

City of Sacramento

Legislation Text

File #: 2018-01521, **Version:** 1

Title:

Accepting the Sacramento Area Flood Control Agency's (SAFCA) 2018 Urban Level of Flood Protection (ULOP) Adequate Progress Annual Report

File ID: 2018-01521

Location: Citywide

Recommendation:

Adopt a Resolution accepting the Sacramento Area Flood Control Agency's (SAFCA) 2018 Urban Level of Flood Protection (ULOP) Adequate Progress Annual Report.

Contact: Remi Mendoza, CFM, Senior Planner, (916) 808-5003; Gregory J. Sandlund, Long Range Planning Manager, (916) 808-8931, Community Development Department; Tony Bertrand, Supervising Engineer, (916) 808-1461; Connie Perkins, Senior Engineer, (916) 808-1914, Department of Utilities

Presenter: None

Attachments:

- 1-Description/Analysis
- 2-Resolution
- 3-Exhibit A-SAFCA 2018 ULOP Adequate Progress Annual Report

Description/Analysis

Issue Detail: On June 21, 2016, the City Council passed a resolution accepting the Sacramento Area Flood Control Agency's (SAFCA) Urban Level of Flood Protection (ULOP) Plan, prepared pursuant to Senate Bill 5 (SB 5) and related legislation. The ULOP Plan identifies flood improvement projects, cost estimates, anticipated funding sources, and a schedule to complete them by 2025, which would result in 200-year flood protection for the city.

When considering development within a flood hazard zone, the City has relied on the 2016 ULOP Plan and the subsequent 2017 ULOP annual report as pieces of substantial evidence that SAFCA

has made adequate progress on the construction of a 200-year flood protection system.

The purpose of this report is to provide an additional piece of the substantial evidence necessary to support the “adequate progress finding” in the approval of new development within a flood hazard zone. Attached is SAFCA’s second annual report, the 2018 ULOP Adequate Progress Annual Report intended to serve that purpose (Attachment 3). The annual report concludes that SAFCA is meeting State standards for adequate progress on achieving a 200-year urban level of flood protection. Staff recommends that Council adopt a resolution accepting the SAFCA 2018 ULOP Adequate Progress Annual Report.

Policy Considerations: The 2035 General Plan includes the following goals and policies related to flood protection:

GOAL Environmental Constraints (EC) 2.1

Protect life and property from flooding.

EC 2.1.4 200-Year Flood Protection. The City shall work with local, regional, state, and federal agencies to achieve at least 200-year flood protection for all areas of the City by 2025.

EC 2.1.5 Funding for 200-year Flood Protection. The City shall continue to cooperate with local, regional, State, and Federal agencies in securing funding to obtain the maximum level of flood protection that is practical, with a minimum goal of achieving at least 200-year flood protection as quickly as possible.

Economic Impacts: Not applicable.

Environmental Considerations: Policies to achieve a 200-year level of flood protection were included in the 2035 General Plan and evaluated in the certified Master Environmental Impact Report. Acceptance of the SAFCA 2018 ULOP Adequate Progress Annual Report will enable the City to use this document for future flood-related findings in compliance with state law. Acceptance of this document constitutes an administrative action that will not result in direct or indirect physical changes in the environment, and the action is not a project that requires environmental review under the California Environmental Quality Act (CEQA). See CEQA Guidelines section 15378(b)(5); 15060 (c)(3).

Sustainability: The proposed resolution will reduce flood risk by strengthening the linkage between local land use planning decisions and flood management practices. This resolution would also support the City’s efforts to promote urban infill and redevelopment.

Commission/Committee Action: None.

Rationale for Recommendation: Approval of this resolution will achieve compliance with state law (SB 5 and subsequent amendments) thereby allowing the City to make the required findings related to flood protection for approval of development projects.

Financial Considerations: Not applicable.

Local Business Enterprise (LBE): Not applicable.

Background: In 2007, the California Legislature enacted SB 5 and other interrelated bills in effort to strengthen the link between flood management and local land use planning decisions. Per the new state law, effective on July 1, 2016, cities and counties within the Central Valley have been required to make one of the following findings before approving development agreements, tentative maps, discretionary permits, and ministerial permits for new residences:

1. The existing flood management facilities protect the property to an urban level of flood protection, or
2. The city has imposed conditions that will protect the property to an urban level of flood protection, or
3. The local flood management agency has made **adequate progress** on the construction of a flood protection system to provide an urban level of flood protection by 2025, or
4. The property is in an undetermined risk area.

In most cases the ULOP is defined as protection against a 200-year flood. In the Sacramento region, major improvements to levee systems are ongoing which will provide 200-year flood protection by 2025. In 2016 the City's Local Flood Management Agency-SAFCA-prepared an ULOP Plan which has aided the City in making the "adequate progress finding" (No. 3 above). SAFCA's ULOP plan highlights key planned improvements that will provide Sacramento with a 200-year level of flood protection, their costs, revenues to fund them, and a schedule to complete them by 2025. On June 27, 2016, the City Council accepted SAFCA's ULOP plan (Resolution No. 2016-0226).

In order for the City to continue to rely on making the "adequate progress finding", the California Government Code § 65007(a)(5) further requires the City to annually report to the Central Valley Flood Protection Board on its efforts in working towards completion of the 200-year flood protection system. Accordingly, SAFCA staff and consultants have prepared the "2018 ULOP: Adequate Progress Annual Report" for the City to fulfill Government code requirements which document the following:

- The total project scope, schedule, and cost of the flood protection system have been developed to meet 200-year flood protection.
- That 90% of the required revenues scheduled to be received by that year have been

appropriated and is being expended;

- Critical features of the Flood Protection System are under construction and progressing based upon the actual expenditures of the construction budget; and
- The City has not been responsible for a significant delay in the completion of the system.

In summary the 2018 ULOP adequate progress annual report demonstrates that:

- 105% of the revenue scheduled to be received has been appropriated and is currently being expended;
- Critical features of the flood protection system are under construction and progressing based upon the actual expenditures of the construction budget in that:

All Protected Areas - All of the SAFCA protected basins benefit from the Folsom Dam Modifications. The first element of the dam modifications of the Folsom Joint Federal Project (JFP) was largely completed in 2016. In 2017 the completed project was turned over to the US Bureau of Reclamation (USBR). The Folsom Dam Water Control Manual was completed in draft form, and USACE and USBR have agreed on an interim plan that allows utilization of the new spillway pending formal approval of the manual.

Natomas - SAFCA has also largely completed its Natomas Levee Improvement Program (NLIP) which improved levees on the north and west perimeter of the basin. The American River Common Features (ARCF) Natomas Basin Project will improve the remaining levees on the east and south of the basin. Construction was delayed due to construction bid protests, but work is scheduled to begin in Reach D and Reach I in 2018. Natomas benefits from the Folsom Dam Modifications, which were discussed above.

Robla Creek to Arcade Creek - In 2017, 14 relief wells were constructed along the north levee of Arcade Creek, and construction of cutoff walls occurred in summer 2018.

American River North Levee - Construction of cutoff walls along the Arcade Creek south levee and NEMDC east levee has occurred in summer 2018; and

American River South and Sacramento River East Levee - Structural improvements to the Sacramento River east levees are being designed. Construction is scheduled to begin in 2019. Additional structural improvements recommended as a result of evaluations in 2018 include improvements to the Beach Lake Levee and the Sacramento River East Levee downstream of the Beach Lake Levee (MBK, 2018), and a feasibility study is pending.

South Sacramento Streams Group - An evaluation of the State Plan of Flood Control (SPFC) facilities providing flood risk management in the South Sacramento Streams vicinity was

completed this year, and it recommended improvements that would provide ULOP downstream of the UPRR railroad crossing of Morrison Creek. Upstream of the UPRR, construction was completed in 2016-2017 on the Florin Creek channel improvements and the Florin Creek Multi-Use Basin project. When the Federal Emergency Management Agency (FEMA) issues a LOMR for that work, the City or County may determine that some areas where 200-year flood depths are below 3 feet may be newly eligible for a ULOP finding based on 100-year protection.

- The City of Sacramento has not been responsible for a significant delay in the completion of the flood protection system.

The annual report shows that SAFCA is meeting State standards for adequate progress on achieving the 200-year Urban Level of Flood Protection (ULOP). On September 20, 2018, this report was reviewed and approved by the SAFCA Board for distribution to and use by local agencies.

Staff recommends the Council adopt a resolution accepting SAFCA's 2018 ULOP Adequate Progress Annual Report. When considering development within a flood hazard zone, the City will rely on SAFCA's 2016 ULOP Plan and the most recent 2018 annual report as important pieces of substantial evidence in making the "adequate progress finding".