

# CENTRAL VALLEY FLOOD PROTECTION BOARD EXECUTIVE OFFICER'S REPORT February 23, 2018

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## OPERATIONS BRANCH Status Report and Work Activities

### Enforcement Section

#### 1. CVFPB Enforcement Program CVFPB Enforcement Program

- Staff continues to process encroachment cases by Notices to Comply (NTC) or Notices of Violation (NOV). Status (since last month's report):
  - Case being investigated for appropriate action: 14
  - NTC/NOV being drafted for management review: 3
  - NTC/NOV currently under management review: 2
  - NTC/NOV mailed to landowner/responsible party: 4
  - Working with landowner/responsible party to resolve encroachment issue (new and continued cases): 13
  - Based on enforcement case, a permit application was received: 0
  - Notice to Proceed issued: 0
  - Enforcement case closed: 8

#### 2. Local Maintaining Agency Coordination

Staff continues to coordinate with LMAs as more elect to participate in USACE System-Wide Improvement Framework (SWIF) program to regain eligibility for the Public Law (PL) 84-99 Program. A Letter of Intent (LOI) prepared by the LMA precedes the SWIF reports. Because USACE evaluates federal levees by system, it is possible for multiple LMAs to participate in the SWIF program together if their levees are part of the same system.

- **SWIF reports**
  - Three levee systems have revised draft SWIFs under review by USACE staff or under revisions by the LMAs. Lead LMAs include Reclamation District (RD) 1001, RD 1000, and

Maintenance Area (MA) 9.

- Five systems have SWIF drafts under review by USACE staff.

- **LOI reports**

- Four levee systems have approved LOIs. The 1-year progress reports are due for USACE staff review in 2018.
- Two systems have LOIs that passed CVFPB consent on October 27, 2017 have passed USACE Sacramento District approval. The LOIs have been forwarded to USACE Headquarters for final approval (expected approval in mid-2018).
- Three systems have draft LOIs under review by USACE staff or undergoing revision by the LMAs.
- Three systems are expected to develop first draft LOIs in early 2018.

### **3. PL 84-99 Rehabilitation Assistance Status**

LMAs that are active in the PL 84-99 Program may request repair of flood risk reduction projects that were damaged due to flooding between January and March 2017. Rehabilitation assistance is being provided by USACE only when work is economically justifiable, the damage was sustained during the recent flood events, and the estimated cost of repairs is over \$15,000.

- USACE identified and constructed 15 damage sites active in the PL 84-99 Program in 2017. Updated O&M manuals for the repaired sites are expected to be sent to CVFPB in February or March 2018.
- CVFPB staff have been receiving the draft Project Information Reports (PIR) for the San Joaquin and Delta basin sites. These have been sent to DWR and the LMA for comment and returned to USACE for consideration. CVFPB staff is waiting on final PIRs from USACE currently.
- USACE has identified 30 potential repair sites for repair in 2018. The exact number of sites that will proceed for construction in 2018 will be available in the near future as the PIRs and preliminary design considerations are completed.
- CVFPB staff continues to participate in PL 84-99 coordination calls with USACE and DWR.

### **4. 2017 Storm Damage DWR Rehabilitation**

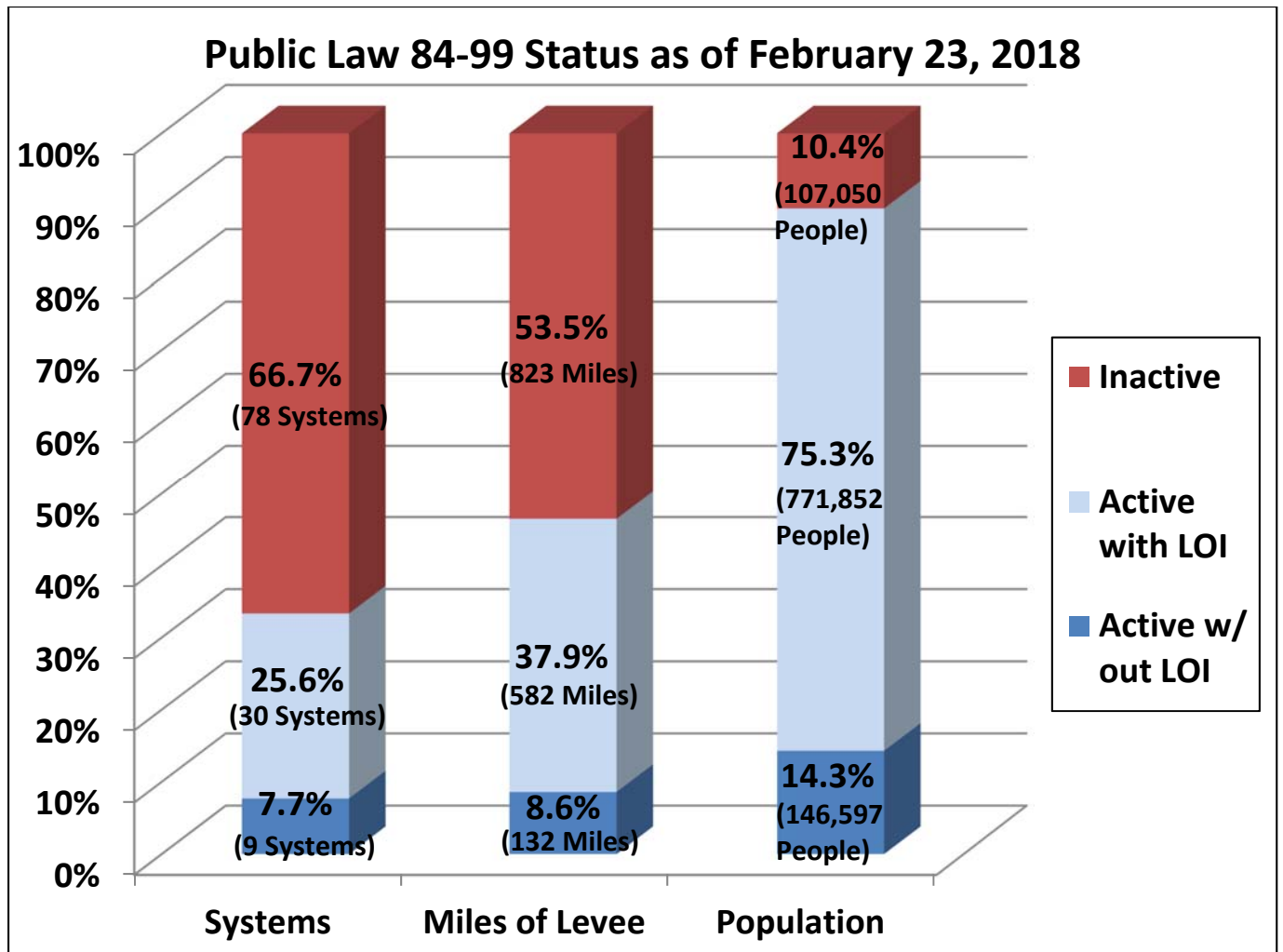
DWR is prioritizing identified damage sites that have not been approved by USACE because the damage site(s) or the levee system does not meet USACE criteria.

DWR is working under existing emergency declarations and using the Standardized Emergency Management System process that will allow for possible FEMA reimbursement in the future. CVFPB staff is assisting with site inspections and priority review.

- Closeout reports for the approximate 30 damage sites repaired in 2017 are being worked on currently.
- DWR has identified nine sites for repair in 2018 and they are in design currently.
- CVFPB and DWR staff sent out 11 Local Assurance Agreements for execution between the LMA and CVFPB for rehabilitation work. As of February 12, 2018, eight agreements have been executed. Staff continues to contact the remaining LMAs to discuss the submittal of the agreements.
- CVFPB staff and DWR continue to meet weekly to coordinate internal and external communication regarding status of USACE and DWR repair efforts. Documents are updated and posted to the DWR and CVFPB websites weekly.
- CVFPB staff continues to participate in weekly storm damage management update meetings.

## **5. PL 84-99 Levee System Status**

- The data and chart below represent the most updated information about PL 84-99 Program eligibility as of February 23, 2018:
  - Systems: 66.7% Inactive, 7.7% Active w/ out Letter of Intent (LOI), 25.6% Active w/ LOI
  - Levee Miles: 53.5% Inactive, 8.6% Active w/ out LOI, 37.9% Active w/ LOI
  - Population (urban): 10.4% Inactive, 14.3% Active w/ out LOI, 75.3% Active w/ LOI



## Permitting Section

### 1. Coordination Meetings

The CVFPB/USACE/DWR Coordination Meeting was cancelled this month to allow DWR and USACE staff to attend a Flood Fight Training exercise.

### 2. USACE Coordination

- On February 7<sup>th</sup> CVFPB and USACE Flood Protection and Navigation Section (408 Section) staff met with Caltrans staff to discuss the encroachment permit application review process. Attendees included Caltrans HQ personnel from Division of Engineering and Division of Right of Way & Land Surveys.

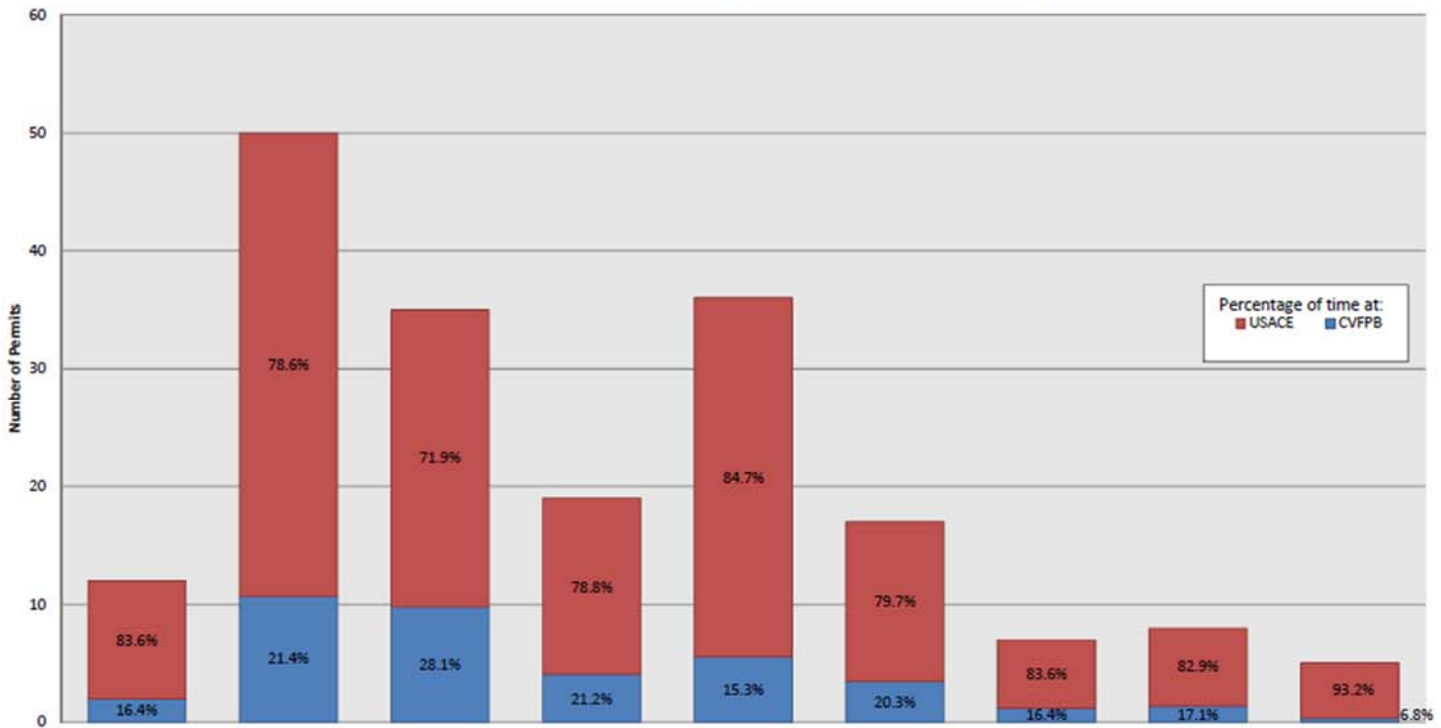
Caltrans has an aggressive work schedule for several bridge projects and they wanted to ensure that they understood the permit review process so their applications could be reviewed in the shortest time possible. An informational meeting has also been scheduled with Caltrans District 3. The meeting will be held on February 28<sup>th</sup> in Marysville. It is anticipated that these types of meeting will be held routinely with Caltrans in the future.

- CVFPB staff is scheduled to meet with environmental staff from the 408 Section on February 21<sup>st</sup> to discuss the environmental review process that is required before a decision letter can be issued. The goal of the meeting is to identify the type of information that is needed to allow for an expeditious review and to ensure that CVFPB staff are providing that information in the most efficient form as possible. As a result of the meeting CVFPB staff will revise the application transmittal forms that accompany proposed project submittals that are sent to the 408 Section for review. Transmittal forms will include project narrative descriptions and additional information that will help shorten the review process.
- USACE HQ's issued a Director's Policy Memorandum Civil Works Programs document on January 12, 2018. The purpose of the memorandum is to immediately implement policy changes in the USACE process for reviewing 408 Section requests; provide information related to additional intended future policy changes; and, describe expectations for the vetting process of the new policy document. The current USACE Engineering Circular (EC) policy document for the 408 process is EC 1165-2-216. USACE HQ's began accepting comments on the new policy document on February 5, 2018. It is anticipated that the USACE comment period will remain open for 30 calendar days. CVFPB staff are reviewing the document and will provide comments if warranted. The new EC will have a following publication number – EC 1165-2-220.

### **3. Permitting Status Overview**

The following chart shows the average percentages of the total time an issued permit spends in review at the CVFPB and the USACE after the federal regulations changed on July 31, 2014.

Permit Review Process Timeline - August, 16 2014 to February 9, 2018



Months	3 or less	6	9	12	15	18	21	24	More than 24
Cumulative Percentage of Issued Permits	6%	33%	51%	61%	80%	89%	93%	97%	100%
	12	62	97	116	152	169	176	184	189

The table below provides a status breakdown for all Executive Officer Delegated Permits from January 2015 through February 2018. The numbers in this table reflect how many permits were posted to the CVFPB website, issued, etc. in each month.

Month	Posted	Issued	With Enforcement	With Applicant	With USACE
January 2015	7	4	1	1	1
February	2	1	0	1	0
March	1	1	0	0	0
April	1	1	0	0	0
May	4	2	1	0	1
June	2	2	0	0	0
July	8	8	0	0	0
August	6	3	0	1	2
September	2	2	0	0	0
October	2	2	0	0	0
November	1	0	0	0	1
December	3	3	0	0	0
January 2016	7	6	0	0	1
February	1	1	0	0	0
March	8	8	0	0	1
April	3	3	0	0	0
May	8	8	0	0	0
June	10	8	0	0	2
July	7	0	0	0	7
August	2	2	0	0	0
September	2	1	0	0	1
October	4	4	0	0	0
November	3	1	0	0	2
December	5	5	0	0	0
January 2017	4	1	0	0	3
February	4	4	0	0	0
March	3	3	0	0	0
April	1	1	0	0	0
May	3	0	0	0	3
June	4	3	0	1	0
July	4	3	0	0	1
August	2	2	0	0	0
September	3	2	0	0	1
October	3	3	0	0	0
November	7	4	0	0	3
December	1	0	0	0	1
January 2018	2	0	0	0	2
February	8	0	0	0	8
Totals	148	102	2	4	41

Additional information about Executive Officer Delegated Permits can be viewed on the CVFPB website@:<http://www.cvfpb.ca.gov/DelegatedPermitTab/index.cfm>. Spreadsheets for each month provide descriptive information about the proposed project and the CEQA findings.

## **Inspection Section**

The inspection section chief continued efforts to establish the section, and provided reporting on fee program efforts.

- Staff hiring is underway. Job advertisements for two Water Resource Engineering Associates were posted on January 29, and close on February 10. Application review and interviews will be scheduled soon after. A water resource engineer advertisement is expected to be posted in late February.
- Reporting for draft fee schedules for permitting and inspection services began this month. The section chief analyzed permitting data for encroachments and system alteration projects to begin the discussion with CVFPB management and executive committee members. The fee program is expected to be introduced by informational item in the March Board meeting.
- The section chief has been working with Department of General Services and the DWR Fleet Manager for procurement of field vehicles in the near term and long term. Orders were placed for safety and inspection field equipment.
- Program Scoping & Coordination
  - Coordination with DWR's Flood Projects Inspection Section (FPIS) continued. Details regarding staff assignments, scope, communication, and workflow processes are being discussed and documented.
  - A workforce plan for the inspection section has been drafted to lay out the inspection section goals and corresponding metrics to track progress in the near term and long term and indicates the resources needed to attain those goals.
  - The section chief reviewed existing databases and will be coordinating further with California Database Exchange Center (CDEC) staff to customize field software interfaces for inspection staff.