**California Central Valley Flood Protection Board**

**Draft Strategic Plan**

**2013-2017**

**INTRODUCTION:**

1. **Overview**

The Central Valley Flood Protection Board, in its regulatory role, has spent the past ten decades serving as the liaison between the State of California, its residents, property owners, Central Valley agencies, and the United States government, having as its goal to provide the highest level of flood protection possible, while also considering environmental and habitat concerns.

The Flood Protection Board is governed by seven Governor-appointed and Senate-confirmed members, plus two non-voting ex-officio members from the California Legislature. The monthly public Board meetings provide an open forum where all interests may express their views regarding flood management, and where permits, Board-sponsored projects, and other actions are reviewed and approved.

**2. History**

In 1911 the Legislature created the California State Reclamation Board. The Reclamation Board was given regulatory authority over the Sacramento Valley's local levee maintaining agencies, with the objectives of (1) assuring a logical, integrated system for controlling flooding along the Sacramento and San Joaquin Rivers and their tributaries in cooperation with the U.S. Army Corps of Engineers, (2) cooperating with various agencies in planning, constructing, operating, and maintaining flood control works, and (3) maintaining the integrity of the flood control system. In I913 the Reclamation Board was given regulatory authority over the San Joaquin Valley's local levee maintaining agencies.

In 2007 the Legislature restructured the Reclamation Board and renamed it the "Central Valley Flood Protection Board." The sweeping 2007 flood legislation provided new authorities to the Flood Protection Board and reiterated the importance of its encroachment enforcement powers for flood control. The 2007 flood legislation also gave the Board the responsibility to review and adopt the historic 2012 Central Valley Flood Protection Plan and required all cities and counties within the jurisdiction of the Sacramento and San Joaquin Drainage District to provide a copy of their updated general plans to the Board for review and comment.

The Flood Protection Board has jurisdictional authority throughout the drainage basin of the Central Valley and for the 1.7 million acres within 14 counties that make up the Sacramento and San Joaquin Drainage District. Under California law, no modification to the federal/State flood control system, encroachment, or project may be constructed on or near the Sacramento and San Joaquin Rivers or their tributaries until plans have been reviewed and the projects have been approved or issued a permit by the governing Board. The Flood Protection Board and its staff make sure that there are no negative hydraulic, geotechnical, or other structural impacts associated with the approved alterations, encroachments, or projects.

The Flood Protection Board works in close partnership with local agencies, the Department of Water Resources (DWR) and the U.S. Army Corps of Engineers (USACE) to reduce the risk of catastrophic flooding in California’s Central Valley. The USACE has been the primary source of funding for flood improvement projects, but in recent years the State and many local government agencies have stepped forward to provide funding for projects as well. In its agreements with the USACE, the Flood Protection Board fulfills the State’s cost-sharing responsibilities to the federal government by providing lands, easements, rights-of-way, relocations, and cash payments for USACE constructed or cost-shared flood control projects. When a project is completed, the Flood Protection Board accepts responsibility for the project and transfers it to the local agency to operate and maintain.

In carrying out its programs, with flood protection as its priority, the Flood Protection Board also gives serious consideration, and meets all legal requirements, regarding environmental impacts and habitat concerns of its actions, and, whenever possible, supports projects with multi-benefit objectives. The Flood Protection Board works closely with the California Department of Fish and Wildlife, U.S. Fish and Wildlife Service, and National Marine Fisheries Service to consider the impacts of flood control works on the environment, and leases about 6,800 acres of its land for habitat enhancement.

Recently, to carry out its authority and in response to the USACE’s more rigorous inspection program, the Flood Protection Board sharpened its focus on removing unauthorized and non-compliant encroachments. The USACE has declared substantial portions of flood control projects in the Central Valley ineligible for continued participation in the federal Public Law 84-99 Levee Rehabilitation Program, which provides federal funds for levee repairs following flood events.

1. **Goals of the Planning Process**

The Flood Protection Board undertook a strategic planning process in 2013. The purpose was to rethink and refresh the mission and goals of the Flood Protection Board, develop specific objectives and strategies, and define specific measures of success through which the Board could hold itself and the staff of the Flood Protection Board accountable. The seven-member governing Board approved the resulting strategic plan in xxx 2013.

1. **Major Trends and Planning Factors**

One of the initial steps taken in the strategic planning process was to assess the significant trends affecting the work of the Flood Protection Board:

* Population trends: An increasing numbers of homes and businesses are located in deep flood prone areas.
* Environmental trends: Precipitation patterns in the Sierra are changing significantly, with lower percentages of precipitation retained in the snowpack compared to historical norms.
* Infrastructure trends: With increased understanding of how to design and build effective flood containment systems, the costs of new projects are increasing. At the same time, much of the existing flood protection infrastructure in the State is aging.
* Legal trends: The state of California was held liable for damages to private property resulting from floods in 1986 (Paterno decision). Damages from flooding in February 1986, January 1997, and January 1999 were the highest on record, shedding light on the susceptibility of communities in the Central Valley to major flood events. To address this situation, in the latter part of 2007 the California Legislature passed and the Governor signed five interrelated bills aimed at addressing the problems of flood protection and liability, and helping to direct use of the bond funds. These included Senate Bills (SB) 5 and 17, and Assembly Bills (AB) 5, 70, and 156. A sixth bill passed in 2007, AB 162, requires additional consideration of flood risk in local land use planning throughout California. Together, these bills outline a comprehensive approach to improving flood management at the State and local levels.
* Financial trends: The devastation and loss of life resulting from Hurricane Katrina in 2005 further raised public awareness of catastrophic storm events throughout the nation. In response, California voters passed the Disaster Preparedness and Flood Prevention Bond Act (Proposition 1E) and the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act (Proposition 84) in November 2006, authorizing the sale of nearly $5 billion in State bonds for flood management improvements throughout the state with $4.275 billion of this amount specifically earmarked for the repair and improvements to State and Federal flood projects within the Central Valley.

Since the passage of propositions 1E and 84, billions of dollars have been available to fund flood control projects in California. Those funds will run out in 2015. Funding from the federal government is drying up. There are political divisions across the State in terms of support for new flood protection funding. Flood control projects will increasingly be paid for by local government – and contingent on local voter-driven funding decisions.

**CENTRAL VALLEY FLOOD PROTECTION BOARD**

**MISSION: To reduce the risk of catastrophic flooding to people and property within the California Central Valley.**

We achieve our mission through:

* Implementing the State’s vision for managing flood risk as articulated in the Central Valley Flood Protection Plan.
* Providing oversight of existing flood risk reduction facilities.
* Evaluating and approving new flood protection facilities.
* Being consistent, timely and effective in fulfilling our permitting and enforcement authorities.
* Providing a forum for public participation and inter-agency coordination between federal, state, and local agencies and stakeholders.
* Taking an integrated approach to flood protection that achieves an appropriate balance of public safety, system repair, and environmental stewardship.

**Goal 1: Preserve the integrity and function of flood protection systems in the Central Valley.**

Objective 1.1: Assure judicious and timely permitting.

Strategies:

* + 1. Develop processes and templates to help assure expedited approval of projects.
		2. Implement a separate permitting track for flood system improvement projects.
		3. Establish authority to charge filing fees for permits.

Objective1.2: Expand enforcement capacity and authority.

Strategies:

* + 1. Create comprehensive database that includes a detailed inventory of encroachments, including non-permitted and out-of-compliance encroachments.
		2. Quantify, delineate, categorize, and prioritize encroachments and the need for enforcement actions.
		3. Develop efficient and effective sources of real property data.
		4. Obtain additional enforcement authority through legislation and update regulations accordingly.
		5. Establish authority to issue administrative fines without going to court.

Objective 1.3: Work with Levee Maintaining Authorities (LMAs) to assure effective levee maintenance and improvement.

Strategies:

* + 1. Work with LMAs to concentrate resources on high-risk areas.
		2. Develop program to hold LMAs accountable for meeting their operation and maintenance objectives.
		3. Create structure to delegate authority to LMAs to initiate enforcement actions.

**Goal 2: Oversee the implementation of the Central Valley Flood Protection Plan.**

Objective 2.1: Work with local, regional, state and federal agencies to help assure CVFPP milestones are met.

Strategies:

* + 1. Assure “shovel-ready” projects move forward to implementation.
		2. Monitor plan implementation benchmarks and communicate to the public.
		3. Work with DWR to communicate technical data and tools to public and agencies.
		4. Work with DWR and Corps to resolve vegetation issue.

Objective 2.2: Facilitate process for concurrent development and integration of regional plans, basin plans, and conservation strategy in cooperation with local agencies and DWR.

Strategies:

* + 1. Utilize the coordinating committee to facilitate effective communication and coordination.
		2. Convene partnering agencies to provide regular updates to the Flood Protection Board.
		3. Ensure regional plans meet timetable of 2017.

**Goal 3: Provide leadership in optimizing flood protection planning, management and operations.**

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).

Strategies:

* + 1. Provide a forum for redefining the future roles and responsibilities of federal, state and local flood protection agencies.
		2. Assure the Flood Protection Board is engaged early on in the planning activities of DWR, the Corps, and other relevant agencies.
		3. Examine the State’s internal planning and operating processes and recommend potential changes.

Objective 3.2: Assure high levels of performance by our organization.

Strategies:

* + 1. Analyze staffing needs and recommend changes.
		2. Examine Board committee structure and recommend changes.

**Goal 4: Develop broad public support for new flood risk reduction projects.**

Objective 4.1: Partner with DWR, the Corps, and local and regional agencies to build public support for new flood risk reduction projects and programs.

Strategies:

* + 1. Partner with DWR, the Corps, and local and regional agencies to build support for additional measures and funding to protect public safety in deep flood prone areas.
		2. Build support for better floodplain management.
		3. Energize designated floodway programs.