

ITEM 1

Agenda of February 21, 2013

**TO: Board of Directors
Sacramento Area Flood Control Agency**

**FROM: Richard M. Johnson, Executive Director
(916) 874-7606**

SUBJECT: EXECUTIVE DIRECTOR'S REPORT FOR FEBRUARY 21, 2013

U.S. Senate Bill 197

On January 31, 2013, Senator Feinstein and Senator Boxer introduced S. 197, "Natomas Basin Flood Protection Act." We appreciate the support of our Senators in their efforts to obtain authorization for the Natomas Levee Improvement Project.

SAFCA Testimony - U.S. Senate Committee on Environment and Public Works

On February 7, 2013, the U.S. Senate Committee on Environment and Public Works held a hearing entitled "Oversight Hearing on Implementation of U.S Army Corps of Engineers Water Resources Policies." I was asked to appear and testify as a Witness at the hearing. The hearing was on the impact of certain Corps policies on water resource projects. SAFCA was asked to specifically address the changes in Corps policies on credits and vegetation as we have had the most experience in dealing with those in the country. I have attached the letter requesting I testify as Attachment 1. The Committee members include:

Senate Majority Committee Members (Democrat)

Barbara Boxer (Chairman) - California
Max Baucus - Montana
Thomas R. Carper - Delaware
Frank R. Lautenberg - New Jersey
Benjamin L. Cardin - Maryland
Bernard Sanders - Vermont
Sheldon Whitehouse - Rhode Island
Tom Udall - New Mexico
Jeff Merkley - Oregon
Kirsten Gillibrand - New York

Senate Minority Committee Members (Republican)

David Vitter - Louisiana
James M. Inhofe - Oklahoma
John Barrasso - Wyoming
Jeff Sessions - Alabama
Mike Crapo - Idaho
Roger F. Wicker - Mississippi

John Boozman - Arkansas
Deb Fischer - Nebraska

The hearing agenda and list of witnesses was as follows:

Witnesses

OPENING REMARKS

Panel 1

The Honorable Jo-Ellen Darcy
Assistant Secretary of the Army (Civil Works)

Panel 2

Mr. Richard M. Johnson
Executive Director
Sacramento Area Flood Control Agency

Mr. Robert Turner
Regional Director
Southeast Louisiana Flood Protection Authority - East

Mr. Collin P. O'Mara
Secretary
Delaware Department of Natural Resources and Environmental Control

Mr. Garret Graves
Chair
Coastal Protection and Restoration Authority

I have attached my written testimony as Attachment 2. The oral testimony was limited to 5 minutes and so we condensed the written testimony to 5 minutes. It can be viewed on the Committee's webpage.

SAFCA Washington D.C. Trip Report

Every year SAFCA representatives travel to Washington D.C. to work with the various Congressional Committees, Senators, Representatives, and Agencies in seeking support for SAFCA projects. This year SAFCA Board of Directors Chair Phil Serna and SAFCA Executive Director Rick Johnson went to Washington D.C. the week of February 11, 2013.

PARTICIPANTS:

Phil Serna, Chair, SAFCA Board of Directors
Rick Johnson, Executive Director, SAFCA
Mike Strachn, SAFCA Consultant
Bory Steinberg, SAFCA Consultant (Meeting with HQUSACE and OASA(CW))
Rich Worthington, SAFCA Consultant (Meetings with HQUSACE)

ITINERARY:

Tuesday, February 12, 2013

Meeting with Representative Ami Bera (CA-D-7)
Meeting with staff of Senator Diane Feinstein (D-CA)
Meeting with staff of Senate Environment & Public Works (EPW) Committee (Minority)

Meeting with staff of Senator Barbara Boxer (D-CA)
Meeting with staff of Senate Energy & Water Development Appropriations Subcommittee
Meeting with Water and Power Branch, Office of Management and Budget
Meeting with staff of Representative Kevin McCarthy (R-CA-23)

Wednesday, February 13, 2013

Meeting with staff of Representative Lynn Jenkins (R-KS-2)
Meeting with Representative John Garamendi (D-CA-3)
Meeting with Representative Nick Rahall (D-WV-3)
Meeting with staff of Representative Doug LaMalfa (R-CA-1)

Thursday, February 14, 2013

Meeting with Jo-Ellen Darcy, Assistant Secretary of the Army (Civil Works)
Meeting with Representative Doris Matsui (D-CA-6)
Meeting with Representative Bill Shuster (R-PA-9)
Meeting with Representative Tom McClintock (R-CA-4)

ADDITIONAL ACTIVITY

In addition to the above meetings, I provided testimony before the Committee on Environment and Public Works on February 7, 2013, on its hearing on "Implementation of Corps of Engineers Water Resources Policies."

While in town for the hearing, I also accomplished the following:

Meeting with staff of Senate Environment & Public Works Committee (Minority)
Meeting with staff of Representative Doris Matsui (D-CA-6)
Meeting with staff of Senate Environment & Public Works Committee (Majority)
Meeting with the Federal Emergency Management Agency
Meeting with Mike Connor, Commissioner, Bureau of Reclamation
Meeting with Steve Stockton, Director of Civil Works, HQ, Corps of Engineers
Meeting with American Association of Port Authorities
Meeting with American Society of Civil Engineers

SUMMARY:

During the period February 11-14, 2013, SAFCA officials engaged Federal officials in Washington, DC on SAFCA's legislative and funding initiatives, including the following:

- Congressional authorization of the Natomas Levee Improvement Program (NLIP). This was our primary objective. We stressed the urgent need to authorize the NLIP in 2013 due to the recent stoppage of work with available non-Federal funding. The authorization is currently being delayed because of the nationwide moratorium on broadly-defined "earmarks" in Congress, which affects multiple Federal projects, activities and programs nationwide.
- Fiscal Years 2013 and 2014 funding. Emphasized the need to fully fund SAFCA's projects in the final disposition of the FY13 appropriations process and the FY 14 President's budget. Of particular concern is the impact of the pending sequestration cuts and lack of a 2013 Federal budget on the ability of the Corps to award the next Folsom Dam Joint Federal Project contract. This has the potential for significantly delaying the JFP. Additionally, we emphasized the need to get funding flowing for NLIP once an authorization is achieved.
- Other topics, including progress on the Joint Federal Project at Folsom Dam, the Common Features General Reevaluation Report, Corps of Engineers vegetation policy, credits for non-Federal work, the Folsom Dam Re-Operation study.

CONCLUSIONS:

In last year's meetings, the SAFCA team (including this year's participants) made significant progress with congressional interests in explaining the extreme jeopardy the community is in without a timely authorization of the NLIP and the arbitrary and adverse consequences that have resulted from an absolute "earmark" ban. The effectiveness of those and other efforts was readily apparent during the 2013 trip. Sacramento's needs are at the forefront of key decision-makers' thinking as momentum for enabling legislation (a "Water Resources Development Act" or "WRDA") is growing in both the U.S. Senate and House of Representatives.

In the Senate, EPW Chairman Boxer published a WRDA "Discussion Draft" in late 2012 and she and EPW senior Republican David Vitter (R-LA) are currently negotiating draft legislation with the objective of moving it through committee in March. The draft contains generic project authorization language which would authorize the NLIP.

In the House, Reps. Bill Shuster and Nick Rahall (incoming Chairman and Ranking Minority of the Transportation & Infrastructure Committee, respectively) have made WRDA their top legislative priority for 2013. They both acknowledge the critical importance of the NLIP.

Other positive developments include the reintroduction by Rep. Matsui of free-standing legislation to authorize the NLIP (H.R. 135 (specific) and H.R. 136 (generic)) and reintroduction by Sens. Feinstein and Boxer of free-standing legislation to authorize the NLIP (S. 197).

Under the continuing leadership of our congressional delegation, particularly Representative Matsui and Senators Feinstein and Boxer, the prospects for authorization

of the NLIP in 2013 are promising. We committed to providing congressional and agency leaders in Washington any support they required to help accomplish this goal.

RJat/ExecDirector'sReportFeb.21