



July 24, 2008

VIA E-MAIL (Email: floodsafe@water.ca.gov)

Mr. Dan Flory
FloodSAFE Program Manager
Department of Water Resources
P.O. Box 942836
Sacramento, CA 94236-0001

Re: Comments on Draft FloodSAFE Strategic Plan (dated 5/28/2008)

Dear Mr. Flory:

This letter provides comments from the Conaway Preservation Group, LLC regarding the above-noted Plan. In an attempt to improve flood management throughout California, the FloodSAFE plan is groundbreaking and is to be commended for attempting to provide a framework to resolve flood issues throughout the State.

A. Conaway Ranch

The Conaway Ranch property covers over 17,000 acres on the west side of the Sacramento River between the cities of Davis and Woodland. Approximately 40 percent of the Ranch is located within the Yolo Bypass and the remainder lies west of the bypass. The Conaway Ranch lies within Reclamation District 2035 ("RD 2035"). Both RD 2035 and the Conaway Preservation Group, LLC, which manages the Conaway Ranch, are actively involved in encouraging and seeking solutions to the region's flood problems while conserving open space, agriculture, and rural and environmental values.

B. FloodSAFE is Ignoring the Connection Between Flood Protection in the Central Valley and the Unique Role the Bypass System Plays in that Flood Protection System

One of the Near-Term Objectives is that of completing the geotechnical levee evaluation for the State Flood System levees that "protect urban areas." This evaluation only looks at certain levees that are near urban areas with specified populations (i.e., more than 10,000 people). However, this narrow focus on population neglects levees that were constructed to protect the urban areas as part of the overall flood control system.

The major examples of this are the levees of the various bypasses that make up much of the flood control system in the Central Valley. The bypasses – often comprised of levees on either side of the large flowage areas – are there to move flood waters from the rivers to the bypass areas. Because many

urban areas were originally settled to be near the rivers for ease of transportation, the bypasses do provide flood protection for the urban areas because without the bypasses the rivers would be incapable of safely transmitting major flood flows themselves, placing urban areas at risk. Therefore, the definition of “urban levees” and “non-urban levees” appears to be an artificial one that looks at proximity but not at the overall function and purpose of the individual levees comprising the complete flood control system.

The current categorization approach also fails to account for the significant urban infrastructure that certain levees protect. For instance, the levees surrounding the Conaway Ranch, which are currently maintained by RD 2035, protect infrastructure vital to more than 10,000 people, and in this way they protect the residents themselves. Examples include the sewage treatment plants for Woodland and Davis, as well as Interstate 5, which transports tens of thousands of personal and commercial vehicles each day and is a vital north-south transportation link for California and the United States. Countless other examples are likely present throughout the Central Valley, and the FloodSAFE Strategic Plan’s proposed method for levee categorization does not account for this issue. As such, the Plan’s current approach and overly narrow focus is inconsistent with Public Resources Code section 5096.820(b)(2), which requires achieving maximum public benefit. The focus on so-called urban areas seems based on Public Resources Code section 5096.821(b), but that subsection only applies to expenditures for “improving or adding facilities.” It is noteworthy that subsection (a) of that same section applies to repairs, replacements, and reconstruction of current and existing facilities and contains no focus on so-called urban areas. In sum, the State cannot move forward on such simplistic assumptions regarding the value of certain levees, but must instead consider these details when it classifies or prioritizes levees. A more complex or multi-faceted approach to assessing levees and what exists behind them is required.

C. Conclusion

The FloodSAFE Draft Strategic Plan blurs the distinction between reducing flood risk as it is usually thought of (as reducing the probability of flooding) and reducing the damages caused by floods. Its definition of flood risk weighs heavily on damages to the potential detriment of reducing the probability of damaging floods. It also creates an artificial distinction between levees that protect urban areas because they are close to those areas and levees that, while part of the overall plan to provide flood protection in the Central Valley, are not proximate to urban areas but, nevertheless, still provide the function of moving flood waters safely past those urban areas and, just as importantly, protect essential public infrastructure from flooding.

The wording in the Strategic Plan must be clarified to outline a flood control vision that will not define its terms so as to sacrifice flood protection for so-called lower value areas to achieve flood protection for so-called high value areas.

Very truly yours,



Tovey Giezantner
Conaway Preservation Group, LLC