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CALENDAR ALERTS

June 30 – FMA Webinar [Symposium](#) on Rain-on-Snow, Atmospheric Rivers, and Floods

July 8 – USACE public mtg. on [Levee Safety](#) Engineering Circular, 2:00-3:30 pm

July 10 – Deadline to comment on [NOP](#) for Delta Plan Chap. 4 Ecosystem Amendments

July 27 – Deadline to [comment](#) on USACE Levee Safety Program policies Sacramento

FEATURED ASSOCIATE MEMBER



KEEPING UP

***Check [CCVFCA Website for](#) more information on topics in Flood Flash*

Final Phase of Levee Project Underway

The Three Rivers Levee Improvement Authority announced construction will begin on 2.5 miles of levee section that will connect the [Goldfields levee](#) to the Upper Yuba River levee that was completed in 2012. Once completed, the communities of Linda, Olivehurst, Arboga, and Plumas Lake will have the [200-year level of flood protection](#) required for urban areas with populations greater than 10,000 residents. These levee improvements have been jointly funded with the Department of Water Resources.

Flood Board Considers New Property Assessment

At its April 24th meeting, the Central Valley Flood Protection Board received a [briefing](#) from consultants on the process to develop a feasibility study to evaluate the potential of re-instating a dormant property tax authorized in existing law for the Sacramento San Joaquin Drainage District (SSJDD). The board held a virtual [workshop](#) on May 8th to provide an update on the [development](#) of the [feasibility study](#). The consultant team has been conducting small-group meetings to receive stakeholder input on the scope of services that should be analyzed. Before embarking on public outreach, the consultants defined the following as feasibility requirements: 1) stakeholder buy-in; 2) supplement existing state and local agency funding; 3) affordable for landowners; 4) sufficient return-on-investment; 5) politically viable/legally possible; and 6) defined path for implementation. At the workshop, the consultants acknowledged that the final report may conclude that reviving the SSJDD assessment may not be feasible.

After a quick overview of the evaluation process at the beginning of the workshop, the Board then spent two hours [discussing](#) a long [list of potential services](#) that could be funded with the new assessment. This exercise was frustrating because it was a waste of time discussing services that are too costly for the annual amount anticipated to be collected, or that overlap with services already provided by LMA property assessments, or are already the fiscal responsibility of the state and should therefore

be funded with water bond or General Fund appropriations rather than more landowner assessments. In other words, many of these services were infeasible. The CVFPB will need to narrow the scope of what should be analyzed as the study progresses.

In an effort to help guide the scope of issues that should be evaluated in the next phase of the process, the CCVFCA board appointed an ad-hoc committee to work with the Association's legal and engineering consultants to develop written input to provide the flood board. The flood board's feasibility study process will continue into next year.

Public Review Extended on USACE Levee Safety Policy

The U.S. Army Corps of Engineers has developed [new guidance](#) on the [Levee Safety Program](#) and extended the public comment period until July 27, 2020. The Corps is specifically requesting input on the clarity of: 1) the Engineer Circular; 2) roles and responsibilities related to the Program; 3) and the Program objectives and requirements. The EC is very technical and therefore not necessarily understandable to a layperson. Therefore, the Association is working with MBK Engineers to develop written comments. One issue of concern is the USACE will no longer assign inspection ratings, which could be problematic since eligibility for PL 84-99 repairs program is based on levee rating. Public [presentations](#) by the USACE are planned nationwide, with a Sacramento webinar scheduled for July 8, 2020 from 2:00-3:30 pm (call-in details to be released soon).

New WOTUS Rules are Legally Challenged

The Trump Administration published new rules on April 21, 2020 defining Waters of the United States (WOTUS) that replace changes to the Navigable Waters Protection Rules adopted during the Obama Administration. The recently revised rules are scheduled to become effective on June 22, 2020. However, two separate [lawsuits](#) were filed at the end of April by coalitions representing 22 environmental groups, both claiming violations of the Administrative Procedures Act and raising concerns related to the Clean Water Act. The State of California joined in a multi-state coalition to file a motion a couple of days later, requesting a [preliminary injunction](#) to prevent implementation until the court renders a decision on pending lawsuits. With the fate of the new rules in the hands of the courts, it remains to be seen whether they will ever take effect.

LEGISLATIVE LATEST

***Check [CCVFCA Website for](#) more information on topics in Flood Flash*

State Legislature Reconvenes with New COVID-19 Rules

After an extended spring break, the State Assembly returned to work on Monday, May 4. About 300 bills were referred to policy committees by the Assembly Rules Committee last week; but most are not yet in print. To comply with guidelines on social distancing, committee hearings will be held on the Assembly Floor and advocates are being asked to communicate electronically as much as possible. The manner in which hearings will be conducted is unknown, but insiders anticipate a limit on those allowed to testify in person. The Senate returned to Sacramento on Monday, May 11.

State Budget Outlook is Bleak

In just a few months, the state's fiscal situation has shifted from a projected multi-billion budget surplus, to a \$54 billion [deficit](#) due to the economic blow from the shutdown during an effort to stop the spread of the coronavirus. This amount is about 37% of the state's entire annual general fund. A [report](#) by the Legislative Analyst Office (LAO) outlines the severe negative economic consequences resulting from the state's response to the COVID-19 health crisis; predicting the deep recession we find ourselves in, will last for years. This dire fiscal outlook will require extensive programmatic reductions, including those described in a [document](#) providing an overview of May Revise proposals on Resources and Transportation Programs. In the release of his budget [May Revise](#), Governor Newsom acknowledged the economic downturn resulting from the global health crisis will require reduced spending, drawing down reserves, borrowing from special funds, and financial assistance from the federal government. On the bright side, he expressed commitment to prioritizing the state's limited fiscal resources on emergency preparedness and responding to natural disasters such as droughts and floods. The State Legislature has until June 15 to pass a balanced spending plan.

Climate Bond Provides Insufficient Funding for Flood Protection

[AB 3256](#) (Garcia), proposes a \$6.9 billion State General Obligation Bond for climate resiliency programs and projects. Although the bond measure mentions flood protection in various sections, it only provides \$150 million specifically for flood management projects and only if they also improve wildlife habitat. Of this amount, \$50 million is required to be spent on flood projects in urban coastal watersheds. Due to the bleak state budget situation, insiders expect passage of a climate resiliency bond to be postponed until 2022 when an economic recovery will hopefully be underway. This delay will allow time for the Association to work with the Central Valley Flood Protection Board, DWR, and the Legislature on amendments to the climate bond that focus on funding levee projects to reduce flood risk in the Central Valley and Delta that are consistent with the Central Valley Flood Protection Plan.

DELTA DOWNLOAD

****Check [CCVFCA Website](#) for more information on topics in Flood Flash**

Flood Board Approves Early 408 Review for Two Large Delta Projects

At the request of the Department of Water Resources, the Central Valley Flood Protection Board scheduled approval of a Statement of No Objection letter for the Delta Conveyance Project on its March consent calendar. Approval of this letter would initiate early 408 review by the U.S. Army Corps of Engineers on the export tunnel project. Early coordination with the USACE on large, complex, and significant alterations to the SPFC is preferable to ensure alterations of the federally authorized Civil Works are not injurious to the public interest or impair the usefulness of the USACE project. However, many Delta stakeholders, including [CCVFCA](#), raised concerns that it was too early to start review of a project still at a 10% conceptual level of design after 14 years of planning and without an EIR available for public review because the comment period on the Notice of Preparation just ended on April 17th. The flood board ended up pulling the item from consent and after public discussion decided to delay action until a later date. CCVFCA and other stakeholders submitted [additional letters](#) when the flood board scheduled the matter for reconsideration at its May meeting. After first receiving presentations related to questions raised in stakeholder letters, the board approved a new draft of a Statement of No Objection letter.

At its May meeting, the flood board also approved a Statement of No Objection letter for another Delta project: the Yolo Bypass Salmonid Habitat Restoration Project. This project proposes to notch the Fremont Weir and installation of an operable diversion gate to allow more frequent inundation of the Yolo Bypass to generate food production for juvenile salmon according to an [informational presentation](#) provided at its April meeting. The flood board refers to it as the “Big Notch” project. However, there was a big difference between these two projects. Unlike the DCP, the Big Notch already had certified EIR and EIS and was at a 35% design level. This project is one of many projects being pursued by DWR to comply with habitat restoration requirements in federal Biological Opinions necessary to continue export pumping by CVP and SWP water conveyance facilities.

Notice of Appeal Filed for Lower Yolo Ranch

The Westland Water District filed a certification of consistency for the Lower Yolo Ranch Restoration Project on April 7, 2020. The Solano County Water Agency [filed an appeal](#) on May 8, 2020, [challenging the consistency](#) of this project with the Delta Plan. A hearing by the Delta Stewardship Council is scheduled for July 6, 2020.

Delta Plan Amendments on Ecosystem Chapter Initiated

The Delta Stewardship Council [released](#) a [Notice of Preparation](#) for CEQA analysis of [amendments](#) to [Chapter 4 on Ecosystem](#) in the [Delta Plan](#). When the Delta Plan was originally adopted, it was assumed that habitat conservation measures in the Bay-Delta Conservation Plan (BDPC) would be approved and implemented. Since the BDPC was abandoned by Governor Brown, the Council now wants to revise the Ecosystem Chapter. The deadline to comment on the NOP is 5:00 p.m. on July 10, 2020.

IN THE NEWS

(Clicking the links will take you to news organization websites, where you can read the full stories. CCVFCA is not responsible for content on these external sites.)

- [Supervisors approve Murrieta Creek flood control funding agreement](#) - Valley News
- [Massive Northern California reservoir project scaled back to reduce costs](#) - Mercury News
- [New approach to hydrological modelling applicable to every river basin in the world](#) - Smart Water Magazine
- [Delta tunnel advisory committee compelled to work through the pandemic](#) - Sac News & Review
- [Storm Chasers](#) - Comstock Magazine
- [Flights Into The Stratosphere Study Changes To Atmospheric Rivers](#) - NPR
- [FEATURE: Predicting and planning for extreme precipitation from atmospheric rivers](#) - Maven's Notebook
- [As California beaches reopen, seawall construction becomes legislative battleground](#) - LA Times
- [New USACE Report – Managed Aquifer Recharge \(MAR\) and the U.S. Army Corps of Engineers: Water Security through Resilience](#) - USACE
- [‘Expect More’: Climate Change Raises Risk of Dam Failures](#) - New York Times
- [Satellite imagery reveals massive scope of Midland, Mich., flood disaster](#) - Washington Post
- [Four Atmospheric Circulation Regimes Over the North Pacific and Their Relationship to California Precipitation on Daily to Seasonal Time-scales](#) - Center for Western Weather and Water Extremes

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