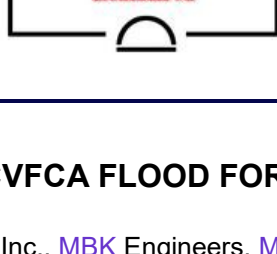




CALENDAR ALERTS

- **Apr 12** - Delta Sign Plan mtg, Rio Vista Library, 44 South Second Street
- **Apr 13** - USACE Regulatory [Workshop](#), 1325 J St., Rm 814, 1:30-4:30 pm
- **May 24** - Delta Sign Plan mtg, Big Break Park, 69 Big Break Road, Oakley
- **Jul 9** - FMA Extreme Precipitation [Symposium](#), UC Davis Conference Center
- ** = New Calendar Alert**

FEATURED ASSOCIATE MEMBER



CCVFCA FLOOD FORUM

The Association would like to thank [HDR Inc.](#), [MBK Engineers](#), [Mead & Hunt](#), [Westervelt Ecological Services](#), [Downey Brand LLP](#), [KSN Engineers](#) and [Larsen Wurzel & Associates](#) for sponsoring the annual Flood Forum focused on this year's topic: "[Post-Disaster: Weathering Scrutiny of Flood Management Decisions](#)" held on March 21st. The collapse of the Oroville spillway in February 2017 reminded us that all aging flood control infrastructure is vulnerable to catastrophic failure. With more than 100 flood management professionals in attendance and Mike Inamine, the Executive Director of the Sutter Butte Flood Control Agency ([SBFCA](#)), serving as the moderator, speakers discussed actions that could be taken now to address deficiencies in levee infrastructure and emergency response systems before the next damaging flood event occurs.

[Ric Reinhardt](#), Principal with [MBK Engineers](#), explored how a post-flood forensic report could end up under a hypothetical future levee failure scenario. [Scott Shapiro](#), Managing Partner with [Downey Brand LLP](#), reviewed the potential of deauthorizing federal levees (copies of Reinhardt and Shapiro PowerPoint presentations available on [CCVFCA website](#) under "Latest News"). Association lobbyist [Bob Reeb](#), owner of Reeb Government Relations, discussed formation of a bipartisan, bi-cameral Flood Caucus in the State Legislature and CCVFCA's budget request for annual General Fund appropriation of \$100 million to pay for ongoing SPFC levee maintenance and improvement and a one-time \$400 million appropriation for the repair of levee damage from the 2017 storm events (document available on [CCVFCA website](#) under "Legislative Issues").

KEEPING UP

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

[Storms May Trigger Inaugural Trial Run for Oroville Main Spillway](#)

With reservoirs full and a Pineapple Express storm expected to dump several inches of rain, DWR may be required to utilize the partially repaired [main spillway](#) at Oroville dam once lake level reaches an elevation of 830 feet pursuant to its Winter [Operations Plan](#).

[CVFPB Board Considers Proposal for Encroachment Permits and Inspections Fees](#)

In last year's budget trailer bill, the Administration and Legislature added statutory authority (Water Code [§8535](#)) for the Central Valley Flood Protection Board (CVFPB/Board) to set and charge fees to cover the reasonable cost for providing services associated with the issuance of and modification of encroachment permits, inspections and enforcement of encroachments, and management of the Sacramento San Joaquin Drainage District. In this year's FY 2018-19 Budget, the Governor is proposing to provide \$1.4 million General Fund augmentation to cover costs of 10 employees previously funded with Prop. 1E bond funds which has been exhausted and no longer available. The short term funding is being provided in order allow the Board time to implement new fee revenues to replace the General Fund.

At the [March CVFPB meeting](#), Board staff presented a [proposal](#) for establishing encroachment permit and inspection fees. He started by noting the staff had spent the last 18 months tracking costs associated with issuing permits, but acknowledged they did not yet have such data on costs of inspecting encroachment sites. He then gave examples of similar fee for services charged by other State agencies: DFG's streambed permit; Caltrans for right of way; and DWR for division of dams. Principals the staff followed in drafting the proposed fee schedule included: some Board costs should continue to receive General Fund appropriations; different rate methodologies should be used for specific types of encroachments and system alteration authorizations; and any fees should not be obstacle to implementing public safety project. Staff also looked at actual staff costs versus the revenues fees could generate and proposes collecting fees at different stages of the project: 1) when permit application submitted; 2) when permit is issued; and 3) prior to periodic inspection.

For specific types of encroachments the permit review fee schedule would range from \$500-\$2,500, plus \$250-\$1,500 for construction inspection, and an additional \$250-\$1,000 for subsequent routine inspections which would occur every 2-10 years. For system alterations, applicants would be charged a set percentage of construction costs (labor and materials) due with permit application and start of construction. The rates for application start at 2% for lower cost projects less than \$200,000 decreasing to .13% for projects costing more than \$10 million. The inspection fee rate would range from 1% to .06%. Staff then gave examples for system alteration projects: \$14,250 in combined fees for a \$750,000 project; \$59,250 in fees for a \$9 million project; and \$81,750 in fees for a \$20 million project.

Next steps for implementation include development of a billing process and updating website page for submitting permit applications which are already underway, working on companion regulations, and a stakeholder workshop to be held in June followed by a 45-day public comment period and then finalize fee and regulations for adoption by the Board. Members of the Board responded by reminding everyone that the staff presentation is just the initial step in a longer process to consider the potential of various fee options with the input of stakeholders before adopting any new fees.

On a related note, the appellate [court rejected](#) a challenge by NCWA that a charge for annual water right permit and licenses by the SWRCB to recover a portion of their staff costs is an unlawful tax because it was adopted without a two-thirds vote. The court therefore overruled the trial court and upheld the validity of the charge as a regulatory fee. The court determined the fees assessed on permit and license holders was proportionate to the benefits derived from them or the burdens placed on the water board division because the fee revenues accounted for only half of the division's regulatory activities, even though 90% of division's costs were attributable to permit and license holders. The takeaway by Holland & Knight LLP is that property owners and other stakeholders must become actively involved in providing input early in public vetting process prior to state agencies adopting new regulatory fees.

[Water Storage Proponents Appeal Scoring of Public Benefits](#)

The CA Water Commission has posted the [appeals](#) submitted by [water storage](#) proponents due to low [scores](#) received for public benefits required under Prop. 1 that their projects propose.

LEGISLATIVE ACTION

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

[Congressional Budget Bill Includes Flood Control Funding](#)

In March the U.S. House of Representatives passed a \$1.3 trillion [spending bill](#), HR 1625 that includes \$4.3 million to complete the [Sites Reservoir](#) feasibility study, \$20 million for pre-construction work on raising Shasta Dam, and funding for levee improvements on five miles of the Feather River.

[Governor and Legislature Partner on Emergency Management Plan](#)

In response to the severe flooding and wildfires in 2017, the Administration announced [partnership](#) with legislative leaders and the Joint Legislative Committee on Emergency to make California more resistant against natural disasters that are expected to become more intense and frequent under climate change. The intent is to develop solutions such as enhancing emergency response systems and ensuring public infrastructure is designed, constructed and operated to maximize resiliency to extreme weather events.

[Senator Nielsen Proposes Citizen Advisory Committee](#)

In order to formalize enhanced community involvement in the repair and ongoing operation of the Oroville dam and other facilities, [Senator Jim Nielsen](#) introduced [SB 955](#) to create a [Citizen Advisory Committee](#) with regional stakeholders representing city and county governments, organized labor, the Chamber of Commerce, law enforcement, water contractors, flood control experts, DWR, and the State Legislature. The advisory group's primary task would be providing an overview of maintenance and improvements planned for the dam and make their own recommendations in a report to be published at least once every three years.

[Appointments to Delta Stewardship Council](#)

On March 16th, the Senate Pro Tempore announced the [appointment](#) by the Senate Rules Committee of [Maria Mehranian](#), the chief financial officer of an infrastructure development [firm](#), to serve on the Delta Stewardship Council. She previously served from 2008-2016 as gubernatorial appointee on the Los Angeles Water Quality Control Board. In addition, Governor Brown [reappointed](#) Susan Tatayon and Frank Damrell to the DSC.

DELTA DOWNLOAD

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

[Works Begins on Controlling Invasive Weeds in Delta Waterways](#)

As part of the floating and aquatic vegetation [control program](#), on March 5th, the Division of Boating and Waterways started mechanical removal of water hyacinth, American sphenoclad and Uruguay water primrose along waterways entering the Stockton Deepwater Ship Channel. Application of herbicides to kill eight different [species invading the Delta](#) channels is also planned with treatments focusing on several subways and 21 marinas through October 31, 2018. Management of [submersed weeds](#) will occur between March 19-23.

[Legal and Funding Decisions Rendered on WaterFix Petition](#)

A Sacramento [judge denied](#) a motion requesting a temporary restraining order (delay) of the WaterFix State Water Resources Control Board hearing based on allegations of ex parte violations by DWR and water board staff.

DWR released some project [design refinements](#) to reduce impacts on local communities including elimination of barge landing at Snodgrass Slough and moving the northern portion of the tunnel alignment to the east.

The Metropolitan Water District (MWD) of Southern California recently [explored](#) the possibility of paying \$11 billion to construct both WaterFix tunnels after several water export districts opted out of participating in the financing. This could increase ratepayers bills by up to \$4.80 per month and is substantially more than the \$4.3 billion agreed to by the MWD in October 2017. However, some local officials are [skeptical](#), including Los Angeles City Mayor Eric Garcetti who has voiced opposition to funding the twin tunnels, preferring to invest in local water supply projects. On March 21st, the L.A. City Council officially [voted to oppose](#) DWR's proposed phased construction of the WaterFix tunnels if it would create greater cost or greater financial burden for their ratepayers than benefits received.

According to an internal [memo](#) to its board of directors, MWD has [decided](#) not to fund the entire WaterFix project on their own, and instead will support DWR's phased construction of single tunnel first, second tunnel later.

[Delta Conservancy Approves \\$18.9 Million in Prop. 1E Grant Funding](#)

The Delta Conservancy [awarded \\$18.9 million](#) in Prop. 1E funding for nine projects in Contra Costa, Sacramento, and Yolo Counties that are focused on habitat restoration and eradication of invasive rodent, [Nutria](#).

IN THE NEWS

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

- [David Little: An Oroville newsmen tried to warn us](#) - Chico ER
- [Asbestos mitigation working at Oroville Dam spillway](#) - Chico ER
- [Fitzgerald: This river rat we don't want in the Delta](#) - Recordnet.com
- [Manteca rejects bid to freeze growth in floodplain](#) - Manteca Bulletin
- [OROVILLE SPILLWAYS CONSTRUCTION UPDATE for February 21 \(With video\)](#) - Maven's Notebook
- [Tracking Atmospheric "Rivers" Could Help Us Predict Extreme Weather](#) - Futurism
- [DWR still expects feds to pay bulk of Oroville Dam spillway repair costs](#) - Oroville MR
- [Crews Nearly Complete Construction on Oroville Dam's.....](#) - Constructionequipmentguide.com
- [DWR: Crews will be ready to work on main Oro. Dam chute May 1st](#) - Action News Now
- [Videos: Oroville Spillways Phase 2 Updates](#) - constructionequipment.com
- [U.S. Supreme Court rejects challenge to EPA water regulation](#) - Reuters
- [In Wake of Oroville Crisis, Brown Signs Bill Requiring Tougher Dam Inspections](#) - KQED
- [How Much Snow Next Winter? It May Not Remain a Mystery Much Longer](#) - News Deeply
- [Human Errors Contributed to Oroville Spillway Failure](#) - powermag.com
- [New Study Shows Flood Risks Across the U.S. are Underestimated \(in a Big Way\)](#) - blog.nature.org
- [California WaterFix project picking up speed](#) - The Press
- [Why atmospheric rivers can be a blessing and a curse](#) - SCPR
- [NASA Launches Advanced Weather Satellite for Western US](#) - KQED
- [Critic's 'hobby' is getting costly, flood agency says](#) - recordnet.com
- [THIS JUST IN ... Winter Storm Provides Much-Needed Boost to Sierra...](#) - Maven's Notebook
- [Why atmospheric rivers can be a blessing and a curse](#) - SCPR
- [The Wall and The Tunnels: Multibillion dollar boondoggles...](#) - valleyecon.blogspot.com
- [Pressure mounts on WaterFix agencies](#) - The Press
- [Jerry Brown's grand California water solution remains in jeopardy as he prepares to exit](#) - LA Times
- [Sinking land will exacerbate flooding from sea level rise in Bay Area](#) - Science Daily
- [County targets El Granada flooding](#) - Half Moon Bay Review
- [Bug Breeding In Floodplains Meant To Help Salmon Food Supply](#) - CBS Sacramento
- [Letter: Oroville City Council needs to demand dam safety](#) - Chico ER
- [90 years later, St. Francis Dam failure parallels Oroville Dam crisis](#) - Oroville MR
- [Groups Press to Capture More "Liquid Gold" to Fight Pollution, Drought](#) - Public News Service
- [Shrinking snowpack calls for new water infrastructure](#) - Herald and News
- [Support and Investment in Sites Reservoir Grows with the Sacramento County.....](#) - NCWA
- [Oroville Dam class action case moves from Butte to Sacramento](#) - Oroville MR
- [Photos: A Look Back at the 1928 St. Francis Dam Disaster](#) - NBC Los Angeles
- [DWR submits plans to address Oroville Dam forensic report](#) - Chico ER
- [Governor Brown and Legislative Leader Partners to bolster climate....](#) - Imperial Valley News
- [MONTECITO WATER DISTRICT CORRECTS FACTS ON....](#) - ACWA
- [Yreka setting nationwide example for flood concerns, reviving urban creek ecosystem](#) - KTVL
- [The 'nightmare' California flood more dangerous than a huge earthquake](#) - LA Times
- [Experts: SF water agency could be at fault in scare at Moccasin Reservoir](#) - San Francisco Chronicle
- [Storm puts Fresno's flood control system to the test](#) - ABC 30
- [How Oroville Is Changing Dam Safety in California](#) - PPLIC
- [CA WATER POLICY CONFERENCE: Department of Water Resources](#) - Maven's Notebook
- [Megastorm's aftermath: Preliminary damage estimates approach \\$50M](#) - Union Democrat
- [Fish and Wildlife crew save thousands of stranded trout...](#) - Modesto Bee
- [EPA administrator holds roundtable farmer meetings](#) - Ag Alert
- [Southern California might foot the bill for delta tunnels project — with no....](#) - LA Times
- [Another \\$5 million steered to Oroville Wildlife Area project](#) - Chico ER
- [Repairs needed to dam near Yosemite, neighboring community after near failure](#) - SF Examiner
- [Storm turns creek into river, sweeps Don Pedro house off foundation with...](#) - Modesto Bee
- [Experts: SF water agency could be at fault in scare at Moccasin Reservoir](#) - SF Chronicle
- [Storms floods causes major damage Mariposa County, minor issues in...](#) - Merced Sun-Star
- [What are atmospheric rivers?](#) - NOAA
- [Sierra foothills dam, part of SF's Hetch Hetchy system, pushed to near failure](#) - SF Chronicle
- [The Latest: Small Dam Failure Averted After Leaks](#) - U.S. News
- [THIS JUST IN ... Reclamation updates 2018 Central Valley Project water...](#) - Maven's Notebook
- [California storm forces flood rescues but spares Montecito](#) - ABC News
- [Photos show crazy flooding, stuck cars around Northern California](#) - SF Gate
- [Franks Tract restoration project under fire](#) - The Press
- [Moving West for the Greater Good?](#) - Estuary
- [The Politics of Why Congressional Democrats Scuttled Shasta Dam Expansion](#) - GV Wire
- [Pineapple Express: News tools help scientists better predict wet...](#) - East Bay Times
- [Yuba River will rise to about 74 feet as New Bullards Bar Dam releases...](#) - Appeal-Democrat
- [Folsom Lake outflows increased as rain pours into NorCal](#) - KCRA
- [Sierra foothills dam, part of SF's Hetch Hetchy system, pushed to near failure](#) - SF Chronicle
- [Heavy Rains Force Evacuation Below Tuolumne County Dam](#) - Capital Public Radio
- [OROVILLE SPILLWAYS CONSTRUCTION: March 21 update](#) -Maven's Notebook
- [Assembly Committee Calls for More Transparency, Clarity During WSIP Oversight Hearing](#) - ACWA
- [Oroville Dam: Construction of secant pile wall wraps up](#) - Oroville MR
- [Fragmented patterns of flood change across the United States](#) - NCBI
- [More than 60 deaths in fires, floods exposes weaknesses in California's...](#) - LA Time
- [In Napa, Watershed and Woodlands Initiative Clashes With Wineries](#) - News Deeply
- [March Storms have raised Lake Oroville Level 13 Feet](#) - Oroville MR
- [LaMalfa says Shasta Dam raise not a top priority](#) - Record Searchlight
- [Fix California's laws before the next flood hits](#) - Merced Sun-Star
- [Marin bolsters flood prevention efforts with more weather devices](#) - Marin IJ
- [Wets spot on Oroville Dam wasn't unexpected](#) - Chico ER
- [Water Level Up, Recreation Booming at Lake Oroville](#) - Action News Now