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## CALENDAR ALERTS

**\*\*Oct. 6**

[Press Conference](#), Fish Rescue Project, Wallace Weir, 10:00 am

**\*\*Oct. 6**

DWR [Dir. Cowin](#), Delta Speakers Series, 3301 C St #1900, Sacramento, 6:00-7:30 pm

**Oct. 7**

Deadline for [EIR comments](#) on Prospect Island restoration project, 5:00 pm.

**Oct. 11**

[Deadline to submit](#) prize-winning burrowing prevention idea.

**\*\*Oct. 11**

Yuba City Preseason [Flood Coordination](#) Mtg, 1425 Veterans Memorial Cir, 9:00 am

**\*\*Oct. 18**

Stockton Preseason [Flood Coordination](#) Mtg, 2101 E. Earhart Ave, 9:00 am

**\*\*Oct. 19**

Sacramento Preseason [Flood Coordination](#) Mtg, 11020 Sun Center Dr, 9:00 am

**Oct. 20-21**

Precipitation Forecasting [Workshop](#), Los Angeles. *\*More details to follow*

**Oct. 27**

Little Hoover Commission hearing on special districts (no agenda available yet).

**\*\*Nov. 2**

[Application](#) Deadline, [SCFRR Funding](#),

**\*\* = [New Calendar Alert](#)**

## FEATURED ASSOCIATE MEMBER



**[HDR](#) has over 225 locations around the world and specializes in architecture, environmental and construction services.**

## **KEEPING UP**

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

### **Governor Vetoes Bill to Extend State's Cost Share for Delta Levee Maintenance**

On the last day he could take action on bills approved by the Legislature, Governor Brown vetoed SB 554 (Wolk) on Friday, September 30, 2016.

As [originally proposed](#), SB 554 would have eliminated a July 1, 2018 sunset date to prevent the current 75/25 state/local cost share for the Delta Levee Maintenance [Subvention Program](#) from reverting to a 50/50 split.

This version of the bill passed the Senate, but was opposed by a coalition of water contractors reliant on exporting Delta water supplies, including Metropolitan Water District. Calling the State's cost share a "subsidy," the [water exporters opposed](#) extending the sunset until an ability to pay study is done to evaluate whether Delta farmers with high-value permanent crops should be paying higher property assessments to fund 50% of levee maintenance costs. Apparently they are unaware that reclamation districts can only assess property based on the levee maintenance and island drainage services they provide, and are explicitly prohibited in the California Constitution (Prop. 2018) from assessing property based on the land or crop value.

Assembly staff wanted to wait before passing SB 554 due to the expectation that the Delta Stewardship Council (DSC) would be making recommendations for changing the Delta Subventions funding program in their Delta Levee Investment Strategy (DLIS) scheduled to be delivered to the Legislature in December 2016. To accommodate consideration of recommendations from DSC, Senator Wolk accepted amendments to only extend the sunset date two more years to July 1, 2020. The [amended version](#) of SB 554 was subsequently approved by both houses and sent to the Governor.

CCVFCA, Delta Reclamation Districts, and Delta Counties strongly supported the bill as originally proposed, reminding the Legislature that the levee maintenance funded by the Subventions Program is the greatest success the State has achieved in the Delta and the 75% is the *maximum* cost share allowed which means the State already has the discretion to pay a lower portion if the sunset was eliminated pursuant to SB 554.

The proof of the State's success in reducing the risk of flood damages in the Delta through their levee maintenance investments is evident by the fact that the number of levee failures in the Delta has steadily decreased since the Subventions Program was established. Increased investment by the State since the 1990s has paid off with only one levee failure since 2001, which occurred on a sunny day in June 2004 (Upper Jones Tract).

Despite the proven success of State's levee investments in protecting people and property from flood damage over the last thirty years, the Governor's [veto message](#) said SB 554 is premature because the current cost share does not sunset until 2018 and due to the [DSC](#) and Delta Protection Commission ([DPC](#)) both working on reports related to funding Delta levee maintenance.

To avoid the current cost share from expiring in 2018, legislation to extend or repeal the sunset will have to be introduced again next year, approved by the Legislature, and signed by the Governor before the end of September in order to take effect on January 1, 2018.

### **Delta Levee Investment Discussions Postponed**

The DSC was scheduled to vote on September 29<sup>th</sup> staff recommendation to "[accept](#)" a revised Discussion Draft of [Delta Plan Amendments](#) and [island prioritization](#), but announced instead that they would be postponing the item, as well as cancelling the Stockton and Walnut Grove public workshops in October. The rescheduling of all three will be announced in the near future.

In the meantime, the state agency with statutory authority over implementation of the Delta Subventions Program, the Central Valley Flood Protection Board (CVFPB), will continue to work with DSC on the Delta Plan language proposing changes to programs and activities under their jurisdiction in accordance with Guidance Principles they provided DSC last year.

### **Be Prepared – Attend Annual Preseason Flood Coordination Meeting in Your Area**

Flood season officially begins next month, so DWR is again encouraging flood control managers and emergency responders to participate in the annual preseason [flood coordination meetings](#) scheduled throughout the state in October.

The meetings provide an opportunity to review flood emergency procedures, protocol, roles and responsibilities in an emergency, availability of flood fighting resources, flood threats and other flood concerns, and updates from local agencies in your region. Partner agencies making presentation include: DWR, National Weather Service, Governor's Office of Emergency Services, CAL FIRE, CA Conservation Corps, County Offices of Emergency Services, and the U.S. Army Corps of Engineers.

[All meetings](#) are scheduled from 9:00-11.30 am and DWR requests you fill out a [flood threat form](#) to advise them of known vulnerabilities and areas of concern. Central Valley meetings will be held on:

October 11 - SUTTER, Veteran's Memorial Hall, 1425 Veterans Memorial Circle, Yuba City

October 18 - SAN JOAQUIN, 2101 E. Earhart Ave, Stockton, Assembly Rm 2

October 19 – SACRAMENTO, 11020 Sun Center Dr, Rancho Cordova

### **Apply Now for Small Communities Flood Risk Reduction Funding**

The 45-day clock officially started ticking, so communities have until **5:00 pm on Wednesday, November 2, 2016** to submit project applications to DWR for Phase 1 funding from the Small Communities Flood Risk Reduction ([SCFRR](#)) Program. DWR will fund small communities and counties communities within the State Plan of Flood Control (SPFC) Planning Area to conduct feasibility studies in Phase 1, and to the extent funding allows, design and implement projects with a DWR-approved feasibility study in Phase 2.

Approximately \$18 million from Prop. 1E is available for Phase 1 feasibility studies, with a maximum of \$500,000 per community. Costs over \$500,000 must be cost-shared at 50% between applicant and DWR.

If a feasible structural or non-structural alternative is identified in Phase 1, then the community may compete in Phase 2 for funding for the design and implementation of projects to repair, rehabilitate, reconstruct, replace or expand SPFC facilities to reduce flood risk. DWR will only fund preferred alternatives in Phase 2 that reduce SPFC-related flood risk. Projects must be consistent with the Central Valley Flood Protection Plan (CVFPP) funding section (SSIA) and should be consistent with applicable regional flood management plans.

Small communities are defined as developed areas with between 200 and 10,000 residents as described in the CVFPP, with Legacy Communities also considered. An applicant must be a local public agency with land use authority, such as an incorporated city or county applying on behalf of an unincorporated community, by adopting a resolution authorizing the submission of the proposal funding from DWR.

To gauge the level of interest for the funding available for Phase I, DWR is requesting those interested in applying to let them know ASAP by filling out a short [initial form](#) and they will send you program and funding process updates in return.

DWR's website also provides access to the final [SCFRR Guidelines](#) and Proposal Solicitation Package (PSP) [application](#), as well as a [sample funding agreement](#). You can also watch an informational [webinar](#) for more information on application requirements, eligibility, and the review process; or email questions to DWR at [SCFRR@water.ca.gov](mailto:SCFRR@water.ca.gov). As noted in the webinar, DWR encourages applicants to consider multi-benefit, non-structural, and emergency response options as elements to include in the projects.

Completed applications can be sent via email to [SCFRR@water.ca.gov](mailto:SCFRR@water.ca.gov) or send via mail to:

California Department of Water Resources  
Attention: Nahideh Madankar  
Division of Flood Management  
P. O. Box 942836, Sacramento, CA 94236-0001.

Proposals will be reviewed for completeness and consistency with CVFPP, SSIA and Prop. 1E requirements, as well as geographic distribution of projects, population at risk, whether the community will receive protection from other DWR programs or projects, reasonableness of proposed schedule, budgets, and the total amount of funds requested. DWR anticipates notifying applicants of the funding decisions in February 2017.

### **DSC Files Appeal on Delta Plan Ruling**

The Delta Stewardship Council (DSC/Council) recently [filed an appeal](#) of a Sacramento Superior Court [clarification ruling](#) in June invalidating the Delta Plan and directing it to be set aside until revisions are made to the Delta Plan, and any applicable regulations, in accordance with the ruling. The deficiencies identified by the court include decision to defer to BDCP instead of identifying new water conveyance and storage options and failure to adopt measurable or otherwise quantifiable targets for certain performance measures.

The DSC's press release did not clearly state that a "stay" is in effect while the ruling is under appeal, but a statement by the DSC Executive Officer, Jessica Pearson, implies the appeal prevents the plan from being invalidated "even for a short period of time."

Since the DSC has recently proposed amendments to the Delta Plan and associated regulations, Intended to be a management plan for achieving the State's coequal goals for the Delta, the 2009 Delta Reform Act established standards that the plan must meet, including requiring inclusion of certain elements as defined in statute. Soon after DSC adopted the Delta Plan in 2013, several entities filed lawsuits, claiming it failed to meet several mandatory provisions of the law.

<https://mavensnotebook.com/2016/08/23/this-just-in-delta-stewardship-council-appeals-june-24-ruling-of-sacramento-county-superior-court/>

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## **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.)*

- [Ruling Muddies Waters on Clean Water Act](#) - PPIC
- [The Clean Water Act, Federalism, Big Money and the California Supreme Court](#) - Legal Planet
- [DWR Seeks Proposals for Habitat Restoration Projects in the Sacramento-San Joaquin Delta](#) - California Department of Water Resources
- [\\$2 million project proposed to restore Yuba River floodplain](#) - appeal-democrat
- [NOAA Selects Barry Thom as Next West Coast Regional Administrator; Will Stelle to Transition to New Role under NOAA Administrator](#) - NOAA
- [News Worth Noting: Threatened fish get new home on the lower American River; Public comment period opens on Prop 1 Water Storage Investment Program regulations; Comments requested on DISB's report on Delta levee hazards](#) - Maven's Notebook
- [Major Habitat Restoration Project Could Help Delta Fish](#) - News Deeply
- [Thunderstorms possible across Southern California early this week; "The Blob" returns to the North Pacific](#) - The California Weather Blog
- [When it comes to flood control, it's best to take the long view](#) - McClatchy DC
- [Lake Tahoe protection and Sacramento flood control in Senate bill](#) - McClatchy DC
- [September 2016 ENSO update: Cooling our heels](#) - NOAA
- [Water Project Leaders Debut Fish Friendly Intake Point](#) - Davis Enterprise
- ['Son of a Blob' springs to life in Pacific](#) - Daily Astorian
- [La Niña Might Not Be Coming After All](#) - Gizmodo
- [FEMA remapping may lead to insurance hikes](#) - Appeal Democrat
- [Growers seek reforms as flood insurance program increases rates, toughens regs](#) - Capital Press
- [The Farmers Almanac has some bad news about California's drought](#) - San Gabriel Tribune
- [Winter forecast? No drought relief](#) - Santa Maria Times
- [Understanding Sea Level Rise, p4: ice sheet dynamics and \(13\) melting feedbacks – a background to 21st century SLR acceleration](#) - bit of Science
- [American River Basin Study to be Undertaken](#) - Rocklin Today
- [Manteca may by \\$577K in wetland credits](#) - Manteca Bulletin
- [La Nina no longer seen as likely this winter](#) - SF Gate
- [California Hopeful as La Nina Stalls](#) - Courthouse News

- [Come El Niño or La Niña, Climate Change is La Madre of Weather Systems](#) - Union of Concerned Scientists
  - [Project Aids Food Supply for Delta Smelt](#) - Sierra Sun Times
  - [Federal Flood Program's Challenges to Agricultural Communities Examined](#) - ACWA
  - [DWR mails flood risk notifications](#) - appeal democrat
  - [New Online Tool Released to Track Projects in the Delta](#) - ACWA
  - [Emergency Managers Gather In Sacramento To Prepare For Flooding](#) - CBS Local
  - [Flood Risk Warnings Sent To Thousands Of Property Owners Behind Levees](#) - KFBK
  - [This just in ... Delta Stewardship Council appeals June 24 ruling of Sacramento County Superior Court](#) - Maven's Notebook
  - [Los Angeles Needs Stormwater Infrastructure](#) - Tree People Blog
  - [NOAA launches America's first national water forecast model](#) - NOAA
  - [August 2016 ENSO update: Wavy gravy](#) - NOAA
  - [WARNING: Proposed Revisions to Water Boards' Enforcement Policy Will Likely Lead to Higher Penalties](#) - Downey Brand
  - [Stormwater capture, treatment and recharge for urban water supply](#) - Maven's Notebook
  - [Manage stormwater to turn a liability into an asset: Sheila Kuehl](#) - Los Angeles Daily News
  - [Guidance may impact agency actions currently undergoing NEPA review and joint NEPA/CEQA documents](#) - Best Best & Krieger
  - [Overview of the Central Valley Flood Protection Plan 2017 update](#) - Maven's Notebook
  - [Atmospheric rivers come into focus with high-res climate model](#) - Science Daily
  - [Sacramento River fish restoration projects being checked off the list](#) - Chico ER
  - [La Niña may arrive, or just as likely stay away](#) - Record Bee
  - [Tapping Storm Flows to Boost California's Urban Water Supplies](#) - News Deeply
  - [CALIFORNIA WATER COMMISSION: September update on the Water Storage Investment Program](#) - Maven's Notebook
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