

# CENTRAL VALLEY FLOOD PROTECTION BOARD EXECUTIVE OFFICER'S REPORT April 27, 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: 1
  - NTC/NOV being drafted for management review: 0
  - NTC/NOV currently under management review: 2
  - NTC/NOV mailed to landowner/responsible party: 2
  - Working with landowner/responsible party to resolve encroachment issue (new and continued cases): 22
  - Based on enforcement case, a permit application was received: 0
  - \*\*NEW METRIC: Cease & Desist Order being prepared: 3
  - \*\*NEW METRIC: Cease & Desist Order mailed/ Board meeting scheduled: 0
  - Notice to Proceed issued: 0
  - Enforcement case closed: 0

#### 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.

- The RD 1001 draft SWIF was reviewed by USACE Headquarters (in Washington) earlier this year, the first from USACE Sacramento District. The draft SWIF was well received.
- 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 2017 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 March 2018.
- USACE has identified 22 potential repair sites for repair in 2018 and 9 potential repair sites in 2019. 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 has been coordinating site visits with the USACE and LMAs the in February, March, and April. In addition, 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 in process currently.
- CVFPB staff continues to participate in PL 84-99 coordination calls with USACE

and DWR.

- The Cooperation Agreement between USACE and CVFPB for the 2018 work to be completed was received on April 10, 2018 and it is currently under review by CVFPB management.

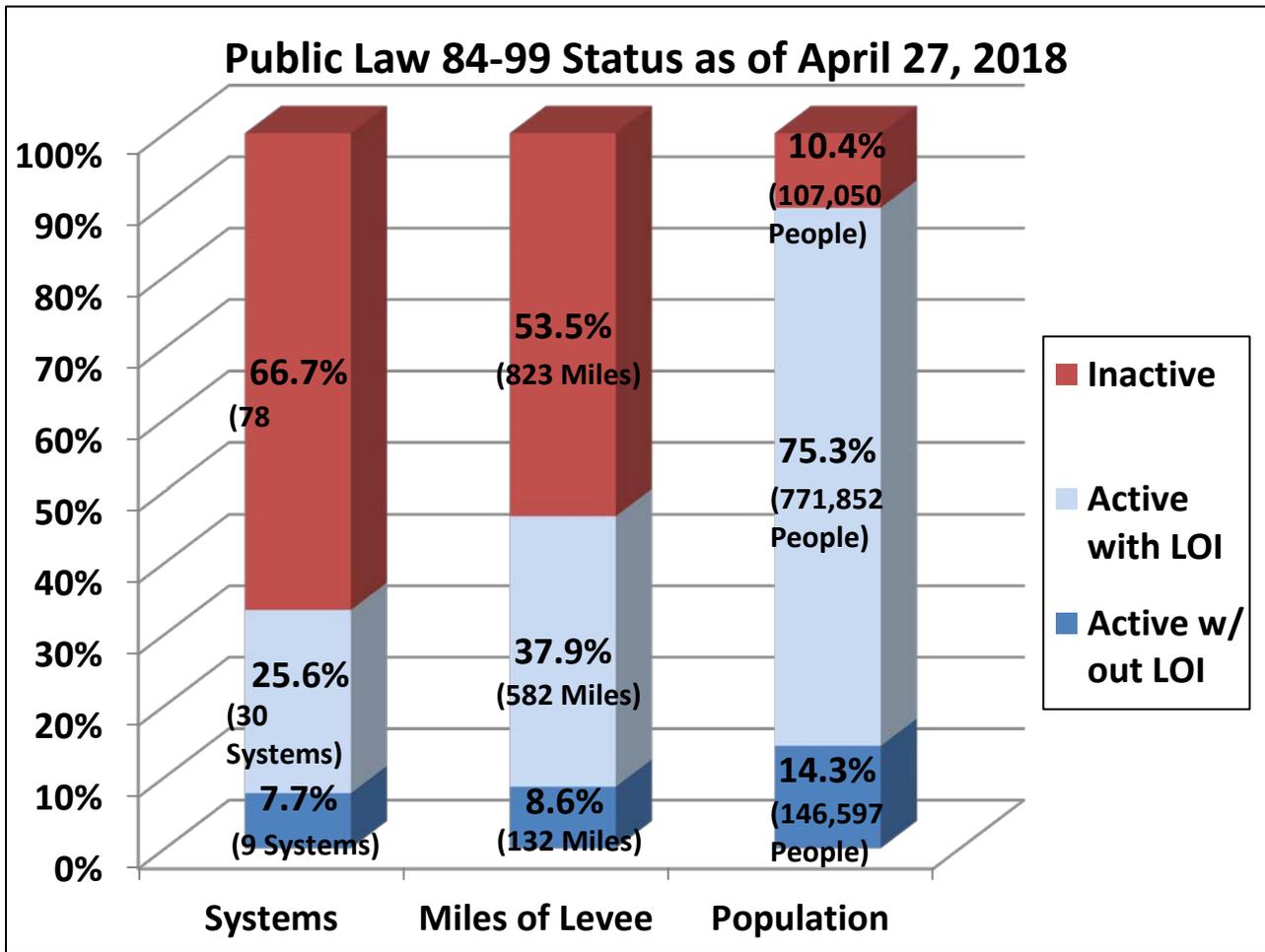
#### **4. 2017 Storm Damage DWR Rehabilitation**

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 approximately 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 for the 2017 repair 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 April 27, 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 participates in monthly coordination meetings with DWR's Inspection Section and the USACE Flood Protection and Navigation Section (Section 408). 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 the items related to the Permitting Section are presented below.

- **Deferred Maintenance Project (DMP):** DWR is continuing with the cleaning and video inspections of all identified system feature gravity storm drainage pipes within the State Plan of Flood Control. DWR anticipates having all State maintenance area pipes inspected in the next couple of months. Pipes are being prioritized based on their condition. Pipes that are identified as needing repair, but not full replacement, will be slip-lined using cast-in-place-pipe. This process utilizes resins that create a pipe lining within the existing pipe. DWR will develop contingency plans for all pipes ranked as serious or critical until the pipes can be repaired or replaced. Currently there is \$1 million allocated for pipe inspections and \$10 million for slip-line repairs, additional funding will be needed to complete the DMP.

DWR estimates that there are approximately 1,660 pipes that could be eligible for the DMP Program. Local Maintaining Agencies that elect to participate in the program will receive 100% State funding in exchange for a commitment to operate and maintain the feature(s) in perpetuity.

### **2. USACE Coordination**

- Board and USACE staff meet to review proposed comments concerning the new draft Section 408 Guidance – EC-1162-2-220. Due to the unique interactions between USACE's Sacramento District (SPK) and the Board (non-federal sponsor/requestor) staff wanted to evaluate the proposed comments to ensure they would not be counterproductive to the goal of making the permit review process more efficient. Board comments were submitted to USACE HQ on April 6, 2018.

### **3. Outreach**

- CVFPB staff and USACE Section 408 staff met with members of the Lower American River Task Force (LARTF) on March 13, 2018 to discuss the new proposed Section 408 Guidance. In addition, the permitting review process was discussed as it relates to both agencies. Staff met again with the LARTF and members from the Water Forum March 26, 2018 to further discuss the

permitting process, specifically for encroachments along the American River. Due to the completion of the Folsom Joint Federal Project, the project design flow in the American River has increased from 115,000 cfs to 160,000 cfs which is currently estimated to be the 200-year event. Staff is evaluating how this change will impact permitting requirements.

#### **4. Dos Rios Ranch Restoration Project**

- Following several months of collaborative interaction between River Partners (applicant), West Stanislaus Irrigation District (protestor), and Board staff, Permit No. 19083 (federal project) and 19083-1 (non-federal project) were issued on April 2, 2018. The project will restore approximately 750 acres of floodplain habitat near the confluence of the San Joaquin and Tuolumne Rivers. Work is scheduled to begin this summer.

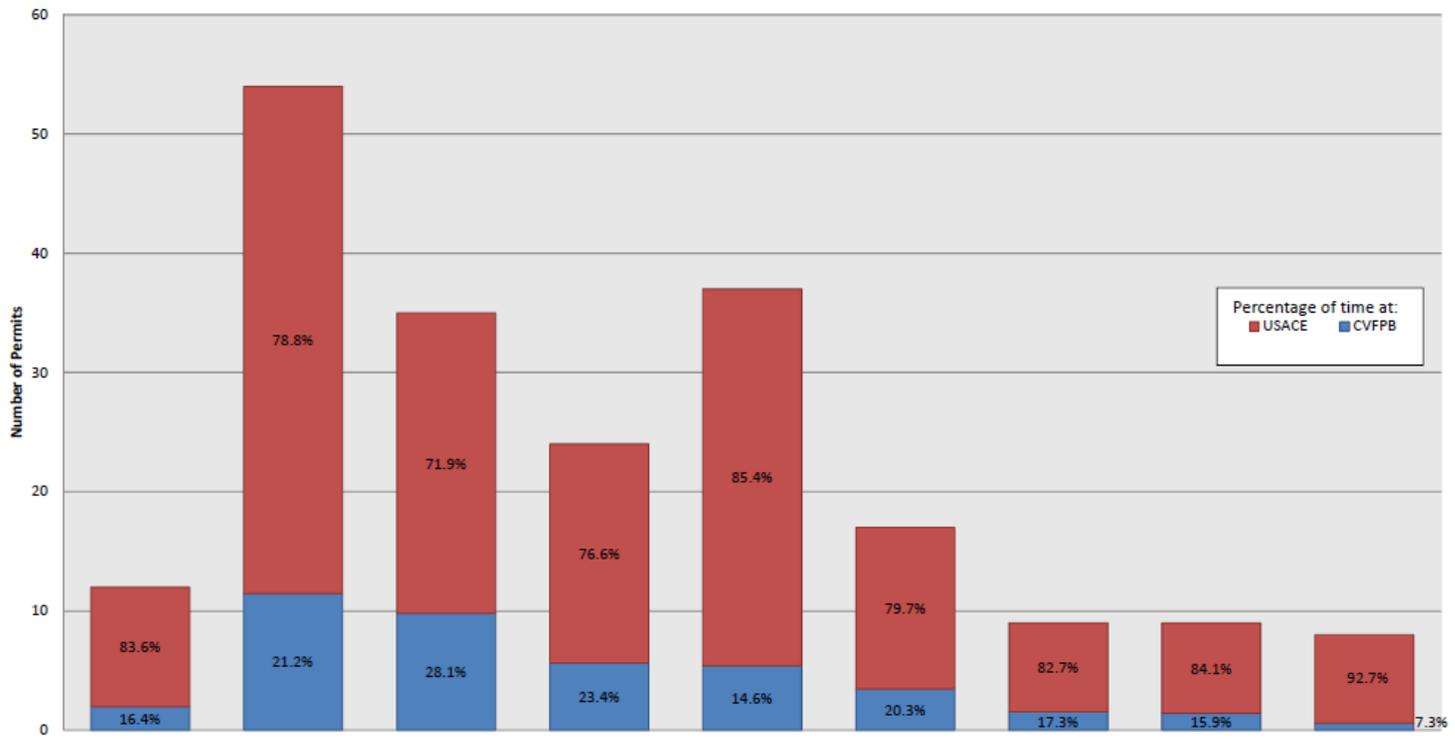
#### **5. Staff News**

- Mr. Sungho Lee presented at the annual meeting of the California Water and Environmental Modeling Forum which is held in Folsom. Mr. Lee conducted a hydraulic model analysis whereby he compared the results from a 1-dimensional hydraulic analysis and a 2-dimensional hydraulic analysis for a 100-year flood event near the confluence of the Lower Feather River and the Sutter Bypass.

## 6. 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 April 18, 2018



| Months                                  | 3 or less | 6   | 9   | 12  | 15  | 18  | 21  | 24  | More than 24 |
|---|-----------|-----|-----|-----|-----|-----|-----|-----|--------------|
| Cumulative Percentage of Issued Permits | 6%        | 32% | 49% | 61% | 79% | 87% | 92% | 96% | 100%         |
|   | 12        | 66  | 101 | 125 | 162 | 179 | 188 | 197 | 205          |

The table below provides a status breakdown for all Executive Officer Delegated Permits from January 2015 through April 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      | 5      | 0                | 0              | 2          |
| December     | 1      | 0      | 0                | 0              | 1          |
| January 2018 | 2      | 2      | 0                | 0              | 0          |
| February     | 8      | 2      | 0                | 0              | 6          |
| March        | 6      | 2      | 0                | 0              | 4          |
| April        | 8      | 1      | 0                | 0              | 7          |
| Totals       | 123    | 82     | 0                | 1              | 41         |

Additional information about Executive Officer Delegated Permits can be viewed on the CVFPB website@:<http://www.cvpfb.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, fee program rollout, and assistance with Deferred Maintenance Project outreach.

- A reclassification justification was accepted for Engineer, Water Resources to serve as field inspectors and carry out Section Duties. Interviews for one position is being held this month and for two more positions in May.
- Permitting and Fee program implementation roll out continues after the section chief provided an introduction at the March Board meeting. Preparation for a stakeholder outreach and a June 2018 Board Workshop are ongoing.
- The section chief continues to provide support to the Deferred Maintenance Project staff for outreach to landowners and permittees of pipes that fall within the scope of the project. Inspection videos were obtained by multiple landowners for DMP managers to review and assess repair needs.