

CVFMP Upper San Joaquin Regional Forum Summary Los Banos, CA – June 9, 2009

OVERVIEW

The FloodSAFE program of Department of Water Resources (DWR) is introducing the Central Valley Flood Management Planning (CVFMP) programs with five (5) regional Forums throughout the Central Valley – in Chico, Modesto, Walnut Grove, Las Banos, and West Sacramento. The Forums will present the same information and provide the same discussion opportunities at each location.

Each Forum consists of an initial presentation describing the key elements of FloodSAFE and the CVFMP program. The remainder of the time was dedicated to breakout sessions relating to four CVMFP topic areas. The first Regional Forum was held on June 3, 2009 in Chico, CA for the Upper Sacramento Region. Copies of the Forum presentations, handouts, and materials are available on the CVFMP website at www.water.ca.gov/cvfmp.

A brief recap of the presentations is provided in the following paragraphs and the remainder of this document provides a summary of the small group discussions. Flip charts and worksheets were used to record ideas generated during the discussions and transcripts of the recorded results are incorporated into the summary.

Gary Hester, CVFMP Program Manager, welcomed Regional Forum participants and reviewed the agenda before introducing Ken Kirby (title). Ken provided an overview of FloodSAFE, which is an initiative to (1) improve flood management systems and (2) operations and maintenance, as well as (3) inform and assist the public in flood awareness and (4) improve emergency response. The CVFMP program is a significant FloodSAFE component and Mr. Kirby described the goals, study area, and major products for the CVFMP.

Important CVFMP activities will be to identify and assess the current status of the flood protection system and then develop the Central Valley Flood Protection Plan (CVFPP) to improve integrated flood management - for those areas protected by facilities of the State-Federal flood protection system in the Central Valley. The CVFPP will be developed through a broad outreach and engagement process. Options for participating in the CVFPP process include:

- Regional and Valley-wide **Forums** for information sharing and high-level discussions
- Regional and Topic-based **Work Groups** to help develop content for the Plan
- **Outreach, Briefings, and Coordination** with partners, interest groups, and related project, programs, and plans.

After a short question-and-answer period, participants were invited to join a breakout session. The first concurrent sessions addressed either the Regional Conditions Summary Report or the Planning and Engagement Process. The second concurrent sessions focused on Environmental Stewardship or Non-Urban Levee Evaluations.

A summary of the breakout session presentations follows:

- Regional Conditions Summary Report: Gary Hester outlined this report which will describe regional resource conditions. These conditions include: current regional conditions and challenges; flood management needs; and ecosystem conditions. This report will also define goals and objectives for the CVFPP. Content for the report will be developed through a work group, relying on existing information.

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- **Planning and Engagement Approach:** Chris McCready, FloodSAFE Communication Lead, described the proposed CVFMP outreach approach. This involves the Forums, Work Groups, and Outreach, Briefings, and Coordination mentioned in the initial presentation. Another component will be development of the CVFMP website and distribution of information and updates through email and other communication options.
- **Environmental Stewardship:** Dale Hoffman-Floerke, Office Chief for Environmental Stewardship and Statewide Resources, provided a working definition for the concept of Environmental Stewardship along with goals for a stewardship approach. A work group will be convened to help identify how Environmental Stewardship will be incorporated into the Regional Conditions Summary Report, the CVFPP itself, and the multi-species and floodplain conservation strategy (a CVFPP component).
- **Non-Urban Levee Evaluation:** Mike Inamine, Office Chief for Levee Repairs and Floodplain Management, described the proposal and timeline for conducting physical levee inspections for non-urban levees. The next activities, for 2009, would consist of crest explorations for project (and associated non-project) levees that protect communities of 5,000 people or more. In 2010, crest and toe borings (where needed) would be undertaken on the remaining levees that protect communities of 1,000 or more people. Additional exploration locations would be identified on the basis of criteria – for example, levees that protect critical infrastructure or small legacy communities, or levees with damage sites.

After the breakout sessions concluded, participants reconvened to hear next steps and closing remarks. Those who are interested in serving on either a regional or topic-based workgroup were encouraged to contact (provide contact information here).

Following the dinner break, the initial presentation was repeated during an evening session – to maximize participation opportunities for those who could not attend the afternoon session.

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OVERVIEW PRESENTATION (AFTERNOON SESSION) – QUESTIONS AND ANSWERS

Q: Merced Irrigation District operates Ex-Chequer dam on the Upper Merced. We are working on forecasted operations and coordinated real-time flood management. How does that fit in?

A. That is another floodSAFE project, and team members will bring that information into this process. San Joaquin River operations are key to defining future conditions.

Q. Coordination of operations on the San Joaquin has been an issue for many years. Does that have a place in this plan?

A. One of the work groups will be on reservoir operations and will meet for about three to six months.

BREAKOUT DISCUSSION: REGIONAL CONDITIONS SUMMARY REPORT

Q. What time commitment and interaction do you envision for the workgroups?

A. The DWR leads will likely be involved for about 40 – 60 hours per month. If we can take advantage of groups already meeting, then we would hope that 40 hours is the upper limit. The heavy lifting will be done by the lead consultant, MWH, to document and incorporate what we're hearing. You will be helping to develop content – and we will bring that forward in the documents. We want to capture ideas from broad perspectives and accurately characterize what the regional views are, in terms of the problems that need to be addressed.

Thoughts and comments on the proposed Scope of Work

- it sounds like there is a plan to bring Environmental permitting together – for coordination and streamlining
- one of the future challenges will be money – funding and what's a priority?
- getting agencies to work on the same goals to make projects viable: getting all the agencies and districts on the same page.
- land use management – before development places, needs to look at: susceptibility to flooding, runoff, etc.
 - runoff impacts should not be any greater than pre-development levels
- don't understand how this will be implemented and how it will affect local agencies – what's the bottom line for local agencies (e.g. maintaining to new levels?); is it a plan or a policy? hope that product will be helpful, not a hindrance (new rules) – that plan will assist not constrict local agencies
- probably need some liability protection for those who maintain the levees; some legislated protection for maintaining agencies.
- other programs and plans that haven't been implemented – recognize the potential opportunities of these within the regional conditions report (what are the opportunities to partner?) e.g. list of pending Corps project (Merced Creeks is one)
- we need to share names and agencies that need to be part of this in terms of developing goals and objectives; help DWR get their attention.
- need to maintain relationships with these agencies – why can't agencies work together
- the DFG mission totally conflicts with local flood conditions – how do you get the Federal agencies to change their mission, that's what they're built on.
- taxpayers built these systems and now we have to maintain these

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Q. Some of us are struggling – this is such a high-level scope; as scope becomes more developed, will there be a chance to comment?

A. Yes. The goal is to have regions coordinate and work off the same outline.

Question #2: What is necessary for the Regional Conditions work group to be successful?

- Getting all entities in the watershed to work together. There are counties and cities and overlapping jurisdictions. There would need to be an integrated approach. The larger Irrigation Districts are used to cooperating. Small towns and counties are not used to working together, although community groups join together on issues.
- understanding what the implications of this planning process are on land use and growth; those are pretty significant.
- legislation that states the Plan is background that local agencies must consider
- Address impacts of new development on flood conditions. For example, development turns percolating water into non-percolating water resulting in increased runoff, which loads the flood management systems.
 - looking at options such as stormwater basins that meter water in a lower rates
 - when UC Merced came in, development took off; there is a plan for a huge UC community – that impacts runoff, groundwater recharge, and flood susceptibility
- identifying the things that tie our hands for Operation and Maintenance
- the Regional Conditions report needs to address four aspects of flood management:
 - everyday operations and real-time handling of flood water
 - supporting infrastructure (new and existing)
 - storage to buffer flows
 - management of land development along susceptible areas
- should address telemetry for flood forecasting
- update flood control channels – Bear Creek; new standards for new development

Comment: It would be nice if permitting obstacles were removed and competing regulations worked out, to streamline permitting. For example, streambed alternation permits – we are now using MOUs. Another example: Could Dept. of Fish and Game participate in DWR annual inspections? (We received a letter from DFG to stop work because our permit had expired.)

Response: The need for streamlining – we’ve heard that loud and clear. We think we’ll be able to make some real progress on that.

Comment: It’s frustrating – this is work that we’ve been doing for 50 years. We are doing CEQA for work in the channel; we’re spending a lot of money that could otherwise go to maintenance. The responding state agency told us we will probably need to get a 404 permit. And irrigation maintenance supports flood control.

Comment: Merced Irrigation District and City of Merced do maintenance. Costs keep going up with CEQA and environmental permitting. We can’t spray over water. A process is needed to make maintenance viable.

Comment: Projects should come with a lifetime permit for maintenance – that should be part of the original permit. There should be no additional maintenance costs

Written comments received at the end of the breakout session:

- future challenges include:
 - money and what should have priority: flood protection (public safety) or ecosystem restoration)
 - whole environmental review process needs fixing

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- project scope and the number of entities involved will make for a slow-moving process
- What are the potential effects of the plan process on growth and land use?
- Who decides what the regional goals and objectives are?
- Is there a study horizon?

BREAKOUT DISCUSSION: PLANNING AND ENGAGEMENT APPROACH

Comment: There was a FloodSAFE meeting in Firebaugh, but we didn't have enough people so we are thinking about combining with Mendota. What we were being told was that the two communities aren't large enough

Response: There is a legislative definition of what is urban. They were probably saying that they are doing in the Urban Levee Program and those two communities are not within the scope of the urban definition. We are looking at all levees and those will probably be included in the non-urban levees. All will be included in the report. They are doing more detailed work on the urban levees. No one will be left out.

Comment: It seems like we should have some of the people from the city come to this. The City Manager (of Firebaugh) should be included.

Response: There is a form to sign up, but you can nominate someone and then we will confirm that person's interest in participating.

Comment: The big thing on the initial survey is that we want this area represented.

Response: There are opportunities for everyone to get involved.

Q: Can someone come to our meetings to update us? (San Joaquin River Resource Coalition)

A: If you want to make time on your agenda we would be happy to attend and give a presentation.

Comment: We have a lot of farmers who have other levees on their land. There is overflow from the bypass.

Response: It sounds like there are at least two ways you have to engage on that issue – through the interest group and possibly signing up your city manager.

Thoughts and comments on key aspects for Planning and Engagement

Comment: There are folks who would probably like to get involved but will not drive all the way to Los Banos.

Response: We will be rotating meetings within the area. We also would be happy to come to Firebaugh and present perhaps to the City Council.

Comment: I think that would be good. Other than that, it looks like you have put together a good plan.

Written comments received at the end of the breakout session:

- none received

BREAKOUT DISCUSSION: ENVIRONMENTAL STEWARDSHIP

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Q: Are people not considered a natural resource?

A: It is assumed people are taken care of and these are the things that need to be taken care of, but will talk about this later. (Referring to the language in the definition of environmental stewardship.)

Q: “Ecosystems in a sustainable manner” is in the definition. Does that mean sustaining what is there? Are you going to try to re-establish habitat?

A: We will be looking to sustain, at the very least, and potentially restore and enhance where it is appropriate to do so. We will look for opportunities. Our sister resource agencies will be looking at recovery plans for sensitive species. There might be areas where we can expand habitat. It is not a difficult leap to see that riparian and a lot of species habitat have been pinched.

Q: If you are looking forward to potential impacts it is very different than trying to get back to 1920, for example. What type of people will be in the work group?

A: NGOs, agency folks, levee districts, etc. We are looking for a balanced group. We will look at our applications, what their interest is, where they would like to participate. What we are really looking for is a balance, so that everyone’s point of view is important.

Comment: I would also like to see “people” in the definition, but I doubt that it will ever be there.

Comment: I think public safety should be the foremost concern. I have seen, in my history, environmental groups tend to win over the concern of public safety.

Response: I don’t think we usually see agency folks saying you have to do this regardless of the effect on human safety. What we are looking for is a way to balance that. Environmental concerns need to be a factor in the plan for the system. If it is not considered until the end of the process, the plan will be opposed. Then we won’t be successful in getting this launched and off the ground. I presume it will not come at the expense of public safety, but we will do more in the realm of environmental protection than previously.

Comment: From my perspective it has been one-sided.

Response: Gary mentioned a collaborative that was started about four years ago. There was a lot of high level participation. There was a lot of loggerhead and we realized we weren’t moving projects forward. The agency group came together and realized they had to come up with ways to put emergency projects into place. This is the kind of experience and collaboration we are looking for in this non-emergency process.

The entire premise we are working toward is we have to capture the differing perspectives. We don’t expect to come to resolve immediately. By the end of 2012 we have to have some recommendations on how to operate and sustain the existing system. Not alone, how to deal with improvements. Everything might not be resolved by 2012, but we should have recommendations on how to make things work more effectively. We have to make progress in protecting the environment and make progress in maintaining and improving the system. If all we do after a couple of years is capture the differences and have recommendations for how to move forward, that would be an accomplishment.

Discussion on definition of Environmental Stewardship

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Comment: As we talked about Flood Safe objectives and I guess the objectives of this plan...environmental, economic, and cultural sustainability. It seems there should be recognition of the fact environmental stewardship has to recognize there are other co-equal objectives.

Comment: That doesn't address Dale's comment of "foremost." Would it be appropriate for human safety to have priority over environmental concerns? If push comes to shove, a levee project is being stalled because of some environmental concern, and there is a legitimate public safety concern, the public safety concern should take priority. There is almost a hindrance from getting a worthy project built.

Response: That could end up being a guiding principle.

Comment: It has been my experience that environmental review doesn't stop projects. It might stop a project approach. It is getting back to figuring out the public safety goals in a manner that protects, preserves or enhances the environment. It just requires more money. It is sometimes hard to put aside engineering "cost effective" definitions.

Response: It really is about the approach. If someone wants to stop a project, that does happen. If you go into a project with an approach that makes the project and the environment whole, while it might be more expensive, it can be done. Yes, there are some costs up front, but overall there are cost savings.

Comment: If I am an NGO and I see the Environmental Stewardship group stacking with engineering and operator types, I am going to be suspect and the same will be true if stacked with NGOs. There has to be a way to make it fair. Let's make it a levee project that has environmental benefits, not an environmental project that happens to address a levee.

Response: The goals and objectives have to flow throughout the plan. There has to be integration. We have regional groups and topic-specific groups. Our challenge is to make sure the products aren't going off into different directions. There are laws that govern how some of this has to be done. At the end of the day, we are not just mitigating for bad things but to also take advantage of good things that can be done as part of a project.

Response: In my mind, if we do it right and incorporate environmental stewardship properly, we can probably eliminate some of the challenges as you can look at things from a larger scale. The goal over here is so we can stay ahead of the curve.

Discussion on scope of work for Environmental Stewardship

- Given the amount of detail that is there, it is OK. The difficulty will be the detail that comes later.
- We will spend time in the work group going through these things. We know we will get the agency and NGO folks, but hope to get the levee operators, etc.

Comment: One of the measures of success would be if there was a reduced timeframe for getting stuff done while still addressing environmental goals.

Response: That is kind of the next step. Thinking about measures of success is a little confusing. We didn't want to come with a pre-designed document. Some ideas we had include: 1) participants mostly agree, 2) ecosystem protection and restoration is being integrated in the planning, rather than achieved through mitigation, 3) Ecosystem restoration is included as criteria for project funding decisions. We may start with a list like this, or not.

Written comments received at the end of the breakout session:

- Humans need to be added to the definition.

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- If the commitment is aimed toward sustaining current natural resources, then yes. However, if the approach will be to re-establish species or habitat to pre-60s or older time periods, then this responsibility will be seen by many as going too far.
- In the work group: Who participates? Who decides?
- For this plan effort, stewardship should recognize that environment sustainability will be balanced with public safety, cultural, and economic sustainability.
- While a balance between environmental issues and levee maintenance requirements would be a goal – a guiding principle should include public safety as being more important.
- A good measure for whether Environmental Stewardship was successfully included in the development of the CVFPP is some reduced timeframe to obtain environmental clearance for other than emergency projects.
- Many will want to see a draft procedure of how the E.S. workgroup will be selected, what type of mix, i.e. NGOs, government agencies, owner/operators, consultants, etc. be utilized.
- The scope is clear given the amount of details given – however, the “devil will be in the details.”
- Clarify definition of sustainable for the projects, as applies to Environmental Stewardship.
- Definition is vague, sustainable means very different thing to many people.

BREAKOUT DISCUSSION: NON-URBAN LEVEE EVALUATION

- Q. How much of the information will locals be able to utilize? Will we be able to get that information. (There was a reference to Cal?PAL processes?)
- A. All of it will be available, as soon as it is vetted internally. The GAR [need full name for acro] will be available in November. The data report will be produced and made available.
- Q. What basins are involved? The Tulare Basin impacts this area.
- A: The regional boundaries are drawn on the basis of land use; however, any hydrologic impacts from other basin will be taken into account.

Thoughts and comments on scope of work for Non-Urban Levee Evaluation

Question #1: Is the proposed approach clear?

Comment: The map is not consistent with area of population for 5,000.

Response: Have not vetted the maps with local

Comment: There are some question as to the impacts of flooding at Firebaugh.

Response: We Will take the maps and vet them with local experts (Reclamation Disticts) to capture that we have the maps right.

Question #2: Is the approach on target?

Comment: Define crest exploration

Response: This is drilling or punching through the crest up to four times at the levee heights.

We will complement with _____ . The spacing will depend on Phase 1 results.

Q. Will you be asking for locations?

A. Yes, we will also vet the exploration plan – hopefully would take into account previous interviews and reports.

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Q. As far as those boil locations, we have GPS coordinates. Will you verify GPS coordinates?
A: We don't know yet. We will vet the exploration plan
Response: We could also bring this to the RMC meeting. It would be an option to be put on the agenda, or hold a special meeting. (Participants thought this would be a good idea.)
Comment: What's nice is that everyone has that on their calendar.

Written comments received at the end of the breakout session:

- none received

ATTENDANCE

Randy Anthony, Merced Irrigation District
Mark Connelly, San Joaquin County
Alicia Gasdick, Bureau of Reclamation
Reggie Hill, LSJLD
Mari Martin, SJC RMC
Scott Morgan, DWR
Christopher Neudeck, KSN Inc.
Brian Smith, DWR
John Webber, RD999