**CALAVERAS COUNTY BOARD OF SUPERVISORS AGENDA SUBMITTAL**

Short Name/Subject: O'Connell and Dempsey Federal Advocacy Presentation

Board Meeting Date: **September 20, 2022**

Agenda Number: 5 Dept: Administrative Office Contact: Marcos Munoz

Preparer: Denise Huebner Phone: (209) 754-6025

Supervisorial District Number Countywide

Regular Agenda Published Notice Required: No Public Hearing Required: No

Estimated Time: 30 Minutes Type of Document: Informational Item

PowerPoint Presentation Included: Yes

Budget Transfer Included (Must be signed by Auditor): No

Complete Agreement Required: No Position Allocation Change: No

RECOMMENDATION: Receive a presentation from Mia O’Connell of O’Connell and Dempsey regarding federal advocacy on behalf of Calaveras County, and provide guidance on **County priorities for the 2022-23 legislative year**.

DISCUSSION/SUMMARY: On July 12, 2022, the Board of Supervisors voted unanimously to authorize the Board Chair to execute a professional services agreement with O’Connell and Dempsey, LLC for federal advocacy services on behalf of the County. At that time, the Board also concurred unanimously to invite Ms. O’Connell to a future meeting to confirm the Board’s priorities for lobbying efforts. Ms. O’Connell has been carrying out the Board’s Legislative priorities for 2022 and will brief the Board on outcomes and **potential new priority areas for 2023.**

FINANCING: There is no additional General Fund cost to hold this study session as it is part of the scope of work of the contract with O’Connell and Dempsey, LLC that was approved in July.

ALTERNATIVES: The Board could choose not to discuss the legislative priorities for the current legislative calendar and maintain the priorities as previously identified. This is not advised as the Board agreed unanimously to discuss the current legislative priorities.

**Federal Legislative Platform 2023**

3. Flood Protection—Cosgrove Creek

Issue: The upper two-thirds of the Cosgrove Creek watershed is used for pasture and the lower third is experiencing urban encroachment and has experienced flooding during recent years. Valley Springs, Rancho Calaveras, and La Contenta are undergoing urbanization and the trend is expected to continue into the future, as is the flooding from heavy rainfall or rapid snowmelt. It is also possible that the Corps of Engineers’ operations of New Hogan Reservoir upstream especially during heavy storm events are having an impact on the flooding of Cosgrove Creek. The flooding that takes place causes stream bank erosion leading to excessive sedimentation, threatening the riparian corridor, and causing flooding to the adjacent communities.

In 2008 the County partnered with the Corps under its Section 205 Small Flood Control Program to determine if there was a Federal interest in moving forward with a Corps’ flood protection project. After several years of study, the Corps determined during the draft feasibility study stage that there was not a Federal interest in advancing a flood protection project along Cosgrove Creek. This timing also coincided with an economic downturn which made it difficult for the County to cost share the study with the Corps. Further, low home values during this period also factored into the low economic output for the project. Due to a number of these reasons, a decision was made in 2013 to close out the study before completion.

Action: The County staff, Supervisor Tofanelli and the consultant are currently engaged with the Corps on a number of fronts with regard to reducing the impacts of flooding along Cosgrove Creek and will continue to pursue these efforts. Within the context of the Corps initiating an update of the Corps’ Water Control Manual for the operations of New Hogan Reservoir and, due to a number of discussions with the Corps’ Sacramento District, Supervisor Tofanelli and the consultant, the Corps has now asked the County to provide details on the timing of the flooding and dates of these events in order to review the historical record to determine if the releases by the Corps at the dam correlated with the impacts of flooding downstream from New Hogan.

The County is now putting together a package of materials for the Corps outlining the impacts and timing of flooding along the Creek and the damages caused which the County believes the Corps’ operations of New Hogan Dam may be at least partially responsible for. Assuming that is the case, the County will be asking the Corps to revise its operations of the dam to reduce flooding along Cosgrove Creek and adjoining communities. The Corps is developing a hydrologic and hydraulic model to look at impacts and will provide an opportunity for the County and others to comment. The County and the consultant will continue to pursue any and all options for relief of the flooding along Cosgrove Creek for our communities.

In addition, the County, at the request of the Corps, is putting together details on a project to remove sediment from Cosgrove Creek in order to provide additional capacity to the Creek to reduce flooding. The Corps will make a determination if the work rises to the level of requiring a Corps’ permit. If a permit is required, the consultant will work to secure the Corps’ assistance in getting a permit for this work.