

CENTRAL VALLEY FLOOD PROTECTION BOARD EXECUTIVE OFFICER'S REPORT

March 23, 2018

OPERATIONS BRANCHStatus 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: 1
 - NTC/NOV mailed to landowner/responsible party: 2
 - Working with landowner/responsible party to resolve encroachment issue (new and continued cases): 13
 - Based on enforcement case, a permit application was received: 1
 - Notice to Proceed issued: 0
 - Enforcement case closed: 28

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 are 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 if the work is found to be economically justifiable. Reasons for justification include an estimated cost of repairs in excess of \$15,000 and that the damage was sustained during the January through March time period.

- USACE identified and repaired 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 March 2018.
- CVFPB staff have received draft Project Information Reports (PIR) for the San Joaquin and Delta basin sites. These were sent to DWR and the LMAs for comment and were returned to USACE for consideration. CVFPB staff is waiting on final PIRs from USACE. The PIRs from USACE are anticipated by end of March 2018.
- USACE has identified 33 potential repair sites for 2018. The exact number of sites that will be repaired in 2018 will become available as the PIRs and preliminary design considerations are completed. CVFPB staff attended site visits with the USACE and LMAs during the weeks of February 26 and March 5. Additionally, in an effort to increase communication with the LMAs, the USACE is holding "Map Meetings" on the various sites with CVFPB staff, DWR, and LMAs to discuss preliminary design issues. The map meetings began the week of February 26 and are continuing.
- CVFPB staff continues to participate in PL 84-99 coordination calls with the

USACE and DWR.

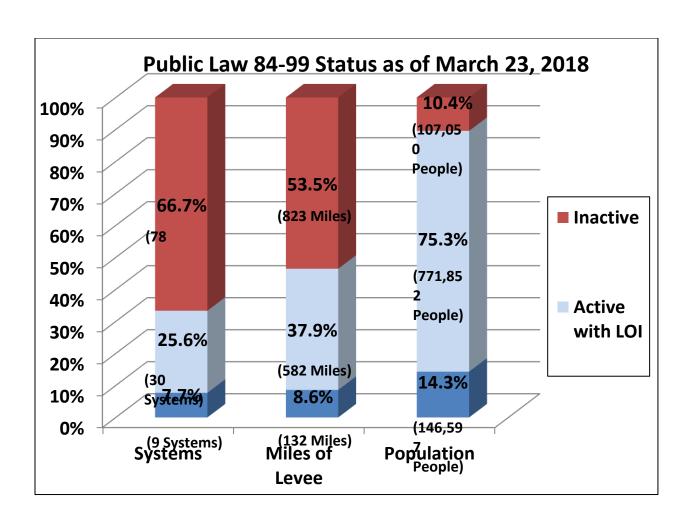
4. 2017 Storm Damage DWR Rehabilitation

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.

- DWR is completing the closeout reports for the approximately 30 damage sites repaired in 2017.
- DWR has identified and are currently designing nine sites for repair in 2018.
- CVFPB and DWR staff sent out 11 Local Assurance Agreements for execution between the LMA and CVFPB for 2017 rehabilitation work. As of February 12, 2018, eight agreements have been executed. Staff is in contact with the three remaining LMAs to discuss their agreement submissions.
- 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 March 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

CVFPB staff resumed monthly coordination meetings with DWR's Inspection Section and the USACE Flood Protection and Navigation Section. The meetings focus on USACE inspections/re-inspections/levee screenings and CVFPB encroachment updates. DWR inspectors bring on-the-ground insight to the discussion. A brief overview of some of the items discussed at this month's meeting that pertains to the Permitting Section is presented below.

• Deferred Maintenance Project (DMP): Approximately 70 of the 300 DWR drainage pipes have been cleaned and inspected. DWR has allocated money for participating Local Maintaining Agencies (LMA's) to clean and inspect drainage pipes within their jurisdiction. To date 28 LMA's have agreed to be participants in this program. The goal is to have all State Plan of Flood Control drainage pipes video inspected every 5-years. DWR will prioritize the pipes that need immediate attention, either repair or full replacement, starting July 2018. DWR is seeking additional funding that will be required to complete this project. All work will be reviewed by Board staff on a case by case basis to determine if a new encroachment permit will be required or if the work can be considered maintenance.

2. USACE Coordination

- Following the February 21st coordination meeting between CVFPB and Section 408 staff, new encroachment permit application transmittal forms are now being used. The forms now include project narrative descriptions and additional information that will help shorten the Section 408 review process.
- CVFPB staff have reviewed and provided comments regarding the new Section 408 Guidance - EC 1165-2-220. The public comment period closes April 6, 2018. In general, the new guidance will make the Section 408 review process more transparent to the public. It also sets review milestones that will help shorten the Section 408 review process.

3. Outreach

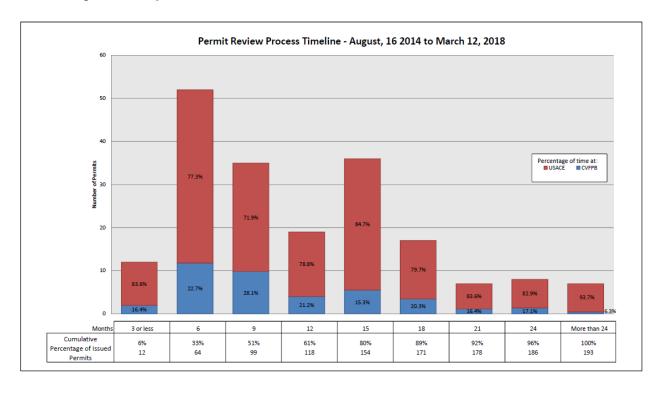
CVFPB staff and USACE Section 408 staff met with Caltrans District 3
management and project engineer's in Marysville on February 28th. The
purpose of the meeting was to discuss the State and federal encroachment
permit review process. Approximately 50 Caltrans management and project
engineers attended the meeting which was also videoed for other Caltrans
Districts to view. In addition to discussing review process specific issues that
have delayed the review of proposed Caltrans projects in the past, both

technical and environmental, were also discussed. Similar meetings will be scheduled in the future.

CVFPB staff and USACE Section 408 staff attended the Lower American River Task Force Meeting on March 13th. Topics discussed at the meeting included upcoming bank protection projects along the American River and the future Business 80 Bridge crossing. The new Section 408 Guidance was also presented to the group. A second meeting is being scheduled to further discuss the encroachment permitting process and potential changes to the Upper American River floodplain footprint following the completion of the Common Features Project and the Folsom Dam Auxiliary Spillway Project which will raise the design flow of the American River from 115,000 cfs to 160,000 cfs.

4. 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.



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

Table 2: Executive Officer Delegated Permit Status

Month	Posted	Issued	With Enforcement	With Applicant	With USACE
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	3	0	0	0
October	3	3	0	0	0
November	7	4	0	0	3
December	1	0	0	0	1
January 2018	2	2	0	0	0
February	8	0	0	0	8
March	6	0	0	0	6
Totals	115	76	0	1	39

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 is continuing to establish the section.

- The staff hiring process continues. The section is currently advertising for a water resource engineer, closing on March 12. The engineer will be performing inspections, reviews, interfacing with stakeholders, and assist with establishing and improving the section processes.
- The Section Chief will be presenting a proposed fee schedule for permitting and inspection services at the March Board meeting. We are coordinating with DWR's Fiscal Services Office to handle fee processing for contribution to the General Fund. CVFPB will be reaching out to seek input from stakeholders during this time.
- Office space and equipment for the new hires has been established. The Section Chief procured two inspection trucks from Department of General Services on March 2. These were acquired via temporary lease until permanent vehicles arrive. We anticipate permanent inspection vehicles to arrive late this fall.
- Program Scoping and Coordination
- The Section Chief assisted with hiring of staff engineers for DWR's Flood Projects Inspection Section, who currently performs inspections on behalf of the Board. Participation in the hiring process will aid in the coordination between the sections and is helpful to both sections as they grow and refine their inspection programs.
- The Section Chief is creating a procedures manual for staff to help establish expectations and scoping for incoming staff.
- The Section Chief is working with California Data Exchange Center (CDEC) staff to create a field input database for inspector's use in the field. The intent is to have a convenient data entry system for encroachment inspections that can be reliably uploaded to the databases currently in use by CVFPB and DWR staff.