

CHRONICALLY NON-COMPLIANT LMAS



2ND INFORMATIONAL UPDATE NON-COMPLIANT LOCAL MAINTAINING AGENCIES

AGENDA ITEM 8A

MICHAEL C. WRIGHT

ACTING BRANCH CHIEF, OPERATIONS BRANCH

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NON-COMPLIANT LMAS



RP

CVFPB's Strategic Plan

Goal 1:

Objective 1.3:

Strategy 1.3.2:

“Develop program to hold LMAs accountable for meeting their operation and maintenance objectives”

Action 1:

“Ascertain whether underperforming LMAs are on track to receive acceptable maintenance ratings, **and if not, why not, and what should be done?**”

NON-COMPLIANT LMAS



RP

Status Review:

Developed a list of 22 LMAs / Areas

Reduced list to 18 LMAs / Areas

Issued letters to 10 of the 18 on July 1, 2014

Discussed the letter with 9 LMAs

Invited those 9 to attend 8/22/14 CVFPB meeting

6 Yes

1 Maybe

2 No

NON-COMPLIANT LMAS



RP

Current Status:

Issued letters to remaining 8 LMAs on August 26, 29 & September 9, 2014

Contacted / Discussed the letter with 6 LMAs

Invited those 6 to attend 10/24/14 CVFPB meeting

5 Yes

1 Maybe



Staff has contacted LMA



YES: LMA will participate in discussion at Board meeting



Maybe: LMA may participate in discussion at Board meeting

Letters Sent to the Following 8 LMA's

RP

Area	Local Maintaining Agency	Name	Letter mailed to LMA
NA0020	DWR	East-West Interceptor Canal	8/29/2014
NA0021	YCPW	Yolo County Public Works (Huff's Corner)	9/9/2014
RD0524	RD0524	Middle Roberts Island	8/26/2014
RD0556	RD0556	Upper Andrus	8/26/2014
RD1602	RD1602	Del Puerto	8/26/2014
RD2035	RD2035	Conaway Ranch	8/26/2014
RD2089	RD2089	Stark	8/26/2014
RD2104	RD2104	Peters Pocket Tract	8/26/2014

NON-COMPLIANT LMAS



Assurance Agreements

- Assurance Agreements do exist for some, but not all of our LMA partners
- LMAs with no Assurance Agreements are still responsible to perform O&M per Water Code Sections 8370 (Sacramento River Flood Control Project) and 12642
- Research and digitization of existing assurance agreements is ongoing

NON-COMPLIANT LMAS



Summary

- Typically the main challenges that LMAs face are funding and resources
- LMAs also face complying with environmental and endangered species restrictions
- Proposing to form State Maintenance Area in a rural district is a non-starter without a State funded program
- More information / documentation is not always better

NON-COMPLIANT LMAS



Non-Compliant LMAs – Moving Forward

Action 1: “Ascertain whether underperforming LMAs are on track to receive acceptable maintenance ratings, **and if not, why not, and what should be done?**”

Why not?

Funding / Resources

Environmental and Endangered Species Restrictions

Standards have become more strict

NON-COMPLIANT LMAS



Non-Compliant LMAs – Moving Forward

Action 1: “Ascertain whether underperforming LMAs are on track to receive acceptable maintenance ratings, **and if not, why not, and what should be done?**”

Continued education and communication

State Grant Programs (www.water.ca.gov/floodsafe/grants/)

Develop State funded O&M grant programs

Develop separate inspection criteria for rural LMAs

Standardize State / Federal inspection criteria

Develop list of levees that should be removed from SPFC ➡

Amend CWC Section 8361 ➡



QUESTIONS?

NON-COMPLIANT LMAS



8370. It is the responsibility, liability and duty of the reclamation districts, levee districts, protection districts, drainage districts, municipalities, and other public agencies ***within the Sacramento River Flood Control Project limits***, to maintain and operate the works of the project within the boundaries or jurisdiction of such agencies, excepting only those works enumerated in Section 8361 and those for which provision for maintenance and operation is made by Federal law.

12642. In all cases where the Federal Government does not maintain and operate projects, it is the responsibility and duty of the county, city, state agency, or public district affected to maintain and operate flood control and other works, constructed pursuant to Chapters 1 and 2 of this part, after their completion and hold and save the State and the United States free from damages.

NON-COMPLIANT LMAS



12639.1. The department may investigate any project adopted and authorized by the state and approved by the Congress to determine whether the project is no longer justified and whether appropriate action should be taken to de-authorize the project. The department shall coordinate that investigation with the federal agency involved in the project.

8361. The department shall maintain and operate on behalf of the state the following units or portions of the works of the ***Sacramento River Flood Control Project***, and the cost of maintenance and operation shall be defrayed by the state:

- (a) The east levee of the Sutter Bypass north of Nelson Slough.
- (b) The levees and channels of the Wadsworth Canal, Willow Slough Channel downstream from the Southern Pacific Railroad from Davis to Woodland except that portion of the north levee thereof lying within Reclamation District No. 2035, Putah Creek downstream from Winters, the intercepting canals draining into them, and all structures incidental thereto.
- (c) The collecting canals, sumps, pumps, and structures of the drainage system of Project No. 6 east of the Sutter Bypass.
- (d) The bypass channels of the Butte Slough Bypass, the Sutter Bypass, the Tisdale Bypass, the Yolo Bypass, and the Sacramento Bypass with all cuts, canals, bridges, dams, and other structures and improvements contained therein and in the borrow pits thereof.
- (e) The levees of the Sacramento Bypass.
- (f) The channels and overflow channels of the Sacramento River and its tributaries and the major and minor tributaries' flood control projects as authorized and defined in Sections 12648, 12648.1, and 12656.5.
- (g) The Knights Landing ridge cut flowage area.
- (h) The flood relief channels controlled by the Moulton and Colusa Weirs and the training levees thereof.
- (i) The levee on the left bank of the Sacramento River adjoining Butte Basin, from the Butte Slough outfall gates upstream to a point four miles northerly from the Moulton Weir, after completion.
- (j) All weirs and flood relief structures.
- (k) The west levee of the Yolo Bypass, extending from the west end of the Fremont Weir southerly to the Cache Creek Settling Basin and from Willow Slough Channel to Putah Creek and the east levee of the Yolo Bypass from Fremont Weir southerly two miles.
- (l) The levee on the west bank of Feather River extending a distance of about two miles southerly from the Sutter-Butte Canal headgate.
- (m) The levees of Cache Creek and the easterly and westerly levees of Cache Creek Settling Basin; excepting the portion of the southerly levee of Cache Creek lying upstream from State Highway Route 7 (U.S. 99W).
- (n) The flowage area of Western Pacific Intercepting Canal extending northerly for a distance of five miles from Bear River.
- (o) The levees of Tisdale Bypass from Tisdale Weir 4.5 miles easterly to Sutter Bypass.
- (p) The flood relief structures or weirs and other structures or facilities essential for their proper functioning in the vicinity of the Sacramento River between Big Chico Creek and the north boundary of Glenn County Levee District No. 3.



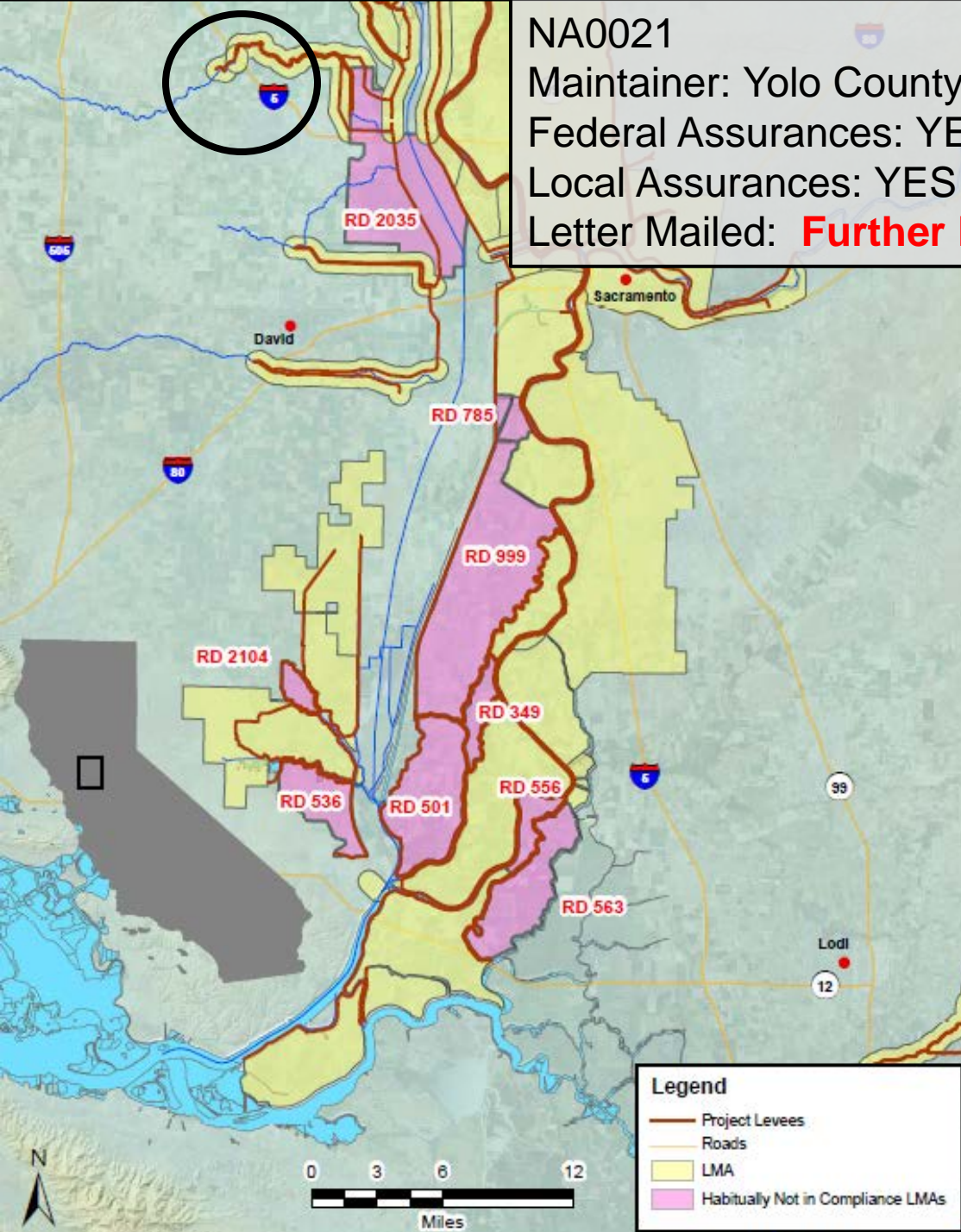
NA0021

Maintainer: Yolo County Public Works

Federal Assurances: YES

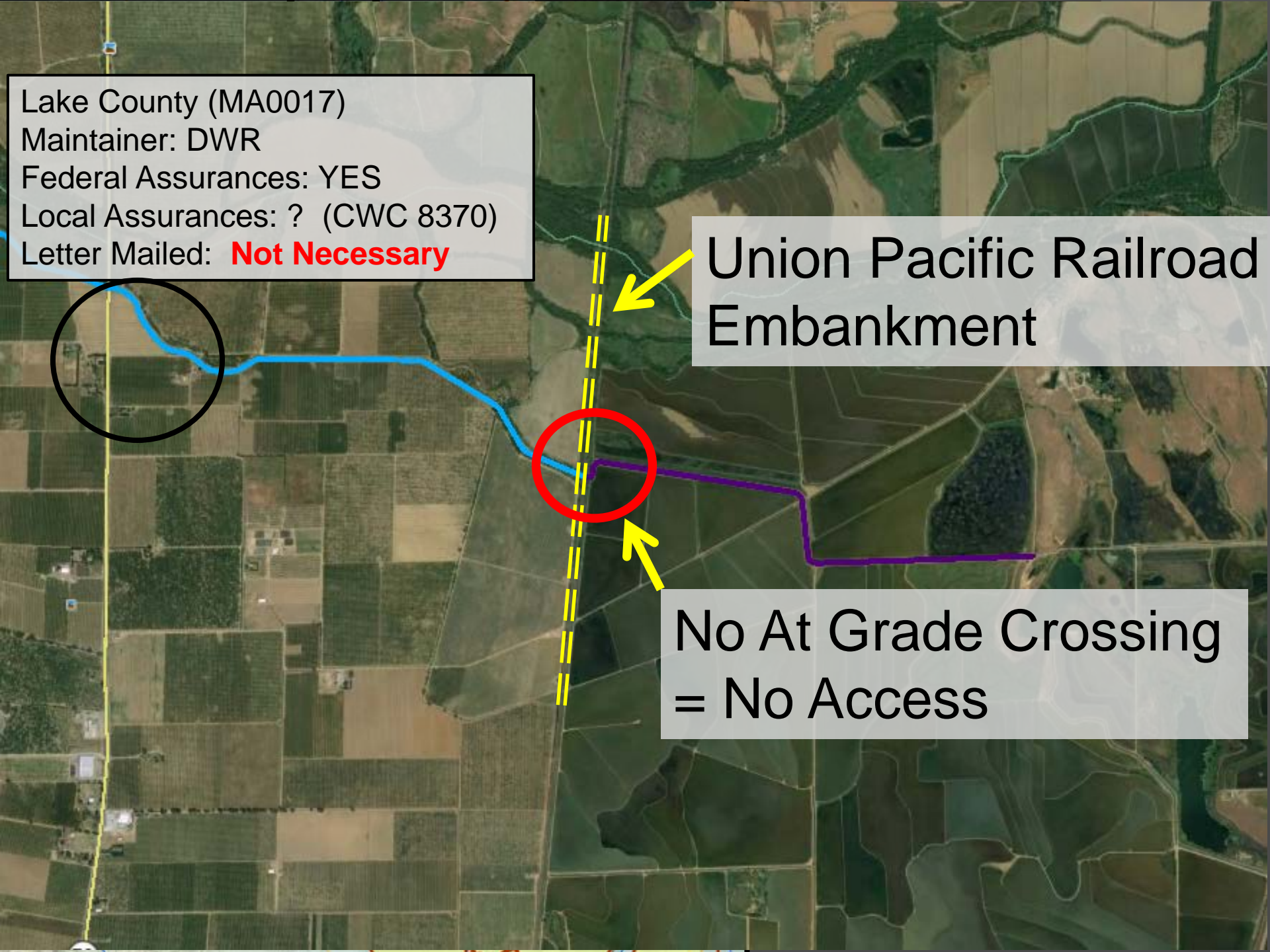
Local Assurances: YES

Letter Mailed: **Further Research**



RATINGS





USACE INSPT RATINGS



Lake County (MA0017)
Maintainer: DWR
Federal Assurances: YES
Local Assurances: ? (CWC 8370)
Letter Mailed: **Not Necessary**



















Union Pacific Railroad
Embankment

No At Grade Crossing
= No Access

-  Staff has contacted LMA
-  YES: LMA will participate in discussion at Board meeting
-  Maybe: LMA may participate in discussion at Board meeting
-  No: LMA will not attend or participate in Board meeting

Letters Sent to the Following 10 LMA's

RP

Area	Local Maintaining Agency	Name	Letter mailed to LMA
NA0011	Madera County 	Madera County FCWCA 	7/1/2014
NA0013	Merced County 	Merced County Stream Group 	7/1/2014
RD0349	RD0349	Sutter Island	7/1/2014
RD0501	RD0501 	Ryer Island 	7/1/2014
RD0536	RD0536 	Egbert 	7/1/2014
RD0563	RD0563 	Tyler Island 	7/1/2014
RD0765	RD0765 	Glide 	7/1/2014
RD0999	RD0999 	Netherlands 	7/1/2014
RD2063	RD2063 	Crows Landing 	7/1/2014
RD2101	RD2101 	Blewett 	7/1/2014

Area	Name	Pop.	Threshold Percentage*							# of Years Reported *
			2007	2008	2009	2010	2011	2012	2013	
MA0017	Lake County	362	179%	<u>641%</u>	<u>641%</u>	<u>641%</u>	<u>641%</u>	<u>641%</u>	<u>641%</u>	6
NA0006	Eastern Honcut Creek	0	231%	246%	607%	241%	241%	198%	198%	0
NA0011	Madera County FCWCA		304%	199%	39%	34%	<u>159%</u>	<u>486%</u>	<u>885%</u>	3
NA0013	Merced County Stream Group		39%	<u>168%</u>	<u>136%</u>	<u>55%</u>	<u>103%</u>	<u>104%</u>	<u>381%</u>	6
NA0014	M&T Ranch		460%	246%	296%	<u>64%</u>	<u>90%</u>	<u>63%</u>	<u>49%</u>	4
NA0020	East-West Interceptor Canal		78%	<u>84%</u>	<u>78%</u>	<u>83%</u>	<u>84%</u>	<u>103%</u>	<u>82%</u>	6
NA0021	Yolo County Public Works (Huff’s Corner)		228%	17%	290%	<u>176%</u>	703%	631%	462%	1
RD0349	Sutter Island	115	265%	<u>92%</u>	<u>26%</u>	<u>22%</u>	<u>43%</u>	<u>115%</u>	<u>292%</u>	6
RD0501	Ryer Island	253	273%	<u>170%</u>	<u>104%</u>	<u>91%</u>	<u>115%</u>	<u>138%</u>	<u>214%</u>	6
RD0524	Middle Roberts Island	483	76%	<u>44%</u>	<u>62%</u>	<u>55%</u>	<u>75%</u>	<u>109%</u>	<u>92%</u>	6
RD0536	Egbert	105	221%	<u>343%</u>	<u>100%</u>	<u>33%</u>	<u>341%</u>	<u>798%</u>	<u>310%</u>	6
RD0556	Upper Andrus	1560	143%	330%	508%	<u>126%</u>	<u>89%</u>	340%	<u>679%</u>	3
RD0563	Tyler Island	538	663%	<u>238%</u>	<u>92%</u>	<u>44%</u>	<u>82%</u>	<u>81%</u>	<u>165%</u>	6
RD0765	Glide		174%	<u>125%</u>	<u>47%</u>	<u>97%</u>	<u>108%</u>	185%	<u>112%</u>	5
RD0999	Netherlands		255%	<u>52%</u>	<u>32%</u>	<u>142%</u>	<u>34%</u>	<u>30%</u>	<u>38%</u>	6
RD1602	Del Puerto	373	112%	<u>96%</u>	<u>75%</u>	17%	<u>79%</u>	<u>44%</u>	<u>37%</u>	6
RD2035	Conway Ranch	6155	39%	6%	0%	N/I*	24%	11%	13%	0
RD2063	Crows Landing	813	284%	<u>67%</u>	<u>32%</u>	<u>32%</u>	<u>128%</u>	<u>111%</u>	<u>3%</u>	6
RD2089	Stark	12	76%	<u>376%</u>	<u>110%</u>	<u>122%</u>	<u>270%</u>	<u>270%</u>	<u>131%</u>	6
RD2101	Blewett	4	156%	<u>156%</u>	149%	<u>219%</u>	128%	<u>24%</u>	<u>24%</u>	4
RD2104	Peters Pocket Tract	0	67%	407%	79%	114%	<u>337%</u>	<u>770%</u>	<u>987%</u>	3
ST0006	Nelson Bend	0	948%	<u>308%</u>	<u>308%</u>	<u>286%</u>	<u>286%</u>	<u>198%</u>	<u>198%</u>	6



Map Legend

Project Levees: NLD SYSTEMS and SEGMENTS
(Levee Inspection System Code)

SYSTEM 261

Black Rascal Diverting Canal right bank, Unit 1 (MGB1)

SYSTEM 262

Black Rascal Diverting Canal left bank, Unit 2 (MGB2)

SYSTEM 263

Owens Creek Diverting Canal right bank, Unit 1 (MGO1)

SYSTEM 264

Owens Creek Diverting Canal left bank, Unit 2 (MGO2)

• Levee Mile

FEDERAL LEVEE PROJECTS
PROJECT MAP

**BLACK RASCAL CREEK AND
OWENS CREEK DIVERSIONS
MERCED COUNTY**

U.S. ARMY CORPS OF ENGINEERS
SACRAMENTO DISTRICT

NON-COMPLIANT LMAS



Round 1 - Letters Sent to 10 LMA's (PL 84-99 Status)

Area	Local Maintaining Agency	PL 84-99 RP Status
NA0011	Madera County	4 Systems, All 4 Inactive
NA0013	Merced County	4 Systems, All 4 Inactive
RD0349	RD0349	1 System, Inactive
RD0501	RD0501	1 System, Inactive
RD0536	RD0536	1 System, Active (PI in Progress)
RD0563	RD0563	1 System, Inactive
RD0765	RD0765	Part of West Sac System, Active (PI in 2014)
RD0999	RD0999	Part of West Sac System, Active (PI in 2014)
RD2063	RD2063	1 System, Inactive
RD2101	RD2101	1 System, Inactive



Summary: 18 LMAs, 24 Systems, 22 Inactive

Round 2 - Letters Sent to 8 LMA's (PL 84-99 Status)

Area	Local Maintaining Agency	Name	PL 84-99 RP Status
ST0020	DWR	EW Inter Canal	2 Systems, Inactive
NA0021	YCPW	Yolo County	1 System, Inactive
RD0524	RD0524	Middle Roberts	1 System, Inactive
RD0556	RD0556	Upper Andrus	1 System, Inactive
RD1602	RD1602	Del Puerto	1 System, Inactive
RD2035	RD2035	Conaway Ranch	1 System, Inactive
RD2089	RD2089	Stark	1 System, Inactive
RD2104	RD2104	Peters Pocket	1 System, Inactive

Public Law 84-99 Status as of October 26, 2014

