



ITEM 1

Agenda of November 16, 2017

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

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

SUBJECT: EXECUTIVE DIRECTOR'S REPORT FOR NOVEMBER 16, 2017

Implementation Guidance for Section 3013 of WRRDA 2014, Vegetation Management Policy

Section 3013 of the Water Resources Reform and Development Act of 2014 (WRRDA 2014) requires the Secretary to carry out a comprehensive review of U.S. Army Corps of Engineers (USACE) guidelines related to vegetation management on levees to determine whether current USACE vegetation management policy is appropriate for all regions of the United States. Section 3013 further directs the Secretary to consider a number of specific factors as part of that review, including varied interests and responsibilities in managing flood risk; benefits of woody vegetation; preservation, protection, and enhancement of natural resources; protecting the rights of Indian Tribes pursuant to treaties and statutes; levee performance; available science and historical record; avoidance of actions requiring significant costs and environmental impacts; and other factors identified in public comments as the Secretary determines appropriate. The review requires consultation with other applicable Federal agencies, State, tribal, regional and local government, nongovernmental organizations, and the public. The review also must solicit and consider the views of independent experts on engineering, environmental, and institutional considerations.

On October 19, 2017, USACE Headquarters (HQ) finally issued its implementation guidance to the USACE Districts and Divisions (attached hereto as Attachment 1). This implementation guidance directs the Districts and Divisions to no longer implement the prior vegetation policy. The guidance lays out the process for the USACE to develop new guidelines. It further states: "Until the guidelines are revised, USACE will not seek to require non-Federal sponsors to make specific vegetation management decisions without documenting that vegetation presents an unacceptable safety risk." In other words, unless vegetation is in the way of construction or is presenting an unacceptable safety risk, the USACE is no longer requiring its removal. The USACE was already practicing this, but this implementation guidance makes that official.

Expanded Benefits Analysis

At the December 2016 National Association of Flood & Stormwater Management Agencies (NAFSMA) - Corps Partnership meeting, in which SAFCA participated, USACE Headquarters leadership challenged the group to explore ways to quantify legitimate benefits from USACE flood risk reduction projects that might currently be “left on the table” in normal Corps economic analyses. SAFCA has been working with its partners to explore projects and actions that will be able to provide Sacramento with a 500-year level of protection. Part of the problem has been the ability to justify these projects under the current Federal process. This invitation from USACE HQ is an opportunity to expand the benefit categories which could ultimately help justify the projects needed to obtain 500-year level of protection for Sacramento.

In February 2017, the Executive Director executed a signature contract with David Ford Consulting Engineers, Inc. (Ford) to help support this effort. This contract was amended by the Board at the April 2017 Board meeting. Under this contract, Ford has identified the potential to reduce damages not normally recognized in the USACE’s engineering feasibility studies including business interruption damages and loss of life.

In October 2017, we presented the information developed by Ford to USACE HQ. They agreed they had an interest and we will be having a follow-up web meeting towards the end of November 2017.

NAFSMA was also briefed on our efforts and they will be further discussing them with USACE HQ at their NAFSMA-USACE partnership meeting December 4, 2017.

Attachment 2 is a summary sheet of the work accomplished to date.

Washington Post Article

On October 29, 2017, in the wake of flooding in Houston, the Washington Post wrote an article on the flood potential here in Sacramento. The title of the article is “*A Massive Storm Flooded Houston. Experts Say California’s State Capital Could Be Next.*” A copy of the article is attached hereto as Attachment 3.