

2017 CVFPP Major Comment Summary (DRAFT) –UPDATED 6/27/17

This summary describes major comments received on the 2017 CVFPP Update. These focus on comments that are of interest to a broad sector of CVFPP stakeholders and may benefit from public discussion. Editorial comments, comments specific to a detailed issue, individual project advocacy, or comments specific to a particular agency or region were not included. Many additional comments, in addition to those listed here, are expected to result in changes to the 2017 CVFPP Update.

Theme	Commenter	Comment Number	Comment (paraphrased)	Initial Recommended DWR Response (with CVFPB Staff Review and Input)	DWR and CVFPB Staff Recommended Actions to Address Comment
Conservation Strategy	American Rivers, Sacramento River Preservation Trust, Friends of the River, Audubon California	G_NGO1-01 G_NGO1-02 G_NGO1-05	Concerned that DWR has not committed to implement the Conservation Strategy as part of the 2017 Central Valley Flood Protection Plan Update. Would appreciate DWR....explicitly committing to use these objectives and clarify that DWR is committed to using measurable objectives as laid out in the Conservation Strategy to guide future policy, design, and funding decisions. Plan falls short of providing assurances that future flood management activities will be designed to advance measurable conservation and flood management objectives.	<p>DWR and CVFPB staff note that the Conservation Strategy measurable objectives are non-regulatory. Instead, they represent goals and objectives to strive for when and where feasible. DWR and CVFPB staff recommended the following revisions:</p> <p>Revise Page 2-13 to read:                      “As part of achieving the CVFPP supporting goals, the Draft CVFPP Conservation Strategy includes specific metrics to measure contribution to conservation goals and non-regulatory numerical targets at regional (according to Conservation Planning Areas) and systemwide scales for the CVFPP to contribute to recovery of native species (Draft CVFPP Conservation Strategy Appendix L). <b>“These metrics are to be used to support future planning, tracking, and reporting of ecosystem vitality outcomes.</b> In conjunction with 5-year updates to the CVFPP, the targets <b>are iterative in nature</b> and may be <b>updated</b> and revised as necessary, based on improvements to scientific understanding, further evaluation of opportunities for multi-benefit flood management projects, <b>and future collaboration with regional partners.....</b></p> <p>“Table 2-1 describes metrics using currently available data and information (source listed in the right column) along with metrics that would require additional work to develop, monitor, and track. <b>These example performance metrics will be revised and refined, where necessary, through a transparent process in order to ensure they are consistent with the best available science and stakeholder input.</b> Table 2-2 provides guidance for further development of metrics for outcome-based performance tracking for the CVFPP in future updates. These metrics are intended to be used for monitoring and tracking at a program-level for the CVFPP, and are rolled up from more detailed estimates developed as part of the BWFSs and other planning studies (see examples in Chapter 3, Section 3.1.6). <b>In future CVFPP updates, refined performance metrics may be used to measure, track and report progress towards achieving flood-specific outcomes. “</b></p> <p>Revise sidebar on 2-13 to read: <b>“Attainment of these objectives depends on future funding and on contributing actions by the multiple organizations implementing flood projects and operating and maintaining the SPFC.”</b></p> <p>The multi-benefit actions included in the 2017 SSIA Portfolio were, in large part, identified by the 6 Regional Flood Management Plans and two Basin-wide Feasibility Studies. While all of these plans identified multi-benefit actions where feasible, none of these plans were required to formulate conservation actions that cumulatively achieved the measurable objectives and targets identified in Appendix L of the Conservation Strategy.</p>	Discussed at 6/9 CVFPB Workshop
	American Rivers	G_AR1-07	The characterization of conservation “opportunities” in the plan and the SPEIR is flawed because it is a measure of what could be achieved through the Basin Wide and Regional actions considered, neither of which was designed to achieve the objectives. If flood management actions had been specifically designed to achieve both the conservation and the flood management objectives, it is entirely possible that the predicted outcomes would exceed the recovery needs. DWR should revise the plan to more accurately quantify conservation opportunities and better avoid the impacts of the plan.		
	Sac River Regions & Flood Association	G_SRRFA1-07	The projects in the Regional Flood Management Plans (RFMPs) should be included in determining the best opportunities to achieve the measurable objectives of the conservation strategy. The 2022 Update should include updating the Conservation Strategy Measurable Objectives to consider the projects in the RFMP’s and include the Regions in developing a plan for how the Measurable Objectives will be achieved.		
	Advisory Committee	G_AC1	Advisory Committee Recommendation Related Follow-up Comments sent on 4/20	Advisory Committee comment responses are summarized in a separate table.	Held a working session with the Advisory Committee to discuss remaining AC comments. Discussed at 6/9 CVFPB Workshop.

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	Golden Gate Salmon Association Delta Stewardship Council	G_GGSA1-03 S-DSC1-06	Adopt the Conservation Strategy	The supporting documents that the CVFPB selects to adopt as part of the 2017 CVFPP Update is at the discretion of the CVFPB.	Recommend discussing the CVFPB adoption package for CVFPB consideration at a CVFPB workshop
Vegetation Management Policy	Friends of the River American Rivers	G_FOR1-02 G_AR1-04	Don't adopt the "when it dies, don't replace it" policy in the Conservation Strategy until after the USACE releases its new vegetation plan and after DWR, the Board, and other state agencies have the opportunity to engage with the USACE. Require that DWR include a mitigation plan for the loss of vegetation and habitats.	<p>The DWR levee vegetation management policy described in the Draft Conservation Strategy is life cycle management, consistent with the 2012 CVFPP. As described in Appendix D, Section 2.2.3, "limited natural recruitment" is a concept that was articulated in Appendix D for consideration by DWR Flood Managers and resources agencies, but has not been fully developed or agreed to DWR would mitigate for loss of vegetation and habitat to the extent required by law.</p> <p>The comment contains several incorrect factual assertions and assumptions, and legal conclusions drawn from those incorrect facts.</p> <p>Rather than relying on the Conservation Strategy, mitigation for the VMS was established in the 2012 CVFPP PEIR, specifically in mitigation measures BIO-A-2b (NTMA) and BIO-T-7b. Those measures are unchanged in the 2017 CVFPP SPEIR. With regard to the Conservation Strategy, Mitigation measure BIO-A-2b acknowledges that one of a variety of mechanisms for achieving the mitigation required by the measure could be implementation of the Conservation Strategy, but the mitigation required by the measure is not reliant on that mechanism being used.</p> <p>The Conservation Strategy is also intended to provide net environmental benefits independent of the need to compensate for the impacts of CVFPP actions, including the VMS. The comment also assumes that the vegetation management strategy is just now being "proposed." To the contrary, the vegetation management strategy was adopted as an interim strategy as part of the 2012 CVFPP, and at this juncture, only refinements to the existing VMS are being proposed. Appendix D of the Conservation Strategy describes these refinements and includes the concept of "limited natural recruitment" which may be further explored in the future in conjunction with stakeholders, but would not be implemented at this time. The comment recites some of the history of the development of the VMS, which was in part a response to previous Corps policy generally requiring the removal of all vegetation from all levees. DWR strongly disagreed with the Corps' extreme stance, and crafted the VMS as an approach – reflecting scientific research and risk prioritization -- that balances flood risk reduction system effectiveness with habitat values. DWR and the CVFPB continue to believe that the approach reflected in the VMS best accomplishes this balance. The fact that the 2014 WRRDA requires the Corps to reconsider its current policy does not alter this conclusion. From a CEQA perspective, the 2014 WRRDA does not reflect a material change in circumstances.</p> <p>The 2017 SPEIR has now quantified both the long-term loss of vegetation anticipated to result from the VMS (1300 acres) as well as the anticipated benefit from replacement activities (3500 acres). This supports the conclusion of the 2012 CVFPP PEIR that adequate feasible mitigation is available. Finally, as in 2012 with regard to the former Conservation Framework, the Conservation Strategy is an integral part of the CVFPP. The additional detail of the Conservation Strategy as compared to the Conservation Framework will help ensure its effectiveness.</p>	Discussed vegetation management strategy at 6/23 CVFPB workshop

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				<p>In addition to being supported in the current circumstance, since the 2012 CVFPP PEIR was unchallenged, it is now conclusively presumed adequate in the absence of material project changes, changed circumstances or significant new information, none of which have occurred. Regarding consistency with the 2012 CVFPP Board resolution, please see the CVFPB workshop materials from the 6/10/17 workshop, which largely address this comment.</p> <p>Regarding the ULDC, the document is consistent with and reiterates the VMS contained in the 2012 CVFPP, as it would apply to urban levees.</p>	
Funding Mechanisms	California Farm Bureau Sac River Regions & Flood Association Yuba Sutter Farm Bureau	G_CFB1_07 G_SRRFA1-05 G_YSFB1-03	All of the [funding mechanisms] mechanisms are poorly defined, unvetted and have questions relating to basic fiscal, legal and political feasibility. The funding mechanisms lack the basic details and warrant further collaboration and consideration in order to ensure an implementable funding plan.	DWR and the CVFPB will work together with stakeholders, to further develop and evaluate each new potential funding mechanism. It is the intent of DWR and the CVFPB to convene committees and workgroups, as appropriate, to address implementation details for solutions to each of the 8 policy issues contained in the 2017 CVFPP Update. The three new potential funding mechanisms (Sacramento/San Joaquin Drainage District, State Flood Insurance Program, and State River Basin Assessment) will be explored through a transparent and collaborative committee/workgroup process.	Discussed at 6/9 CVFPB workshop
	Sac River Regions & Flood Association	G_SRRFA1-05	Any consideration of resurrecting the former Sacramento San Joaquin Drainage District) to levee assessments requires a deeper understanding of the existing assessments; specifically how any new regional/valley-wide assessment can be equitably implemented, what the available assessment capacity is given existing local assessments, and how local agency ability to raise local funds needed for future projects may be impacted.		
	Mid and Upper Sacramento River Region	G_MUSR1-27	We would like to further understand how the MUSR Region would be impacted by the proposed State River Basin and SSJDD tax assessments.		
Wise Use of Floodplains	Mid and Upper Sacramento River Region Sac River Regions & Flood Association RD 108	G_MUSR1-02 G_SRRFA1-09 L_RD1081-07	<p>-We suggest adding a discussion about how the CVFPP aligns with, and sets a framework for accommodating and facilitating California's projected population and economic growth within the Sacramento and San Joaquin valleys. We need to advance the discussion of how population growth, land use decision-making, and floodplain management are integrated into the development of State-wide policy, as is addressed in the 2017 Update, and beyond. Add a discussion about how the CVFPP recognizes the State's projected population and economic growth within the Sac/SJ valleys, and how long-term residual risk will be managed. Recommend formation of an advisory committee to help develop this plan, as well as other land use policy initiatives that result from implementation of the CVFPP's recommendations.</p> <p>-The CVFPP 2017 Update proposes land use policies which do not appear to be aligned with California's projected population and economic growth.</p>	<p>Proposed revised text: Page 1-3: "Urban growth and development in areas protected by the SPFC have increased flood risk and have created the need for levels of protection higher than that provided by levees originally intended to protect rural-agricultural areas. This growth is expected to continue over the long-term future as population within the SPFC Planning Area is projected to increase by approximately 70% over the next 50 years. (DWR, 2014)"</p> <p>Page 1-14: "Nevertheless, the risk has increased over time. With future population growth in the Central Valley and a lack of sufficient and sustained investments in the flood system, the risk to life and property will continue to increase."</p> <p>Section 3.2.1: "As <b>population growth</b> and urban development continues in the Central Valley's floodplains, cumulative flood damages and loss of life will likely increase over time. <b>Population growth within the SPFC Planning area is projected to increase by approximately 70% over the next 50 years. Managing the increased flood risk associated with this future growth will require a wide variety of approaches.</b> Structural flood improvements can never fully eliminate the risk of flooding and are costly to construct and maintain over the long-term. An important part of the strategy to reduce flood risk should be to avoid or minimize damages through wise land use and floodplain management policies and investments."</p> <p>Also, 2067 condition flood risk estimates in the CVFPP Update account for future growth and population over the 50-year planning horizon based on California Water Plan projections.</p> <p>See Cost of Inaction comment response below.</p>	Discussed at 6/23 CVFPB workshop

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	Reclamation District 17	L_RD171-03:	To use the CVFPP 2017 update to restrict development which the CVFPP Project levees and Arkansas act of 1850 were intended to promote is inappropriate. The local land use agencies do not plan for much if not all of the development for which Plan seeks to preclude. The Delta Stewardship Plan imposes restrictions which even if not enforceable create a disincentive for development in the area of concern. The effort to obstruct rather than facilitate improvements of the Project levees certainly does not reduce State liability exposure and increases flood risk.	The 2017 CVFPP Update does not direct land use decisions on behalf of the State, which is the jurisdiction of local agencies. The 2017 CVFPP Update does apply the wise use of floodplains in prioritizing State investment in actions that reduce aggregate flood risk, and discourages development in deep, rural floodplains. As stated in the 2012 CVFPP, the SSIA is intended to reduce flood risk in the areas protected by SPFC facilities while discouraging land use changes that promote growth in deep floodplains and increase State flood hazards. The policy is described on Page 3-41.	Discussed at 6/23 CVFPB workshop
	Mid and Upper Sacramento River Region	G_MUSR1-28	The proposed policies regarding land use cause concern: <ul style="list-style-type: none"> <li>- For the Central Valley, 'no growth' within the floodplain is not a realistic policy position; see previous comments regarding central valley population and economic growth projections and forecasts.</li> <li>- The proposed policies contained in the 2017 CVFPP Update do not provide guidance on how to reconcile flood risk management with other economic and social values.</li> <li>- MUSR does not wish to "pursue administrative actions to ensure consistency of State floodplain management policies with federal policies". The Sacramento River RFMPs have in fact convened a taskforce to do the opposite; we are trying to alleviate some of the issues federal floodplain management policies have created for our regions. Federal floodplain management policies (i.e., EO 11988, certain NFIP regulations) are problematic for the Central Valley, particularly when considering that the majority of the central valley is located within an historic floodplain.</li> <li>- See previous comments regarding State policies encouraging and requiring intensification of development levels in existing urban areas.</li> </ul>	<p>-Wise use of floodplains does not stipulate "no growth" within the floodplain, but encourages responsible growth consistent with wise floodplain management. The 2017 CVFPP Update states that urban flood risk reduction investments will be structured to assure that the aggregate economic and life safety risks are hold constant or reduced over time. Past decisions to allow urban development in rural Central Valley floodplains have exposed lives and property to high levels of flood risk, especially in deep or quick-filling basins. If urban development continues in these floodplains, cumulative flood damages and loss of life will likely increase over time.</p> <p>-The recommendation "Pursue administrative actions to ensure consistency with federal floodplain management policies." was deleted.</p>	
SPFC Removal	Mid-San Joaquin RFMP (ESA)	G_MSJRR1-01 G_RP1-05	<p>-Several RD's throughout the San Joaquin and Sacramento Rivers have active plans or requests to remove their levees from the SPFC... Language should be included in the 2017 Update to at least address this issue and provide guidance or a clear path forward for these RDs.</p> <p>-It is not reasonable to expect RDs with insufficient funding to perform required OMRR&amp;R to fund a process to alter or remove their facilities from the SPFC. if it is in the State's interest to remove such facilities from the SPFC, DWR should help develop and implement such a process as a pilot effort and then provide financial support to others that wish to follow suit.</p> <p>-At minimum, the 2017 Update should note the possibility of [OMRR&amp;R costs exceeding facility benefits] and express an intention to identify such facilities and develop and support a pathway for their removal where it is desired by or acceptable to the affected landowners and found to be in the State's interest. This issue should be added to the Flood Management-Related Policy Issues and the document include recommended actions to allow progress to be made on this issue prior to the 2022 CVFPP.</p>	<p>Existing federal and State processes that could be used to remove facilities from the SPFC are described in the SPFC Descriptive Document (2010). DWR acknowledges that modification or removal of SPFC facilities is being pursued within these existing processes at some locations and additional removals are being considered by several reclamation districts, especially in the Mid-San Joaquin Region. The modification or removal of SPFC facilities involves many policy and institutional hurdles and significant coordination across many local, State, and federal agencies. DWR proposes that an implementation committee or working group be chartered to work on this important issue to be considered for the 2022 CVFPP Update. Planning assistance grants may be available to local agencies to plan for SPFC modifications or removal.</p> <p>Ch 2 add bullet to areas of agreement on Perspectives on Coordination with Federal Agencies – Additional guidance is needed for a path forward for LMAs considering removal of facilities from the SPFC, in close coordination with USACE and other affected federal and State agencies.</p> <p>Ch 4, Recommended Actions for Coordination with Federal Agencies. Revise the last bullet, "Work with USACE and LMAs to reevaluate project purposes for SPFC projects, considering <b>facility removal or abandonment</b>, modifications, <b>and/or updates to assurance agreements</b>, O&amp;M manuals, and reservoir operations control manuals to <b>provide different purposes</b> as</p>	Discussed at 6/9 CVFPB Workshop

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				needed.”	
Policies	Sac River Regions & Flood Association	G_SRRFA1-11	Add a chapter focusing on an implementation plan that explains how the policies and programs recommended will be prioritized and executed; Include a chapter in the 2017 Update that focuses on how the policies and programs recommended in the 2017 Update will be prioritized and executed (assuming funding is secured).	It is expected that further development and implementation of the policy recommendations will be a key focus of the 2022 CVFPP. More detailed work plans will be developed for each policy issue immediately following completion of the 2017 CVFPP Update. Stakeholder involvement will be a key part of development of these policy issue work plans.	Recommend discussion at 7/14 CVFPB Workshop
Consequences of Inaction	Sac River Regions & Flood Association	G_SRRFA1-08	Prior to adoption of the 2017 Update, DWR should add a section that clearly emphasizes and summarizes the consequences of inaction to reinforce the importance of the 2017 Update. Describe the consequences and potential State liability associated with an “inaction/no-action” approach.	<p>The following text is proposed to be added to Section 1.1:  “More than 1 million people live or work in the Central Valley floodplains, which also hosts some of the most productive agricultural land in the nation. In some Central Valley regions, flood risk has been significantly reduced. However, in many parts of the Central Valley, people, property and sensitive ecosystems are still at unacceptably high risk from catastrophic flooding. Future floods are expected to cause more damage due to sea-level rise, climate change, subsidence, and future population growth and development within floodplains. Over time, these future drivers threaten to erode the reductions in flood risk achieved to date. Although significant progress has been made, much remains to be done.</p> <p>The costs of inaction if a major flood disaster were to occur would include loss of life, lost jobs, ruined infrastructure, including highways, businesses, hospitals, as well as homes, and closed businesses that would impact all Californians. Regional agriculture-based economies would be devastated, causing serious impacts to the State economy and disrupting national and international food supplies. When flooding occurs, businesses, homes, schools, and other important structures must be vacated for proper rehabilitation, causing significant economic impact on families and communities. Communities and livelihoods would further suffer the long-term impacts of plummeting home values, higher flood insurance, and the huge costs of rebuilding. Sustainably investing in flood management now will be a small fraction of the cost of recovering from a major flood disaster later.”</p> <p>Page 3-35 highlights the life loss estimates from the 2017 Without Project Scenario and 2067 Without Project Scenario. The figure highlights that without continued investment in the SPFC, climate change, sea-level rise, and population and land use changes over the next 50 years threaten to increase flood risk over the long-term future.</p> <p>A “Decreased Investment in Central Valley Flood Management” funding scenario was studied in the CVFPP Investment Strategy. It assumed that current funding levels would be frozen and the absence of any new GO bonds would result in only 10% of total capital needs being addressed. Rural and small community areas would be hardest hit by this reduction in State investment.</p>	Recommend discussion at 7/14 CVFPB Workshop
Climate Change	Sac River Regions & Flood Association	G_SRRFA1-06	<p>The climate change findings can support the development of State policy and system scale planning; however, they are not appropriate to consider as part of project design and implementation.</p> <ol style="list-style-type: none"> <li>1. Engage the Regions to actively participate in the State-sponsored Climate Change Task Force to continue the development of projections that inform how climate change may change hydrology.</li> <li>2. Engage the Regions in the preparation of the climate change vulnerability assessment that will inform how the</li> </ol>	The 2017 CVFPP Update climate change analysis was used for system-scale planning and development of State policy. It was not used to make investment-level decisions, project design, and implementation. While the 2017 CVFPP Update refines the overall near and long-term investment needs established in the 2017 CVFPP, it is not a decision document. Giving the current state of climate change science and its uncertainties, application of the climate change projections for design purposes would not be appropriate at this time. A detailed account of the climate change analyses and summary of the findings is presented in the supporting document "2017 CVFPP Update – Climate Change Analysis Technical Memorandum". This document is available on DWR’s website ( <a href="http://www.water.ca.gov/cvfmp/2017-cvfpp-docs.cfm">http://www.water.ca.gov/cvfmp/2017-cvfpp-docs.cfm</a> ).	Recommend discussion at 7/14 CVFPB Workshop.

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			physical extent of the SPFC floodplains may change.	<p>The document also recommends further study:</p> <ul style="list-style-type: none"> <li>- Addressing uncertainty by evaluating a broader set of future climate scenarios, or sensitivity analyses.</li> <li>- Additional study to gain insight about reservoir climate vulnerability and potential adaptation needs.</li> </ul> <p>The State welcomes RFMP participation in the State-sponsored Climate Change Task Force and stakeholder input into the climate change vulnerability assessment.</p>	