



## LOCAL AGENCIES OF THE NORTH DELTA



CALIFORNIA CENTRAL VALLEY  
**FLOOD CONTROL**  
ASSOCIATION

January 9, 2023

**SENT VIA EMAIL**

[oal\\_amendRRP1@deltacouncil.ca.gov](mailto:oal_amendRRP1@deltacouncil.ca.gov); [amend.rrp1@deltacouncil.ca.gov](mailto:amend.rrp1@deltacouncil.ca.gov)

Chairperson Virginia Madueño and  
Council Members  
Delta Stewardship Council  
715 P Street, Suite 15-300  
Sacramento, California 95814

Erin Mullin, P.E., Senior Engineer  
Delta Stewardship Council  
715 P Street, Suite 15-300  
Sacramento, California 95814

**RE: Comments on Regulatory Amendment to Implement  
Delta Levee Investment Strategy**

Dear Chair Madueño, Council Members, and Ms. Mullin:

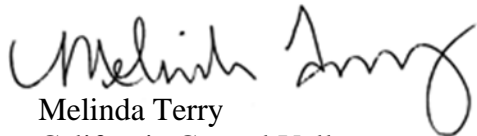
This comment letter is jointly submitted by the Central Valley Flood Control Association (CCVFCA) and Local Agencies of the North Delta (LAND) regarding the notice of a comment period on two modifications to the Delta Levee Investment Strategy (DLIS) regulatory amendments. The proposed change to modify the Levee Improvement definition (23 CCR § 5001(w)) indicates some responsiveness by the Delta Stewardship Council (DSC) to local flood control agency concerns, but this change still fails to provide an investment strategy that would focus on levees as a flood management **system**. The Executive Director's update from the December 15, 2022 meeting, indicated that the DSC would proceed with the rulemaking without implementing any of the other proposed redline amendments we requested in a coalition letter dated November 21, 2022.

The current series of atmospheric rivers the Central Valley and the flooding on the Cosumnes and Mokelumne Rivers just upstream of the Delta are stark reminders of how important it is to coordinate across jurisdictions and interests to ensure the Delta levees function as a flood protection **system**. This means fixing the "worst first" to prevent larger disaster, and achieving the engineering standards required in Bulletin 182-92 and USACE PL-84-99 to reduce flood risk and assure our state receives federal funding for levee repairs. We also need to protect the freshwater corridor for our state's water supply system and to recognize the interrelationships between islands to maintain flood control and adequately protect life and property.

CCVFCA and LAND believe the Council likely can still complete the rulemaking process within the year provided by the Office of Administrative Law if the DSC moves expeditiously to refine and correct the DLIS approach to address today's flood challenges. We are concerned after hearing the update provided at the December DSC meeting, that staff are preparing extensive responses explaining why it is not necessary to implement our proposed changes, rather than conducting a serious inquiry into what is needed to improve the Delta's flood control system and implement the Delta Reform Act. We believe restarting the rulemaking clock, if necessary, would be superior to adopting the currently flawed DLIS regulations as amended. We believe a substantive workshop should be held initially, with the DSC members present, so that a robust discussion can occur to inform DSC board members of the issues involved prior to making a decision.

We hereby incorporate our prior comments and remain committed to working with the Council to ensure continued progress on reducing flood risk in the Delta through strategic state investments. We respectfully request that the DSC not move forward with this rulemaking before the needed changes are made to ensure the DLIS recommends priorities that actually improve flood control in the Delta.

Sincerely,

A handwritten signature in black ink, appearing to read "Melinda Terry".

Melinda Terry  
California Central Valley  
Flood Control Association

A handwritten signature in blue ink, appearing to read "Osha K. Meserve".

Osha Meserve  
Local Agencies of the North Delta