Meeting Summary

RURAL LEVEE REPAIR GUIDELINES WORK GROUP MEETING #7

JANUARY 8, 2013

California Department of Water Resources, JOC Room LL-20

3310 El Camino Ave. Sacramento, CA

Contents

Summary of Action Items 1
DWR Welcome and Opening Comments 2
General Work Group Comments 3
Report on Key Stakeholder Review Comments 3
Ventura County Watershed Protection District comments 3
California Department of Fish and Wildlife (CDFW) comments 3
Comments responses 4
Additional general comments 4
Revised Timeline Discussion 5
RLRG Document Presentation to the Board 5
Work group Endorsement of the RLRG Document 6
Work group Comments on the RLRG Development Process 6
Final Steps and Closing Remarks 8
Attendance 9

Summary of Action Items

- Mr. Wheeldon (DWR) will present the RLRG document to the Central Valley Flood Control Board, Jan. 10th.
- Mr. Wheeldon (DWR) will present the RLRG document to the Coordinating Committee, Jan. 22nd.
- DWR will revise the document to reflect work group discussion.
- DWR will send work group members a final RLRG document with tracked changes for a final review.
- DWR will schedule a work group meeting (conference call/webinar) as needed based on comments received in the work group final review.

- DWR will schedule a meeting with California Department of Fish and Wildlife to address review comments.
- DWR will develop a Q and A page with key public review comments and DWR responses to be posted on the DWR website with the RLRG document when finalized.
- DWR will distribute the RLRG document.

DWR Welcome and Opening Comments

Meeting facilitator Adam Sutkus (Center for Collaborative Policy) welcomed members and interested parties to the meeting and led introductions around the room. Mr. Sutkus noted that given the progress made, this is likely to be the last work group meeting.

Mr. Wheeldon (RLRG Program Manager, DWR) thanked everyone for attending and acknowledged the members' contribution to this process. The RLRG document reflects a collaborative effort and a consensus driven process. Mr. Wheeldon expressed DWR's hope that this will be the last official work group meeting. The RLRG document was sent out for a public key stakeholders review. Comments were received from the US Army Corp of Engineers (USACE), Ventura County Watershed Protection District, Lake County Water Resources, and California Department of Fish and Wildlife. DWR has prepared a summary of key comments to be discussed at the work group meeting. Some of the comments suggested that a discussion and examples of mitigation measures be added to the RLRG document to encourage incorporation of mitigation in the early design stage to avoid delays in the permitting process. Mr. Wheeldon noted that the mitigation discussion may be beyond the scope of the RLRG document.

Mr. Wheeldon outlined next steps which will include an informational briefing to the Central Valley Flood Control Board (Board) on Friday, January 10, 2014. Additional changes to the RLRG document, as discussed at the work group meeting, will be added subsequently. If the Board suggests additional changes, the work group may be asked to convene one more time, in a webinar or conference call, for a final discussion.

Mr. Sutkus reviewed the agenda for the work group meeting which was set to focus on the key stakeholders review comments, the Board presentation, concluding steps, and work group endorsement of the RLRG document.

General Work Group Comments

No general comments were offered by the work group.

Report on Key Stakeholder Review Comments

Mr. Wheeldon summarized the key stakeholders review process. DWR sent the RLRG document in early December to the farm bureaus, the Flood Control Association, and others. Changes based on comments provided will be incorporated into the next version of the document. Key comments are provided in a matrix format for work group discussion.

Ventura County Watershed Protection District comments

Page 3-5, section 3.2.2, last paragraph: Language was clarified to address the comment.

Page 3-13, section 3.4.1 applicability: The words "if left unmitigated" will be added and applied through the document for clarification.

Templates E-1, SS-2, SS-3, SS-4, and COM-2: The template' note will be revised and a sentence will be added in the text to address benching.

California Department of Fish and Wildlife (CDFW) comments

Section 1: CDFW suggested that a rural definition based on population size be included in the document.

The introduction of a rural definition is complicated. The focus of the RLRG document is rural agricultural levees repair and should not be based on urban requirements or small community definition. The focus on low risk repair options may need to be further emphasized in the document.

Page 1-2, section 1.2, first paragraph: DWR will revise the language of the last sentence to emphasize the focus of the guidelines.

Page 2-1 (13), section 2.1: The work group previously discussed and agreed that identifying permitting processes requirements is beyond the scope of these guidelines.

Page 2-1, section 2.1: Environmental mitigation options are site specific and cannot be generalized. Mitigation should be addressed at the local level rather than the state level. The language may be modified to state "in addition need to look into other requirements". The guidelines should remain as general as possible. It may be helpful to reiterate throughout the document the need to consider environmental mitigation without providing specific details and requirements.

The language in the document's introduction explains the role of the RLRG document as guidelines rather than a regulation and no other changes are needed in the document. DWR may reiterate the purpose of the RLRG document in its response to the comments.

A member suggested that although environmental mitigation should not be part of the guidelines, it may be included in funding requirements to encourage environmental actions.

Page 2-3, section 2.5.1, 1st paragraph: Although there is a need to work towards standards, the RLRG document only addresses the need to bring a compromised part of a levee to the level of the existing system. It was suggested that the last two sentences in the 1st paragraph be deleted.

The comments received suggested that DWR consult with major engineering firms that work on levees in the Delta. DWR, in its response to the comments, needs to explain the wide representation of stakeholders in the work group process.

Page 3-5, section 3.2.1: Environmental stewardship efforts are dependent on local conditions and should be addressed at the local level. The focus of the guidelines is to address maintenance issues rather than improvement of levees. This comment should be addressed in a response rather than the RLRG document.

Page 3-5, section 3.2.1, first bullet: It is understood that the intent of the comment is to promote environmental stewardship. Root penetration is not always appropriate and geotextile is used for several purpose including drainage and separation. Root penetration may require more expensive and extensive analysis and repair. No changes should be made in the RLRG document to address this comment but an explanation should be provided in response to comments.

Comments responses

A member asked how DWR will respond to the public review comments. It was suggested that DWR meet with CDFW to discuss responses to specific comments and in addition provide a Q and A page to be posted on the RLRG website to address general key comments. Mr. Wheeldon will discuss responses to public review comments at the Board briefing. It is important to explain and emphasize the intention of the RLRG document to reviewers.

Additional general comments

Easement to allow riverine processes: Work group members offered that erosion repair, as described in the guidelines, is tied to the levee not the bank. Conservation easement on the levee is not possible unless it is accompanied with offset which is not a consideration for these guidelines. The guidelines do not preclude options that allow natural processes to occur.

Work group process and formation: The original request for work group participation included resources agencies and was publicized at several venues to encourage participation. Since these guidelines address maintenance issues they will be part of resource agencies review process.

Page 3-4, section 3.2, last paragraph: A reviewer commented on consideration of water techniques since rural levees are located in agricultural areas. Mr. Wheeldon stated that the intent of the guidelines is to minimize the cost and needs for evaluation and investigation. The suggested repair options are beyond the scope of a typical repair. Members added that the guidance is intended to provide simple and traditional repair options. Language may be added to recognize the limited scope of the guidelines and clarify that there may be a potential need and use of bio geotechnical repairs.

Revised language was suggested for page 3-4, first paragraph: "there are additional ways of repair that are not discussed in the document and are available in other guidance documents provided by other agencies". A more general language can be added to section 3-1 (general implementation guidelines).

408 permit process definition: USACE provided a revision of the 408 permit process definition but asked for a clarification on the omission of an encroachment permit description in the definition section.

The work group discussed the need to include definitions for the specific permitting processes. Since the permitting process is not part of the guidelines, it was concluded that an encroachment definition is not needed and the 408 permit definition should be taken out of the definition section.

Revised Timeline Discussion

Mr. Wheeldon stated that the need for additional work group meetings (by webinar or phone) will depend on the response and comments received at the Board presentation. The work group will be provided with a final copy of the RLRG document that will included changes discussed in the work group meeting. The work group will be given another opportunity to review the RLRG document.

A work group member asked if the guidelines were reviewed by DWR legal department. Mr. Wheeldon responded that the Legal Department was provided with a copy of the guidelines for review. Since the RLRG document does not have a funding component and serves as guidelines, there were no legal concerns. DWR management reviewed the document as well. The different reviews will be highlighted at the Board presentation.

The final public distribution of the RLRG document will include key agencies and work group members. The RLRG document will be posted on the DWR website.

RLRG Document Presentation to the Board

Mr. Wheeldon reiterated that the Board resolution only required that a final draft be brought to the Board and there is no clear avenue for approval or adoption of the RLRG document. Mr.

Wheeldon asked for work group input on the potential process for future amendment to the guidelines. A member suggested that the intent of the RLRG document to lower cost for rural levee repair should be explained and distinguished from the Title 23 requirements and added that the RLRG document provides repair options that can be used to address some Title 23 requirements. A member asked how a project that is presented to the Board but is determined by the USACE to not meet Title 23 requirements will be handled. The work group discussion suggested that the applicant will be have to explain any request for exception and if the project is consistent with the guidelines, the Board staff can elect to recommend approval but ultimately approval is provided by the US ACE. A member suggested that it may be helpful to the Board if an understanding can be reached on how to handle projects that are not consistent with Title 23 yet are consistent with the guidelines. This is particularly relevant if the project review demonstrates that there is no adverse impact on the functioning of the levee. This discrepancy should be explained at the Board presentation. It was reiterated that the fundamental focus of the guidelines is lower standards of repairing with appropriate investment. Additional processes are needed to implement repairs that affect the overall levee system.

Mr. Sutkus checked with the work group regarding the possibility of members joining Mr. Wheeldon at the Board presentation to support and provide their perspective on the RLRG development process. Mr. Wheeldon added that it will be helpful to have members at the Board presentation to address issues such as stakeholders representation in the process. Mr. Wheeldon will be giving a presentation on the RLRG process to the Coordinating Committee on January 22nd.

Work group Endorsement of the RLRG Document

Mr. Sutkus suggested a revision to the Preface section, 3rd paragraph to highlight the consensus based approach of the RLRG development process:

"The work group was conducted through a consensus seeking process with input used for clarifying technical programmatic, financial and other critical implementation considerations."

Work group members concurred with the language as suggested by Mr. Sutkus.

Work group Comments on the RLRG Development Process

Mr. Sutkus asked work group members to comment on the overall process of developing the RLRG document. Following are work group members comments:

- Mr. Wheeldon stated that it was important to kick off the process quickly at the beginning and that representation was an important part of setting up the process.
- The process worked well.

- Some participants felt that their vision at the beginning of the process was different then the way the process has developed. It took a couple of meetings to define the purpose of the process. It is important to gain consensus early in the process on its purpose.
- Defining the purpose of the document was part of the process because there was a lack of direction from the Board resolution.
- There is an ongoing frustration that without funding, the repairs as outlined in the guidelines will not work for levees outside of the Delta.
- Interaction among work group members could have helped move the process along with document reviews.
- Work group members were very respectful and the discussion was very insightful.
- The process was facilitated very well with opportunities to provide and receive information and input. The work group discussion was impressive given that there was initially interest in changes to the 408 permit process as part of the guidelines.
- The Board should be encouraged to use this facilitation model to address other issues.
- It was recognized that a key part of the process was the technical guidance and support to develop the RLRG document. Mr. Wheeldon added that the work group was set up as a volunteer effort and there was a conscious effort to minimize the technical work expected of the members with focus on discussion and review. MWHA and URS provided the needed technical support in preparing the RLRG document.
- The facilitation of the work group meetings made it easy to move forward.

Mr. Wheeldon asked members to comment on the amount of work that was spent by members in the process.

- Members brought diverse knowledge to the discussion and the interaction was very positive and allowed everyone to learn together.
- Although the process started slowly, it was brought into focus and completion of the guidelines.
- The process was enjoyable.
- A key challenge to developing the guidelines was to be thoughtful without going overboard.
- Seven meetings to develop the guidelines are very efficient.
- The process allowed for open communication in which everyone had opportunities to speak their mind through all issues.
- A key challenge to this process was to keep all work group members engaged. It appears that some members have dropped out of the process.
- Mr. Sutkus added that the work group was very cohesive and collaborative. The process seemed very efficient with a lot of support from the work group members, URS, MWHA, and DWR staff. Having the charter and the repair templates as a focus for discussion helped keep the work group on track.

Final Steps and Closing Remarks

Mr. Wheeldon summarized that the final draft RLRG document with the changes that were discussed at the work group meeting will be presented to the Board in accordance with the resolution. If the Board provides additional comments, DWR will consider whether comments are significant enough to warrant a discussion with the work group. Once finalized, the RLRG document will be disturbed, announced through FloodSafe, and posted on the DWR website with a summary of comments and responses. The RLRG document is not anticipated to be a living document that will need to be revisited. Mr. Wheeldon encouraged the work group members to participate in the Board meeting and reiterate that a separate presentation will be given to the Coordinating Committee. Mr. Wheeldon concluded by thanking the members for their volunteer efforts in developing the RLRG document.

Attendance

Name	Affiliation
Work Group Members	
Cosio, Gilbert	MBK Engineers
Countryman, Joe	CVFPB, Board Member
Hill, Reggie	Lower San Joaquin Levee District
Huntsman, Scott R.	Black & Veatch Corporation
Larson, Ryan	USACE
Perlea, Mary	USACE
Reinhardt, Ric	MBK Engineering
Stadler, Steven	Kings River Conservation District
Sullivan, Steven	Mead & Hunt, Inc
Sun, Yung-Hsin	MWH Americas, Inc.
Interested Parties	
Hollister, Nekane	DFM-FPIIB
DWR RLRG Team	
Wheeldon, Dave	DWR-FMO
Ara, Syada	DWR-FMO
Boen, Brian	URS
Chowdhwry, Khaled	URS
Millet, Richard	DWR Geo-Levee
Sutkus, Adam	CCP
Kalman, Orit	CCP