

# Reeb Government Relations, LLC

---

August 20, 2013

The Honorable Anthony Rendon  
Chairman, Assembly Water, Parks & Wildlife Committee  
State Capitol, Room 2136  
Sacramento, California 95814

RE: 2013 Water Bond Framework

Dear Assembly Member Rendon:

I am writing on behalf of the California Central Valley Flood Control Association (CCVFCA) to provide comments regarding the Water Bond Working Group framework for developing an alternative to the water bond now slated to appear on the November 2014 General Election ballot.

CCVFCA was established in 1926 to promote the common interests of its membership in maintaining effective flood control systems in California's Central Valley, including the Sacramento-San Joaquin Delta, for the protection of life, property and the environment. Association membership includes local public agencies such as reclamation, flood control, levee maintenance, drainage and other special districts, and other local government agencies.

In 2006, the U.S. Army Corps of Engineers (Corps) revamped its Levee Safety Program; inventorying the 2,000 levee systems in its portfolio, refining its levee inspection program, and revising its levee safety policies and procedures. The Corps Sacramento District completed the inspection of 10 levee systems in the Central Valley in 2010, including those in Yuba City, Marysville, Sacramento and the Stockton area. Periodic inspections of the remaining levee systems are ongoing. The results of Corps levee inspections determine continued eligibility for the Levee Safety Program's Rehabilitation and Inspection Program (RIP), the Corps' authority to provide federal aid in repairing levees damaged by floods or storms. They also provide a better picture of levee conditions; an important step in the shared efforts of federal, state and local authorities to communicate flood risk and make informed decisions on how best to reduce it.

Recognizing the significant challenge of addressing the many, widespread deficiencies throughout Central Valley levee systems, the Corps worked with the California Central Valley Flood Protection Board, as well as other federal, state and local agencies, through the California Levees Roundtable to develop the Central Valley Flood System

1107 9<sup>th</sup> Street, Suite 510  
Sacramento, California 95814

(916) 558-1926 PH  
(916) 558-1932 FAX

Improvement Framework (Framework) in 2009. The Framework provided interim guidance for levee maintenance while California's Central Valley Flood Protection Plan was developed, temporarily affording continued federal rehabilitation assistance eligibility for levee systems sponsored by the board with five categories of deficiencies: channel capacity, seepage, erosion, encroachments, and vegetation. The purpose of the Framework was to allow time for developing a long-term strategy for bringing board-sponsored levees into compliance with Corps levee maintenance standards.

The board adopted the Central Valley Flood Protection Plan June 29, 2012, causing the Framework to expire. As a result, 17 levee systems in the Central Valley that received unacceptable maintenance ratings during their last inspection, but remained active in the Corps' program because of the Framework, are now inactive and currently ineligible for federal rehabilitation assistance. Each of the 17 levee systems received unacceptable ratings due to encroachment and/or erosion issues.

CCVFCA understands the need to downsize the bond from the original amount negotiated in 2009 given voter sentiment about the current water bond. However, there was not a need for additional flood control funding in 2009 as the State of California had sufficient funding available through Proposition 1E. The latter funding authorization will expire in 2016. Meanwhile, the Bay Delta Conservation Plan (BDCP), the Delta Plan, and the Central Valley Flood Protection Plan (CVFPP) do not include funding for levee system maintenance and improvements. All three documents express the importance of investing in levees, but do not provide solutions as to how to pay for such investment. The BDCP EIS/EIR assumes that the Delta Subventions and Special Projects programs will fund the needed Delta levee improvements, however both those programs are currently being funded to the tune of \$12 million annually by Proposition 1E funding. After 2016, these programs will have to rely on State General Fund contributions or newly authorized State General Obligation Bond funding.

Contrary to the impression conveyed by some in California, Delta levees are generally in good condition, and the risk of levee failure has been steadily decreasing during recent decades. This improvement is in large part due to the establishment of the Delta Levee Maintenance Program (commonly referred to as the Subventions Program) in 1973 and the Delta Levees Program in 1988. For example, there are 1,100 miles of levees in the Delta, and during the last decade there were only two levee failures—Jones Tract (2004) and Fay Island (2006)—and the 100-acre Fay Island district was in the process of improving its levees at the time of the flood. It is important to note that these levees held despite this decade's having the seventh-highest water year on record for the combined Sacramento-San Joaquin River system (2005-06).

Earthquakes have been cited as a substantial risk to Delta levees, with predictions of a

The Honorable Anthony Rendon  
August 20, 2013  
Page 3

major quake being likely sometime in the next few decades. However, there never has been a documented failure of a levee due to an earthquake in the 160-plus years of managed flood protection and control in the Delta. During the 1989 Loma Prieta earthquake (6.9 Richter scale), some levees showed cracks, but none failed. Modeling of the Delta levees' sensitivity to earthquakes has shown that quake-induced liquefaction can cause levee slumping. The history of Delta Levees, however, does not suggest a widespread series of catastrophic failures; and further modeling would need to be done that considers how liquefaction in a levee would actually function during a large-magnitude earthquake in the Delta. A complete assessment would also address the practical steps that can be implemented to repair observed earthquake damage in the immediate aftermath of a quake. Given these uncertainties, the short-term focus for levees should not be on earthquake-proofing, but on reducing the risk of failures due to the continuing threat of floods. There is an ongoing need for Delta levee maintenance, rehabilitation and improvement to insure eligibility for federal disaster relief.

The reality is that a bond only focusing only on flood infrastructure that primarily benefits the less populated portion of the north state is unlikely to pass absent a Hurricane Katrina-level event here in California. Therefore, flood control investments need to be bundled into a comprehensive water bond or they probably will not be forthcoming. And unfortunately, if the current water bond does manage to be approved by the voters, it could be another 6-10 years before another water bond is floated because of the state's bond indebtedness and other competing infrastructure needs/priorities, so California would be faced with inadequate "shoe-string" funding until sometime in the 2020's. CCVFCA encourages the Water Bond Working Group to discuss how the state intends to fund the levee and flood control system infrastructure improvements and changes that are identified in the State's own planning documents.

CCVFCA leadership welcomes an opportunity to meet with you and members of the Water Bond Working Group to further explore the need to include flood protection funding in a 2014 water bond. Thank you for your time and consideration.

Sincerely,



Robert J. Reeb

Cc: The Honorable Jerry Brown  
The Honorable John Laird, Natural Resources Secretary  
Mr. Mark Cowin, Director, Department of Water Resources  
Mr. Bill Edgar, President, Central Valley Flood Protection Board  
Members of the Legislature