

Central Valley Flood Protection Board Meeting

INFORMATIONAL BRIEFING

Inspection Compliance Work Group

(Ruth Darling, Program Manager, Board Staff)

BRIEFING SUMMARY

Description of Presentation

Board staff Ruth Darling will provide a presentation describing the Inspection Compliance Work Group. The Inspection Compliance Work Group is a Board and Department of Water Resources led work group intended to provide a venue for interagency experts to collaborate and develop a path forward for local maintaining agencies (LMA) to meet federal and state levee maintenance standards.

The work group is comprised of representatives from the Board, Department of Water Resources, U.S. Army Corps of Engineers, LMA representatives, and local and regional representatives from the Regional Flood Management Planning regions. The presentation will cover the brief history of the work group, Inspection Compliance Work Group Charter, and focus areas developed by the work group.



Draft Inspections Compliance Work Group Charter

Date: February, 2019
Project Name: Inspections Work Group
Project Manager: Ruth Darling – CVFPB
Work Group Meetings: TBD (Monthly)

Work Group Vision

This Work Group will provide venues for interagency experts to collaborate and develop a path forward for local maintaining agencies (LMAs) to meet federal and state levee maintenance standards. One of the primary goals of implementation of the 2017 Central Valley Flood Protection Plan (CVFPP) Update is for LMAs to substantially improve operation and maintenance (O&M) practices to reach compliance with all requirements of applicable federal regulations, ensuring eligibility for the federal Public Law 84-99 Rehabilitation Program. Compliance with USACE Standard O&M manuals allows the state's infrastructure, and its citizens and property to receive the highest level of protection during a flood event. This Work Group will utilize the Inspection Reports generated by USACE and the Department of Water Resources (Department) as a starting point to establish the highest priority items to address the deficiencies causing non-compliance with the federal and state levee maintenance standards. The Work Group will recognize past work completed toward this supporting goal of the 2017 CVFPP Update, acknowledge new information and opinions, and will inform the selection and execution of priority efforts moving forward.

1.1 Introduction

The Central Valley Flood Protection Board (Board), in coordination with its stakeholders, developed and the Board adopted Resolution No. 2018-06, for Acceptable Operation and Maintenance of the State Plan of Flood Control. The Resolution was adopted as confirmation of the State's standards for operation, maintenance, repair, replacement, and rehabilitation (OMRR&R) for State Plan of Flood Control (SPFC) Facilities. USACE requires that all SPFC facilities be operated and maintained in accordance with the Code of Federal Regulations, Title 33, Section 208.10 (CFR 208.10), and with federal O&M manuals. USACE requires levee systems pass inspections with acceptable or minimally acceptable ratings to be eligible for the federal Public Law 84-99 Rehabilitation Program. Alternatively, levee systems with unacceptable ratings may develop a system wide improvement framework (Memorandum, HQ USACE (CECW-HS), 9 Jan 2009, subject: Temporary extension of P.L. 84-99 Rehabilitation Eligibility for Non-Federal Sponsors Implementing System-wide Improvements) to regain or retain eligibility. The CVFPB periodically receive inspection reports from USACE and LMAs receive semi-annual inspection reports from the Department. These reports document State and LMA efforts in performing their legal and statutory responsibilities pursuant to the federal requirements mentioned above and state requirements (Water Code § 12642 and § 12657).

1.2 Work Group Purpose

Using the OMRR&R Resolution as guidance, the Work Group will identify and develop efficient and effective methods for LMAs to be eligible for the PL 84-99 Rehabilitation Program, as well as improve their Department inspection ratings.

The Board and its stakeholders recognize that meeting federal and state O&M requirements pose many challenges for the State and LMAs. Deficiencies in the O&M practices are detailed in the inspection reports. The purpose of the Work Group is to use the Inspection Reports generated by USACE and the Department as a starting point to identify systemic issues to address that cause non-compliance with the federal and state levee maintenance standards. The Work Group will explore the barriers of implementing the high priority maintenance activities.

The primary audience for the Work Group charter, and the products and information developed by the Work Group, includes the Board, DWR, USACE, LMAs, Local Funding Committee, and Coordinating Committee.

1.3 Process and Outcomes

The Work Group will meet monthly and will be facilitated by the facilitation consultant. These meetings are intended to provide a collaborative space for open-dialogue and a problem-solving approach to prioritizing deficiencies in O&M as presented in the inspection reports. Meetings will be well-organized and facilitated as necessary to keep the Work Group on task. However, where meaningful conversations stray away from the agenda, the facilitator will allow adequate time to finish the subject. The facilitator may also table additional agenda items to later meetings in order to accommodate productive conversations.

Experts within the field are encouraged to participate, however, all those who are interested in contributing to the Work Group are welcome. This group will strive to determine the most effective path forward for LMAs to implement activities that resolve their deficiencies, although this is an advisory rather than a final decision-making group. The Work Group will use a consensus-seeking approach and work diligently to find common ground on issues.

The Work Group will consider the near-term milestone and recommendations included in the 2017 CVFPP Update and the OMRR&R Resolution, along with other identified recommendations and information needs - either through prior efforts or from the Work Group itself - and advise regarding priorities for the Work Group.

The first effort of the Work Group will be to develop a work plan with clearly identified tasks and goals, complete with expected deliverables. Following completion of the work plan, the Work Group will begin its implementation. Progress reports of the Work Group will be provided to the Coordinating Committee.



1.4 Work Group Meeting Protocols

The following are the protocols and ground rules for the Work Group meetings. The intent is to foster a collaborative group dynamic.

1.4.1 Protocols

- Members will act in good faith in all aspects of this process and will strive to accurately and succinctly communicate their needs, interests, and priorities on behalf of their agency or organization.
- Members will make commitments that they are able to keep.
- Members will make a concerted effort to provide requested information to other members.
- Meeting notes will be prepared with a focus on key points, ideas, and action items rather than as transcripts. Unless very specific to understanding the content, references will generally be made to the content rather than the members.
- Members will have the opportunity to review and provide input on draft documents before they are shared with a broader audience, and these draft documents may include concepts or ideas that are not fully developed. Members will be asked to not share these draft documents beyond the work group unless doing so is explicitly discussed and agreed upon by the collective Work Group.

1.4.2 Meeting Ground Rules

- Please do your part to keep these meetings professional and productive.

1.5 Work Group Participants

For this Work Group to be successful, members of the following are highly encouraged to participate; Board staff, DWR staff, USACE staff, and other regulatory representatives (if needed), LMA representatives or their consultants, local/regional experts, including a representative from each Regional Flood Management Planning region; and consultant staff. As the topics considered by the group will vary, it is anticipated that additional technical staff will be invited to provide topic-specific subject matter expertise.