:
			Program:	Project:			
	Strategy 1.2.3: Resolve encroachments that are in conflict with assurances provided to USACE and that compromise system performance.	1. Continue to issue Notices of Violation in cases of clear violation of encroachment policies.	Mike		Ongoing	Ongoing	Need two engineers and one surveyor through BCP.
		2. Work with DWR's office of chief counsel to delineate enforcement policies and approach for prosecuting violations.	Leslie	Len, Mike	Apr-14	Dec-14	1.2.4 is critical path to accomplishing this action.
		3. Update enforcement procedures, guidelines and flow chart based on recently updated enforcement regulations.	Mike		Jan-14	Oct-14	Existing resources
		4. Develop policy to specify which permits should "run with the land".	Jay	Leslie, Eric	Jun-14	Dec-14	Existing resources
		5. Develop policy related to the assignment of legal responsibility for legacy features and encroachments.	Leslie		Apr-14	Dec-14	Existing resources
		6. Develop policy related to bringing into compliance legacy features and encroachments that are the responsibility of the USACE or the State.	Jay		Jan-15	Dec-15	Existing resources

**Central Valley Flood Protection Board
Final Draft Action Plan to Implement the Board's 2013-17 Strategic Plan**

Goal 1: Preserve the Integrity and Function of Flood Protection Systems in the Central Valley							
Objective:	Strategies:	Actions:	Lead Assignments:		Start:	End:	Resource analysis:
			Program:	Project:			
	Strategy 1.2.4: Develop efficient and effective sources of real property data.	1. Develop recommended concept (Mar-14) and budget change paper (Aug-14) to partner with DWR to fund real property database.	Len		Jan-14	Aug-14	Existing resources
		2. Explore options with DWR real estate branch for obtaining real property data.	Len		Jan-14	Jan-15	Existing resources
	Strategy 1.2.5: Obtain additional enforcement authority through legislation and update Title 23 regulations accordingly.	1. Update Regulations to reflect additional enforcement authority.	Eric	Curt	Jan-14	Jul-14	Existing resources
		2. Establish policies and procedures related to expanded authority.	Len	Mike, Leslie	Apr-14	Dec-14	Existing resources
	Strategy 1.2.6: Establish authority to issue administrative fines without going to court. <i>Do we have this authority now?</i>	1. Develop new regulations to issue and collect administrative fines (follows 1.2.5 – Action 1)	Eric	Curt	Oct-13	Jul-14	Existing resources
		2. Develop necessary policies and procedures for issuing and collecting fines.	Len	Mike	Apr-14	Sep-14	Existing resources
		3. Assure appropriate training for enforcement staff to implement new policies and procedures.	Mike		Mar-14	Dec-14	Existing resources

**Central Valley Flood Protection Board
Final Draft Action Plan to Implement the Board's 2013-17 Strategic Plan**

Goal 1: Preserve the Integrity and Function of Flood Protection Systems in the Central Valley							
Objective:	Strategies:	Actions:	Lead Assignments:		Start:	End:	Resource analysis:
			Program:	Project:			
Objective 1.3: Work with Local Maintaining Agencies (LMAs) to assure effective levee maintenance and improvement.	Strategy 1.3.1: Work with LMAs to concentrate resources on high-risk areas.	1. Prioritize critical repair sites (in PI and O&M reports) for high-risk areas.	Len	Curt, Mike	Now	Jul-14	Need two additional engineers through BCP.
		2. Propose actions to Board.	Mike		Ongoing	Ongoing	
	Strategy 1.3.2: Develop program to hold LMAs accountable for meeting their operation and maintenance objectives.	1. Board staff will direct under-performing LMAs to make use of the Urban Flood Risk Reduction Project or Flood System Repair Project to bring levee systems into compliance with USACE standards where appropriate. In the interim, staff will recommend using the USACE LOI/SWIF process to temporarily regain PL 84-99 eligibility while UFRRP or FSRP projects are developed. The Regional Flood Management Planning process could serve as a forum to address underperforming O&M issues.	Len	Mike	Jan-14	Jan-15	Existing resources
		2. In collaboration with DWR seek legislation to develop a program similar to the <i>Delta Levee Subventions</i> program for under-performing economically disadvantaged LMA's as a solution to ensure adequate ongoing maintenance funding.	Len	Mike	Jul-14	Jul-15	Existing resources

**Central Valley Flood Protection Board
Final Draft Action Plan to Implement the Board's 2013-17 Strategic Plan**

Goal 1: Preserve the Integrity and Function of Flood Protection Systems in the Central Valley							
Objective:	Strategies:	Actions:	Lead Assignments:		Start:	End:	Resource analysis:
			Program:	Project:			
		<p>3. The subventions-like program should include:</p> <p>a). Annual State audits of LMA maintenance budgets to determine sufficient assessment collection and effective use of local and State funds.</p> <p>b). For rural LMAs with limited resources, identify 3rd-party public or private entities which can be contracted to perform levee maintenance on behalf of the LMA, as in the Gomes Lake JPA model.</p> <p>c). Consider merging poor-performing LMAs with adjacent LMAs which are performing acceptably.</p>	Len	Mike	Ongoing	Ongoing	Existing resources
		<p>4. If all above alternatives are infeasible or unsuccessful consider formation of State Maintenance Areas.</p>	Len	Mike	Oct-14	Dec-14	Existing resources
	Strategy 1.3.3: Create regulatory structures to delegate authority to LMAs and, upon their request, enable them to initiate enforcement actions.	<p>1. Prepare draft delegation and policies for LMAs to review.</p>	Mike		Jul-14	Dec-14	Existing resources
		<p>2. Enact delegated authority with LMAs that request to participate.</p>	Mike		Jul-14	Jan-15	Existing resources
		<p>3. Provide training to participating LMAs.</p>	Len		Sep-14	Mar-15	Existing resources

**Central Valley Flood Protection Board
Final Draft Action Plan to Implement the Board's 2013-17 Strategic Plan**

Note 2: Implementation of Goal 2 assumes an external consultant contract will be utilized to obtain engineering, environmental and other services to implement the Board's approved 2013-14 BCP.

Goal 2: Oversee the Implementation of the Central Valley Flood Protection Plan [see Note 2 above]							
Objective:	Strategies:	Actions:	Lead Assignments:		Start:	End:	Resource analysis:
			Program	Project:			
Objective 2.1: Work with local, regional, State and federal agencies to advance implementation of the Central Valley Flood Protection Plan.	Strategy 2.1.1: Assure the Board's commitments in its resolution adopting the CVFPP are met.	1. Analyze the Board's commitments and develop reporting tool (incorporate DWR Quarterly report).	Eric	Ali	Jan-14	Jun-14	Existing resources
		2. Actively monitor progress in achieving Board's commitments.	Eric	Ali	Ongoing	Ongoing	Existing resources
		3. Work collaboratively with DWR to assure commitments are fulfilled.	Eric	Ali	Ongoing	Ongoing	Existing resources
		4. Provide reports to the Board twice a year.	Eric	Ali	Jul-14	Dec-15	Existing resources
	Strategy 2.1.2: Facilitate projects moving forward to implementation in accordance with the State System-wide Investment Approach (SSIA).	1. Work with USACE and Division of Flood Management (DFM) on Board-sponsored feasibility studies and projects.	Jay	DWR	Ongoing	Ongoing	Existing resources
		2. Work with local sponsor and DFM to implement flood system improvement projects.	Eric	Nancy Ali David	Ongoing	Ongoing	Existing resources
		3. Support local and DWR-led evaluation, approval and construction of CVFPP projects developed through integration of Regional Plans, Basin-wide Feasibility Studies, and Conservation Strategy.	Jay	Len	Ongoing	Ongoing	Existing resources

**Central Valley Flood Protection Board
Final Draft Action Plan to Implement the Board's 2013-17 Strategic Plan**

Note 2: Implementation of Goal 2 assumes an external consultant contract will be utilized to obtain engineering, environmental and other services to implement the Board's approved 2013-14 BCP.

Goal 2: Oversee the Implementation of the Central Valley Flood Protection Plan [see Note 2 above]							
Objective:	Strategies:	Actions:	Lead Assignments:		Start:	End:	Resource analysis:
			Program	Project:			
		4. Collaborate with State and federal agencies to streamline and consolidate permitting process for environmental restoration / mitigation, consistent with Conservation Strategy.	Eric	Nancy James Andrea	Jan-14	Dec-14	Existing resources
		5. Develop new / revised Regulations to address environmental habitat and mitigation projects.	Eric	Nancy James Andrea	Jan-15	Jun-16 (at least 18 mo.)	Existing resources
		6. Evaluate need / develop updates to the Regulations to reflect Urban Levee Design and Rural Levee Repair criteria.	Eric	Ali	Jul-14	Jul-16 (6 mo. eval plus 18 mo. dev)	Existing resources
	Strategy 2.1.3: Monitor plan implementation benchmarks and communicate to the public.	1. Identify prospective list of plan implementation milestones.	Eric	Ali	Jan-14	Jun-14	Existing resources
		2. As plan implementation milestones are achieved, work with DWR Public Affairs Office to communicate them to the public.	Jay		Ongoing	Ongoing	Existing resources

**Central Valley Flood Protection Board
Final Draft Action Plan to Implement the Board’s 2013-17 Strategic Plan**

Note 2: Implementation of Goal 2 assumes an external consultant contract will be utilized to obtain engineering, environmental and other services to implement the Board’s approved 2013-14 BCP.

Goal 2: Oversee the Implementation of the Central Valley Flood Protection Plan [see Note 2 above]							
Objective:	Strategies:	Actions:	Lead Assignments:		Start:	End:	Resource analysis:
			Program	Project:			
	Strategy 2.1.4: Work with DWR to communicate technical data and tools to public and agencies.	1. Continue to work collaboratively with DWR to develop Flood Emergency Response Information Exchange (FERIX).	Mitra	DFM	Ongoing	Ongoing	Existing resources
		2. Continue to utilize the Coordinating Committee to share geotechnical, hydrology, and hydraulic data developed by DWR with stakeholders.	Jay		Ongoing	Ongoing	Existing resources
		3. Communicate technical data and information to cities and counties to assist them in amending their General Plans to comply with the Water Code.	Eric	Ali	Ongoing	Ongoing	Existing resources
		4. Expand Board website and consider social media to improve public communication.	Jay				Will need additional O&M \$\$\$
	Strategy 2.1.5: Work with local, State and federal agencies to resolve issues around long-term management of vegetation.	1. Work with DWR to include other issues, influence policy, engage stakeholders, and follow up with Corps	Jay		Ongoing	Ongoing	Existing resources

**Central Valley Flood Protection Board
Final Draft Action Plan to Implement the Board's 2013-17 Strategic Plan**

Note 2: Implementation of Goal 2 assumes an external consultant contract will be utilized to obtain engineering, environmental and other services to implement the Board's approved 2013-14 BCP.

Goal 2: Oversee the Implementation of the Central Valley Flood Protection Plan [see Note 2 above]							
Objective:	Strategies:	Actions:	Lead Assignments:		Start:	End:	Resource analysis:
			Program	Project:			
	Strategy 2.1.6: Work with LMAs, DWR and USACE to address legacy design, construction, and SPFC facility obsolescence issues.	1. Support ongoing planning studies so that 2017 CVFPP update captures relevant issues and proposes solutions.	Jay	Eric	Ongoing	Ongoing through 2017 update	Existing resources
		2. Assure Board member and staff participation in appropriate project planning entities through liaison and committee assignments.	Jay		Ongoing	Ongoing	Existing resources
Objective 2.2: Facilitate iterative process for concurrent development and integration of Regional Plans, Basinwide Studies, and Conservation Strategy in cooperation with local agencies and DWR.	Strategy 2.2.1: Utilize the coordinating committee to facilitate effective communication and coordination.	1. Continue to connect with all stakeholders and bring relevant information and issues to Coordinating Committee.	Jay		Ongoing	Ongoing	Existing resources
		2. Continue to support the Coordinating Committee with appropriate internal and external expertise.	Jay		Ongoing	Ongoing	Existing resources
	Strategy 2.2.2: Convene partnering agencies to provide regular updates to the Central Valley Flood Protection Board.	1. Continue to invite DWR, USACE, and other agencies to provide updates at Board meetings or coordinating committee meetings.	Jay		Ongoing	Ongoing	Existing resources

**Central Valley Flood Protection Board
Final Draft Action Plan to Implement the Board's 2013-17 Strategic Plan**

Note 2: Implementation of Goal 2 assumes an external consultant contract will be utilized to obtain engineering, environmental and other services to implement the Board's approved 2013-14 BCP.

Goal 2: Oversee the Implementation of the Central Valley Flood Protection Plan [see Note 2 above]							
Objective:	Strategies:	Actions:	Lead Assignments:		Start:	End:	Resource analysis:
			Program	Project:			
	Strategy 2.2.3: Ensure regional plans meet timetable required for the 2017 plan update.	1. Continue to integrate regional flood planning efforts with Conservation Strategy and Basin-wide Feasibility Study teams.	Jay		Ongoing	Ongoing	Existing resources
		2. Assign specific staff and Board members to regional planning processes.	Jay		Ongoing	Ongoing	Existing resources

**Central Valley Flood Protection Board
Final Draft Action Plan to Implement the Board's 2013-17 Strategic Plan**

Goal 3: Provide Leadership in Optimizing Flood Protection Planning, Management and Operations							
Objective:	Strategies:	Actions:	Lead Assignments:		Start:	End:	Resource analysis:
			Program:	Project:			
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).	Strategy 3.1.1: Provide a forum for redefining the future roles and responsibilities of federal, State and local flood protection agencies.	1. Play a leadership role in the Coalition established by DWR to redefine roles and responsibilities.	Board	Jay	Ongoing	Ongoing	Existing resources
		2. Join advocacy efforts to assure that Central Valley concerns over the FEMA flood insurance program are addressed.	Board		Ongoing	Ongoing	Existing resources
	Strategy 3.1.2: Assure the Flood Protection Board is engaged early on in the planning activities of DWR, USACE, and other relevant agencies.	1. Provide support to assure Board members are prepared and engaged in appropriate planning forums and meetings.	Jay		Ongoing	Ongoing	Existing resources
	Strategy 3.1.3: Examine the State's internal planning and operating processes and recommend potential changes.	1. Work with federal and State agencies to assure that the Board has early opportunities to provide input into proposed projects during planning phases.	Jay		Ongoing	Ongoing	Existing resources

**Central Valley Flood Protection Board
Final Draft Action Plan to Implement the Board's 2013-17 Strategic Plan**

Goal 3: Provide Leadership in Optimizing Flood Protection Planning, Management and Operations							
Objective:	Strategies:	Actions:	Lead Assignments:		Start:	End:	Resource analysis:
			Program:	Project:			
Objective 3.2: Assure high levels of performance by our organization.	Strategy 3.2.1: Analyze staffing needs and recommend changes.	1. Based on this Action Plan, analyze staffing utilization and needs, and determine additional capacity needed. Prepare concept (Mar-14) and budget change paper (Aug-14).	Jay	SSM 1	Jan-14	Aug-14	Existing resources
		2. Work with Budget Office throughout annual Budget Cycle to obtain needed financial and staffing resources.	Jay	SSM 1	Ongoing	Ongoing	Existing resources
		3. Include actions from this Action Plan into staff Appraisal and Development process.	Jay	SSM 1	Ongoing	Ongoing	Existing resources
		4. Clarify budget process requirements and develop mechanisms for the Board to provide input (e.g. revisit MOA with DWR; implement budget white paper).	Jay	SSM 1	Jan-14	Dec-14	Existing resources
	Strategy 3.2.2: Analyze Board committee structure needs and recommend changes.	1. Implement new committee structure and review every six months (Jan / July).	Jay	Len	Ongoing January and July updates.	Ongoing January and July updates.	Existing resources

**Central Valley Flood Protection Board
Final Draft Action Plan to Implement the Board’s 2013-17 Strategic Plan**

Goal 4: Develop Broad Public Support for Regional and System-Wide Multi-Benefit Flood Risk Reduction Projects and Programs							
Objective:	Strategies:	Actions:	Lead Assignments:		Start:	End:	Resource analysis:
			Program:	Project:			
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.	Strategy 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.	1. Track relevant planning efforts (i.e., California Central Valley Coalition) and provide comment.	Jay		Ongoing	Ongoing	Existing resources
		2. Inform Board through EO Reports.	Jay	Len	Ongoing	Ongoing	Existing resources
	Strategy 4.1.2: Build support for better floodplain management.	1. Continue to review and comment on city and county general plan safety elements in the SSJDD, report to planning agencies within 60 days, pursuant to the Water Code.	Eric	Ali	Ongoing	Ongoing	Existing resources
		2. Review general plan amendments for cities and counties in Sacramento-San Joaquin Valley to highlight compliance with CVFPP requirements, pursuant to the Water Code.	Eric	Ali	Ongoing	Ongoing	For actions 2 and 3 initial assignments will be given to pending 2013-14 BCP hires; then

Goal 4: Develop Broad Public Support for Regional and System-Wide Multi-Benefit Flood Risk Reduction Projects and Programs							
Objective:	Strategies:	Actions:	Lead Assignments:		Start:	End:	Resource analysis:
			Program:	Project:			
		3. Review annual “Adequate Progress” reports that local flood management agencies are expected to present to the Board for substantial completion of the required flood protection, pursuant to the Water Code.	Eric	Ali	Jan-15	Ongoing	staff will determine if additional resources are needed.
	Strategy 4.1.3: Ascertain viability of and explore options for the Central Valley Flood Protection Board’s Designated Floodway Program.	1. Explore what legal, policy, and financial impediments exist, if any, to updating the Designated Floodway Program.	Leslie		Jan-15	Sep-15	Existing resources