

CENTRAL VALLEY FLOOD PROTECTION BOARD

EXECUTIVE OFFICER'S REPORT

June 23, 2023



FLOOD PLANNING AND PROGRAMS BRANCH

Status Report and Work Activities

2022 CVFPP Update

Activities related to implementation of the CVFPP.

1. Sacramento San-Joaquin Drainage District (SSJDD) Assessment District Feasibility Study

The SSJDD Feasibility Study continues to advance toward a draft Report of Findings (ROF), scheduled to be released in July for Board staff review, followed by stakeholder review. The following summary provides a status update on the feasibility study's preliminary findings, opportunities, and recommendations prior to release of the draft ROF.

Finding: An SSJDD assessment requires landowner approval

- Current authority requires 2/3 majority vote. The recommendation is to seek legislative change to majority vote, matching Proposition 218 requirements. Therefore, any SSJDD assessment would be voluntary and could not be imposed by the Board. As a result, an SSJDD assessment should be viewed as local funding and not an additional state funding source.

Opportunities:

- An SSJDD assessment is a feasible solution for raising the local cost share of capital improvements in areas without a local flood control district to administer a Proposition 218 assessment, such as State Maintenance Areas which lack the authority to collect reserves or finance improvements with long-term bonds.
- An SSJDD assessment for regional facilities (e.g., bypass improvements and O&M) to spread the costs to all beneficiaries located beyond the Local Maintaining Areas (LMAs) boundaries is technically feasible but requires political willpower to take to a landowner vote. This likely requires a capital improvement to support a companion O&M assessment.
- The typical cost to implement a Proposition 218 proceeding and subsequent bond issuance to raise the local cost share for capital improvements places a significant burden on small communities. Through an SSJDD assessment the Board could absorb these front-end costs and be repaid through the annual assessment collections. This approach could also provide additional cost efficiency by rolling multiple small communities into a single

assessment.

- Potential to form an overarching assessment district throughout the central valley to support non-structural improvements by financing the non-federal match toward FEMA grant programs that typically require a 25% non-federal cost share from the landowner. Public funds are typically restricted from use toward private property improvements. A valley-wide program could potentially leverage the State's bonding capacity to provide loans to private landowners for the non-federal match with the landowner paying back the loan through their property taxes, like the Property Assessed Clean Energy (PACE) program for financing energy efficiency improvements.

Forthcoming Recommendations:

- Continue outreach to LMAs and local stakeholders to identify specific financial hurdles.
- Continue investigation of need and, if appropriate, develop plan to implement a valley-wide funding program for non-structural improvements.
- Develop draft legislation to facilitate modification to landowner approval requirements to be similar to local Proposition 218 assessments.

2. Regional Flood Management Program (RFMP)

- Department of Water Resources, Division of Flood management provided an update on the RFMP contracts at the May 24th Coordinating Committee meeting. All 6 RFMP agreements have been executed effective 4/1/2023.

3. Yolo Bypass Federal Comprehensive Study

- The United States Army Corps of Engineers (USACE) Comprehensive Study has been funded. Coordination with Sacramento Area Flood Control Agency (SAFCA) and DWR is underway to gain Non-federal sponsor alignment prior to signing of the cost sharing agreement. The Board, SAFCA and USACE will sign the Feasibility Cost Share Agreement (FCSA) and the Board and SAFCA will sign the Local Feasibility Cost Share Agreement (LFCSA). Coordination meetings between the Board, SAFCA and DWR occur bimonthly. An Information Briefing will be provided to the Board on the YBCS Comprehensive Study at the June Board Meeting.

4. Yolo Bypass Cache Slough (YBCS) Partnership (Partnership)

- The FPPB staff works closely with DWR and program partners to coordinate on the YBCS Partnership. The Partnership is currently advancing the YBCS Master Plan and supporting efforts including a Programmatic 408 approval and the activities listed below:

Partnership Organizing Committee, Governance and Strategic Planning

- Due to lack of resources from many partner agencies and redirection for the Federal Comprehensive Study and other priorities, Board staff are now leading the Organizing Committee and Strategic Planning Work Group (Co-lead). FPPB staff

continue to lead the Communication & Engagement Work Group in addition to several Ad Hoc Workgroups. This includes managing the Partnership Forum/Public engagements and an annual Executive Meeting.

- The Partnership Organizing Committee consists of members from agency partners and consultants that meet quarterly to provide leadership for Partnership activities and objectives. In addition, the Strategic Planning workgroup is developing an Implementation Plan to identify actions needed to advance the Partnership priorities and identify gaps not likely addressed through the Master Plan and YB Comprehensive Study. A Governance Framework draft is being finalized and will describe the organizational structure and processes through which member agencies will interact and engage as part of the Partnership looking forward.

FPPB Staff - Partnership Workgroup Efforts

| YBCS Workgroups - FPPB Role | Lead | Support |
|--|------|---------|
| Agricultural Sustainability/Recreation | X | |
| CEQA/NEPA | X | |
| Communication and Engagement | X | |
| Cultural Resources | X | |
| Ecosystem Baseline & Accounting (EBAS) | X | |
| Environmental Permitting | X | |
| Organizing Committee | X | |
| Programmatic 408 | X | |
| Strategic Planning Co-Lead | X | |
| Water Quality | X | |
| H&H Workgroup | | X |
| Master Plan | | X |
| OMRRR | | X |
| Water Infrastructure Assurances | | X |
| Projects Workgroup | | X |

Master Plan

- The Master Plan workgroup is continuing to draft the Master Plan for an anticipated administrative draft by Fall 2023. Staff attends weekly meetings to further develop Master Plan content including project descriptions and deliverables needed from other workgroups.

Hydrology and Hydraulics (H&H)

- The H&H analyses and assessments support both the YBCS Programmatic 408 request and Master Plan. Consultants have completed hydraulic modeling runs and review for quality assurance/quality control (QA/QC) to confirm model robustness/accuracy for all Programmatic 408 Scenarios. Documentation is in progress. The Programmatic 408 H&H Scenarios include:

- Baseline Conditions
- Existing Conditions
- Scenario 1 (the first grouping of proposed projects)
- Scenario 2 (the second grouping of projects)
- Scenario 3 (the third grouping of projects)
- Scenario 4 (Scenario 3 with a smaller Fremont Weir Expansion and smaller Upper Elkhorn Basin Levee Setback)
- Scenario 5 (Scenario 3 without the Conaway Ranch Levee Setback Project)
- Scenario 6 (Scenario 4 without the Conaway Ranch Levee Setback Project)

In August 2022, staff sent the Hydraulic Baseline Package Submittal for the Programmatic 408 to USACE for review. Consultants have completed a draft Master Plan H&H workplan and scenario matrix that builds upon the Programmatic 408 workplan and includes two additional scenarios with new sets of projects, climate change hydrology, and sea-level rise. The Master Plan H&H analysis has begun. Scenarios 1 and 2 simulations have been completed and are undergoing QC.

CEQA/NEPA

- The CEQA/NEPA workgroup will focus on further developing the Program EIR's Program Description and collaborating with other work groups for data requests and information sharing.

Cultural

- The cultural workgroup continues to support consultation efforts, as well as technical analyses and planning efforts to consider and include Tribal values and interests. To expand engagement in the Partnership, the Cultural workgroup developed opportunities for Tribal engagement beyond regulatory AB52. Considerations for joining workgroups was presented to the Steering Committee in February. Board staff are actively coordinating with consulting Tribes to share and discuss these suggestions.

Permitting

- For the Clean Water Act 408 Programmatic Permission and 404 programmatic permits, staff are meeting with USACE and collaborating with DWR to identify and gather required information and data to support the permit applications.
 - OMRR&R: Staff are working closely with DWR on efforts to identify and describe potential OMRR&R activities related to the Master Plan project descriptions. Staff are working closely with DWR to further conversations with Local Maintaining Agencies and State maintainers.
 - Ecosystem Baseline/Accounting: Staff will continue to work with DWR and consultants to develop ecosystem baseline and analysis information to support

the Programmatic 408 and Master Plan.

Communication and Engagement

- The Communications and Engagement workgroup (C&E) continues to focus on internal engagement between workgroups to guide coordination and interdependencies. An All Workgroups (AWGs) Meeting on June 20, 2023, for approximately 150 invitees focused on the H&H analysis and modeling for the Master Plan. Worksheets are available for all workgroups to highlight current activities and deliverables. Board staff continues to support the C&E workgroup including tracking engagement data, supporting workgroup coordination, developing publication protocols to support the new Governance Framework, managing the Listserv with 1066 subscribers and the website: www.ybcspartnership.org. Upcoming external engagement activities in the planning stages: Participating in local engagement meetings and site visits in the YBCS footprint; Creating a plan for workgroup outreach efforts including Tribes, LMAs, RDs, & Project Proponents. Preparing for upcoming events including a Panel at the Floodplain Management Association Conference in September. Staff will be traveling to Los Angeles to attend this conference. FPPB Staff are drafting a Communication and Engagement Plan as a key appendix to the Master Plan.