

CVFPP Requirements

Legislation signed in 2007 (Senate Bill 5) required DWR to prepare a sustainable, integrated flood management plan called the “Central Valley Flood Protection Plan” by January 1, 2012, for adoption by the Central Valley Flood Protection Board (Board) by July 1, 2012. The plan is to be updated every 5 years (years ending in 7 and 2). The various requirements and guidance provided to the State in preparing the plan are included in various sections of the California Water Code (WC), and summarized below:

Plan Requirements

- The CVFPP will be a descriptive document, and neither the plan nor anything in this part will be construed to expand the liability of the State for the operation or maintenance of any flood management facility beyond the scope of the SPFC, except as specifically determined by the Board pursuant to WC § 9611. Neither the development nor the adoption of the CVFPP will be construed to constitute any commitment by the State to provide, to continue to provide, or to maintain at, or to increase flood protection to, any particular level (WC § 9603(a)).
- The CVFPP will reflect a systemwide approach to protecting the lands currently protected from flooding by existing facilities of the SPFC. Any flood protection benefits accruing to lands or communities outside the SPFC will be incidental and will not constitute any commitment by the State to provide, to continue to provide, or to maintain at, or to increase flood protection to, any particular level (WC § 9603(b)).
- The CVFPP, wherever feasible, will promote natural dynamic hydrologic and geomorphic processes; increase and improve the quantity, diversity, and connectivity of riparian, wetland, flood plain, and shaded riverine aquatic habitats, including the agricultural and ecological values of these lands; and promote the recovery and stability of native species populations and overall biotic community diversity (WC § 9616(a)).
- The CVPP, wherever feasible, will identify opportunities and incentives for expanding or increasing use of floodway corridors (WC § 9616(a)).
- DWR and the Board will investigate and evaluate the feasibility of potential bypasses or floodways that would significantly reduce flood stage in the San Joaquin River Watershed, upstream and south of Paradise Cut (WC § 9613(c)).
- In conjunction with the CVFPP, DWR will prepare an investment strategy to meet long-term flood protection needs and minimize State taxpayer liabilities from flooding (Public Resources Code (PRC) § 5096.820(b)(3), WC § 9620(c)).

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- The CVFPP should also help prioritize State investments and develop a long-term investment strategy (PRC § 5096.820; WC §9616(b) and 9620(c)). Upon the adoption of the CVFPP by the Board, DWR is directed to develop a recommended schedule and funding plan to implement the recommendations of the plan. To develop the recommended schedule and funding plan, DWR may collaborate with local and federal agencies.
- Upon completion of the CVFPP, DWR may identify and propose to the Board additional structural and nonstructural facilities to be included in the SFPC, consistent with the CVFPP (WC § 9611 (c)). The Board may add those facilities to the SPFC based on a determination of:
 - Significant systemwide benefits for managing flood risks within the Sacramento-San Joaquin Valley; or
 - Protection of urban areas within the Sacramento-San Joaquin Valley.

Required Plan Content

The CVFPP shall include all of the following (WC § 9614):

- A. A description of the Sacramento-San Joaquin River Flood Management System and the cities and counties included in the system.
- B. A description of the performance of the system and the challenges to modifying the system to provide appropriate levels of flood protection using available information.
- C. A description of the facilities included in the State Plan of Flood Control, including all of the following:
 - (1) The precise location and a brief description of each facility, a description of the population and property protected by the facility, the system benefits provided by the facility, if any, and a brief history of the facility, including the year of construction, major improvements to the facility, and any failures of the facility.
 - (2) The design capacity of each facility.
 - (3) A description and evaluation of the performance of each facility, including the following:
 - (a) An evaluation of failure risks due to each of the following:

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- i. Overtopping.
 - ii. Under seepage and seepage.
 - iii. Structural failure.
 - iv. Other sources of risk, including seismic risks, that the department or the board determines are applicable.
 - (b) A description of any uncertainties regarding performance capability, including uncertainties arising from the need for additional engineering evaluations or uncertainties arising from changed conditions such as changes in estimated channel capacities.
- D. A description of each existing dam that is not part of the State Plan of Flood Control that provides either significant systemwide benefits for managing flood risks within the Sacramento-San Joaquin Valley or protects urban areas within the Sacramento-San Joaquin Valley.
- E. A description of each existing levee and other flood management facility not described in subdivision (d) that is not part of the State Plan of Flood Control and that provides either significant systemwide benefits for managing flood risks within the Sacramento-San Joaquin Valley or protects an urban area.
- F. A description of the probable impacts of projected climate change, projected land use patterns, and other potential flood management challenges on the ability of the system to provide adequate levels of flood protection.
- G. An evaluation of the structural improvements and repairs necessary to bring each of the facilities of the State Plan of Flood Control to within its design standard. The evaluation shall include a prioritized list of recommended actions necessary to bring each facility not identified in subdivision (h) to within its design standard.
- H. The evaluation shall include a list of facilities recommended to be removed from the State Plan of Flood Control. For each facility recommended for removal, the evaluation shall identify both of the following:
 - (1) The reasons for proposing the removal of the facility from the State Plan of Flood Control.
 - (2) Any additional recommended actions associated with removing the facility from the State Plan of Flood Control.

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- I. A description of both structural and nonstructural methods for providing an urban level of flood protection to current urban areas. The description shall also include a list of recommended next steps to improve urban flood protection.
- J. A description of structural and nonstructural means for enabling or improving systemwide riverine ecosystem function, including, but not limited to, establishment of riparian habitat and seasonal inundation of available flood plains where feasible.

Note that the State Plan of Flood Control (SPFC) Descriptive Document and the Flood Control System Status Report will provide much of the information and content for the first five elements described above. The CVFPP will reference these companion documents.

The CVFPP is also to incorporate multi-objective planning where feasible. WC § 9616 identifies objectives to be achieved by the CVFPP, to the extent possible:

- Reduce the risk to human life, health, and safety from flooding and protect public safety infrastructure.
- Expand the capacity of the system to reduce flood flows or convey flood flows away from urban areas.
- Link the flood protection system with the water supply system.
- Reduce flood risks in currently nonurbanized areas.
- Increase the engagement of local agencies to promote a better connection between State flood management and local land-use decisions.
- Improve flood protection for urban areas to the urban level of protection.
- Promote natural dynamic hydrologic and geomorphic processes.
- Reduce damage from flooding.
- Increase and improve the quantity, diversity, and connectivity of riparian, wetland, flood plain, and shaded riverine aquatic habitats, including the agricultural and ecological value of these lands.
- Minimize O&M requirements.

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- Promote the recovery and sustainability of native species populations and overall biotic community diversity.
- Identify opportunities and incentives for expanding or increasing use of floodway corridors.
- Provide a feasible, comprehensive, long-term financing plan.
- Identify opportunities for reservoir reoperation in conjunction with groundwater storage.

Process and Timeline for Plan Development

- On or before December 31, 2010, DWR will prepare a status report on the progress and development of the CVFPP. DWR will post this information on the Board's Internet Web site, and make it available to the public (WC § 9610(c)).
- DWR will prepare the CVFPP and will transmit the plan to the Board no later than January 1, 2012 (WC § 9612(b)).
- DWR or the Board may appoint one or more advisory committees to assist in the preparation of the CVFPP. If DWR or the Board appoints one or more advisory committees, the advisory committee(s) will include representation by interested organizations (WC § 9612(f)).
- For the purposes of preparing the CVFPP, DWR will collaborate with USACE and the owners and operators of flood management facilities (WC § 9615).
- DWR will collaborate with State and federal agencies, if appropriate, regarding multi-objective flood management strategies to improve long-term system operations and maintenance (O&M) and develop procedures to facilitate environmental permitting and resource protection (WC§ 8590(e)).