CENTRAL VALLEY FLOOD PROTECTION BOARD EXECUTIVE OFFICER'S REPORT

March 24, 2017

OPERATIONS BRANCH

Status Report and Work Activities

Enforcement Section

1. CVFPB Enforcement Program

- Staff is engaged with Department of Water Resources (DWR) and U.S. Army USACE of Engineers (USACE) staff to track emergency levee work performed by Local Maintaining Agencies (LMA) in response to the recent storm events. In the coming months staff will review the levee work to ensure Title 23 compliance and issue permits where applicable.

- Staff is reviewing data from DWR's Utility Crossings Inventory Program (UCIP) to identify and prioritize levee penetrations requiring enforcement action. In the coming months, staff will focus on contacting the landowners of over 160 privately owned pipes. These pipes will be prioritized based on the level of risk they pose to the levees, their physical condition, and the size of the population protected by the levees where the pipes are located. CVFPB staff is conducting this effort separate of DWR's Deferred Maintenance Project, which only looks at levee penetrations identified to be system features with unclear maintenance responsibilities.

- Staff is also using the UCIP data to address backlogged encroachment cases by:
  - focusing on the Feather River West Levee Project and working closely with Sutter Butte Flood Control Agency engineers to identify approximately 80 pipe issues addressed under the project;
  - coordinating with PG&E to obtain inspection records of at least ten utility gas pipes crossing the levee;
  - and working with the LMAs for assistance on at least four pipes.

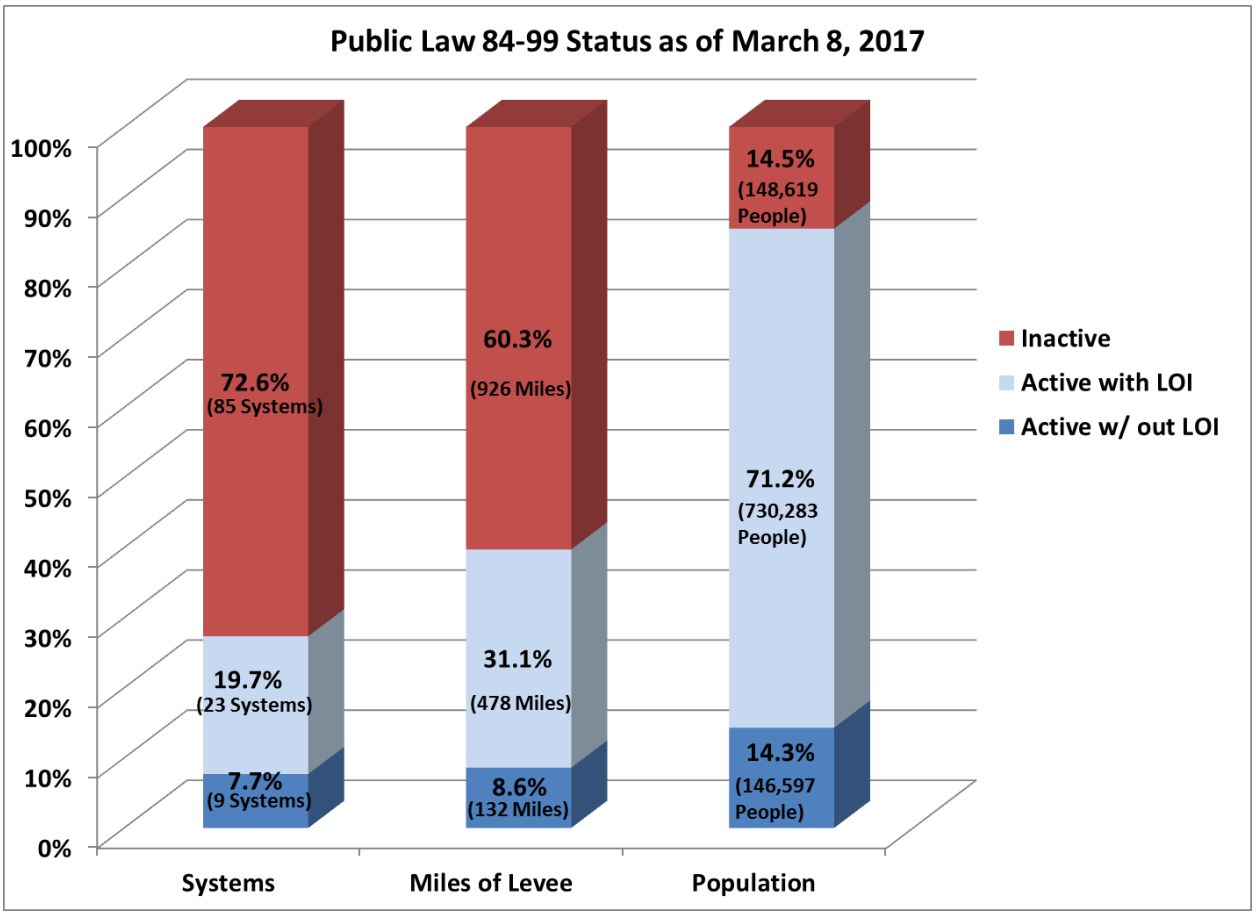
- Staff mailed out two Notices of Violations (NOV). Staff is preparing two Fact-Finding Letters (FFL) and four NOVs for mailing. Four respondents have responded to previously mailed FFL or NOV, and staff is working with them to achieve compliance.

2. Local Maintaining Agency (LMA) Coordination

- Staff continues to coordinate with LMAs, as more LMAs participate in the USACE System-Wide Improvement Framework (SWIF) program to regain eligibility for the Public Law 84-99 Rehabilitation Program. At this time:
  - Eight SWIF drafts are under review by USACE, CVFPB, or LMA staff.
  - Two approved Letter of Intents (LOI) have SWIF drafts in development.
  - Four LOIs, which CVFPB transmitted to USACE in late 2016 and early 2017, are awaiting USACE approval.
  - Three LOI drafts are undergoing preliminary LMA, CVFPB, and USACE staff review.
  - Three LOI drafts are expected from LMAs in the coming months.

3. PL 84-99 levee system status as of March 8, 2017

- The data and chart below represent the most updated information about PL84-99 eligibility.
  - Systems: **72.6**% Inactive, **7.7**% Active w/ out Letter of Intent (LOI), **19.7**% Active w/ LOI
  - Mileage: **60.3**% Inactive, **8.6**% Active w/ out LOI, **31.1**% Active w/ LOI
  - Population: **14.5**% Inactive, **14.3**% Active w/ out LOI, **71.2**% Active w/ LOI



Permitting Section

- **Coordination Meetings**

  Staff continues to attend monthly coordination meetings with the Department of Water Resources' (DWR) Inspection Section and the USACE Flood Protection and Navigation Section (408 Section). The meetings focus on USACE inspections/re-inspections/levee screenings and CVFPB encroachment updates. DWR inspectors bring on-the-ground insight and recommendations 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.

  1. DWR has finished writing a Biological Assessment (BA) for State Maintenance Area No. 5 - Butte Creek. The BA will be used to initiate consultations with USFWS for DWR maintenance activities on Butte Creek.

  2. DWR has completed initial pipe assessments for the Deferred Maintenance Project (DMP). Pipe video equipment is being purchased that will allow DWR staff to identify and prioritize drainage pipes that are in need of repair. Due to the Oroville Dam emergency and the February high water event funding for the DMP has been reduced from $100 million to approximately $50 million.

- **February High Water Event**

  Board staff assisted with the staffing of the Flood Operations Center (FOC) during the February high water event. The FOC was activated on February 7th; additional staffing was requested by the FOC after several days of operation to relieve primary staff.

  On March 10th Board staff participated in the USACE sponsored land and water based investigation of the upper Feather River above the town of Live Oak. The purpose of the investigation was to document bank damage and possible levee stress caused by the Oroville Dam rapid drawdown emergency. The investigation was not part of the PL 84-99 Rehabilitation Program. While no sloughing was noted near the levee(s) both banks experienced severe damage due to the rapid drawdown which was estimated to be 15 feet in some areas. Data was collected at numerous sites and a report will be prepared by the USACE to document their findings.

  After this year's flood season the USACE will send a notice to the Board regarding a 30 calendar day submittal deadline for rehabilitation assistance requests. The Board can ask for rehabilitation assistance, on behalf of the Local Maintaining Agencies, for sites damaged during this year's high water event(s). Levee systems must be eligible for Public Law 84–99 assistance. For active systems the USACE will request federal funds to perform a field investigation to determine the extent of damages. If merited, the USACE will prepare a Project Information Report (PIR). The benefit cost ratio of the repair must be greater than one and the estimated repair costs must be greater than $15,000 for the USACE to precede. Construction of a rehabilitation project will commence within 60 calendar days following PIR approval by the Division Engineer.

DWR Emergency Construction Status Update as of March 15, 2017:

San Joaquin System:
No additional construction in the San Joaquin is currently authorized. Several DOC emergency contracts were approved during the February high water event; material and rock were placed at several erosion sites.

Sacramento System:
Contractor (Teichert) is currently working on a seepage berm in State Maintenance Area 3 (SBFCA area). Work is currently projected to be completed by Friday, 3/17/2017.

Board staff met with DWR and DOE Real Estate staff on March 14, 2017 to review current/recent emergency construction by DWR and USACE to determine what permitting will be necessary. The following preliminary proposed schedule was developed:

By 5/1/2017:
Site surveys (3D) will be completed for all DWR (10122) and USACE (Pl 84-99) construction locations to identify extent and volume of constructed works, and delineate existing fee and easements land rights for each location. DWR Geodetic Acquisition group will compare emergency construction works with easements to identify parcels where additional rights will be required. Title Reports, Appraisals, etc. will be obtained for all parcels requiring action. Real Estate Requirements will be determined for all parcels requiring action.

By 9/1/2017: All proposed emergency construction related parcel acquisitions will be completed (offers, negotiations, etc.).

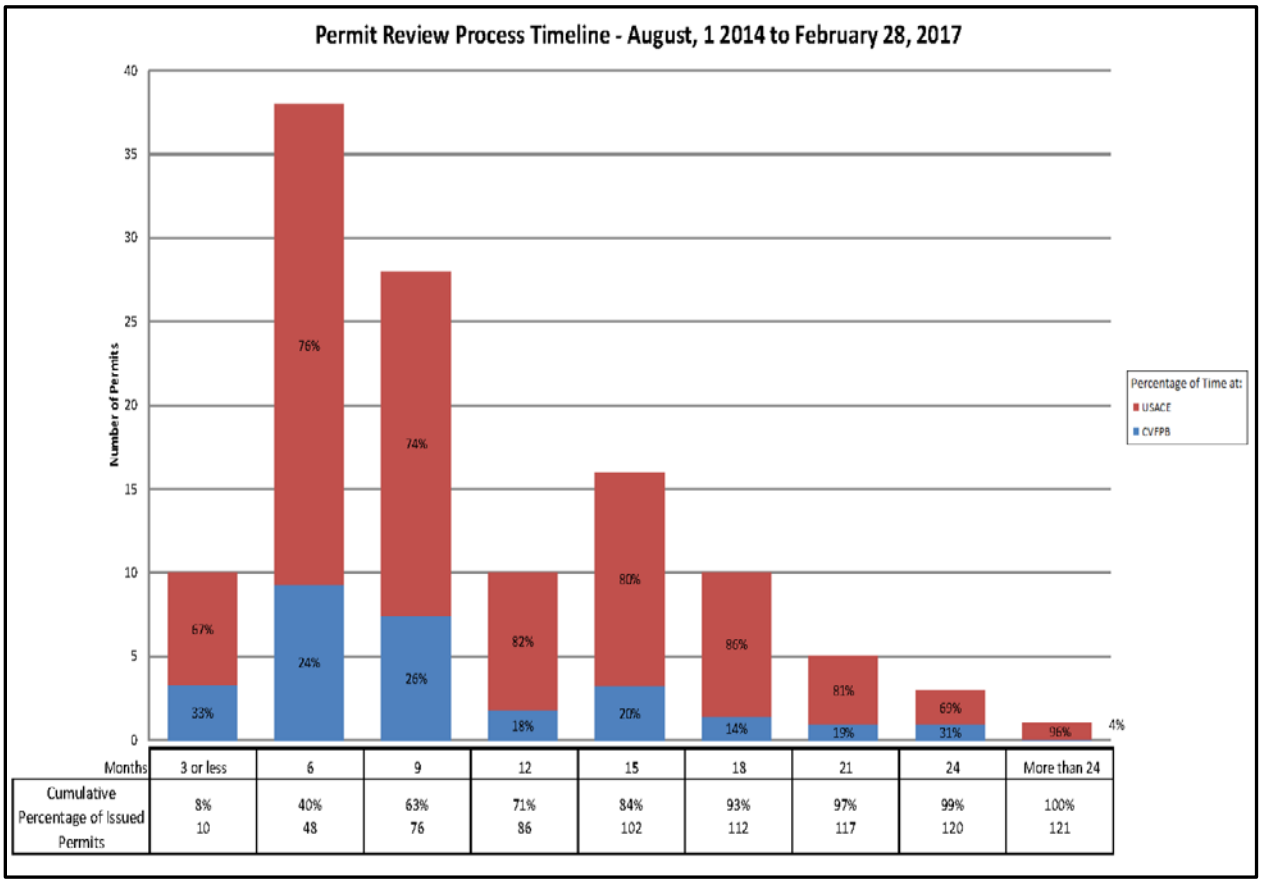
By 12/31/2017: All escrow processes for emergency parcel acquisitions will be completed.

- **Permitting Section Staffing**

Mr. Sterling Sorenson will be hanging up his flood control hat permanently this month to be a full time husband, father, and grandfather. Mr. Sorenson began his State carrier in 1980 performing maintenance on the California Aqueduct (Aqueduct). A notable event while in this position involved the removal of 50,000 pounds of lard from the Aqueduct following a truck crashing into the Aqueduct from State Highway 152. In 1983 Mr. Sorenson transferred to the Sacramento Maintenance Yard as a Civil Maintenance Journeyman. Notable achievements included the 1983 Cache Creek flood fight where he and other flood fighters were evacuated by helicopter due to another levee failure. Other notable events during this time included the maintenance and replacement of many stream recorder stations, being involved in the 1986 and 1997 floods, and assisting the USACE with their study of tree roots in levees. In 1996 Mr. Sorenson transferred to DWR's Central District and inspected Delta non-project levees for the Subventions Program. In 2000 Mr. Sorenson hired on with the Board dealing primarily with enforcements and permit writing. He retired in 2006 only to return as a retired annuitant in 2010. His institutional knowledge of the flood control system and his friendship will be a significant loss to the Permitting Section team and to the Board.

- **<u>Permitting Overview</u>**

  The chart below was developed to show the average time required to complete the review process and issue a permit for applications received after July 31, 2014 when the new regulations went into effect. As shown by the chart permits were issued within 6 months for 40% of the applications received. Prior to new federal regulations permits were issued within six months for 52% of the applications received.



Months	3 or less	6	9	12	15	18	21	24	More than 24
Cumulative Percentage of Issued Permits	8% 10	40% 48	63% 76	71% 86	84% 102	93% 112	97% 117	99% 120	100% 121

Table 1 below provides a status breakdown for all Executive Officer Delegated Permits from January 2015 through February 2017. The numbers in this table are reflective of when the applications were posted to the Board's website.

Table 1: Executive Officer Delegated Permit Status

Month	Posted	Issued	With Enforcement	With Applicant	With USACE
January	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	2	0	0	1
May	8	5	0	0	3
June	10	6	0	0	4
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	0	0	0	4
Totals	107	71	2	3	32

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