

CENTRAL VALLEY FLOOD PROTECTION BOARD EXECUTIVE OFFICER'S REPORT

April 28, 2017



OPERATIONS BRANCH Status Report and Work Activities

Enforcement Section

1. CVFPB Enforcement Program

- In concurrence with the Department of Water Resources' (DWR) Deferred Maintenance Project, which will address levee penetrations (pipes) identified as system features, staff has identified 166 privately-owned pipes that will not be covered by the DMP. Staff has ranked and prioritized the privately-owned pipes 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. Staff will contact identified owners, and work with the land owners to bring the pipes into compliance with current state and federal regulations. Both the DMP and staff's efforts use the data from the DWR Utility Crossings Inventory Program (UCIP).
- Staff is continuing to work on a backlog of encroachment cases by using UCIP data to:
 - Update CVFPB records on approximately 80 pipes that were modified by Sutter Butte Flood Control Agency (SBFCA) as part of the Feather River West Levee Project. Many of these pipes were noted in the U.S. Army Corps of Engineers' (USACE) Periodic Inspections.
 - To date, SBFCA has provided as-built information for twenty-eight pipes modified by the project. Staff is awaiting receipt of compaction reports and post-construction photographs to confirm compliance with State and federal regulations.
 - In coordination with DWR, obtain PG&E inspection records for over 200 utility gas pipes that penetrate project levees;
 - CVFPB staff requested inspection records from PG&E for about ten pipes to assess their current condition and determine what enforcement actions to take, if any.
 - Coordinate with LMAs to assist with enforcement procedures on four identified non-compliant pipes
 - Staff will work directly with LMAs participating in the Enforcement Authority Delegation program to address these pipes when high waters recede.

- A respondent successfully reached compliance with a Notice of Violation (NOV) after providing sufficient documentation. Staff continues to work with four other respondents who have responded to previously mailed Fact-Finding Letters (FFL) or NOV's. Staff expects to resolve two of these that involve unauthorized pipe installations in the coming weeks. Staff is preparing to mail out five NOVs and two FFLs for an unauthorized irrigation pipe, landscaping, farming debris, and other miscellaneous encroachments within the floodway.

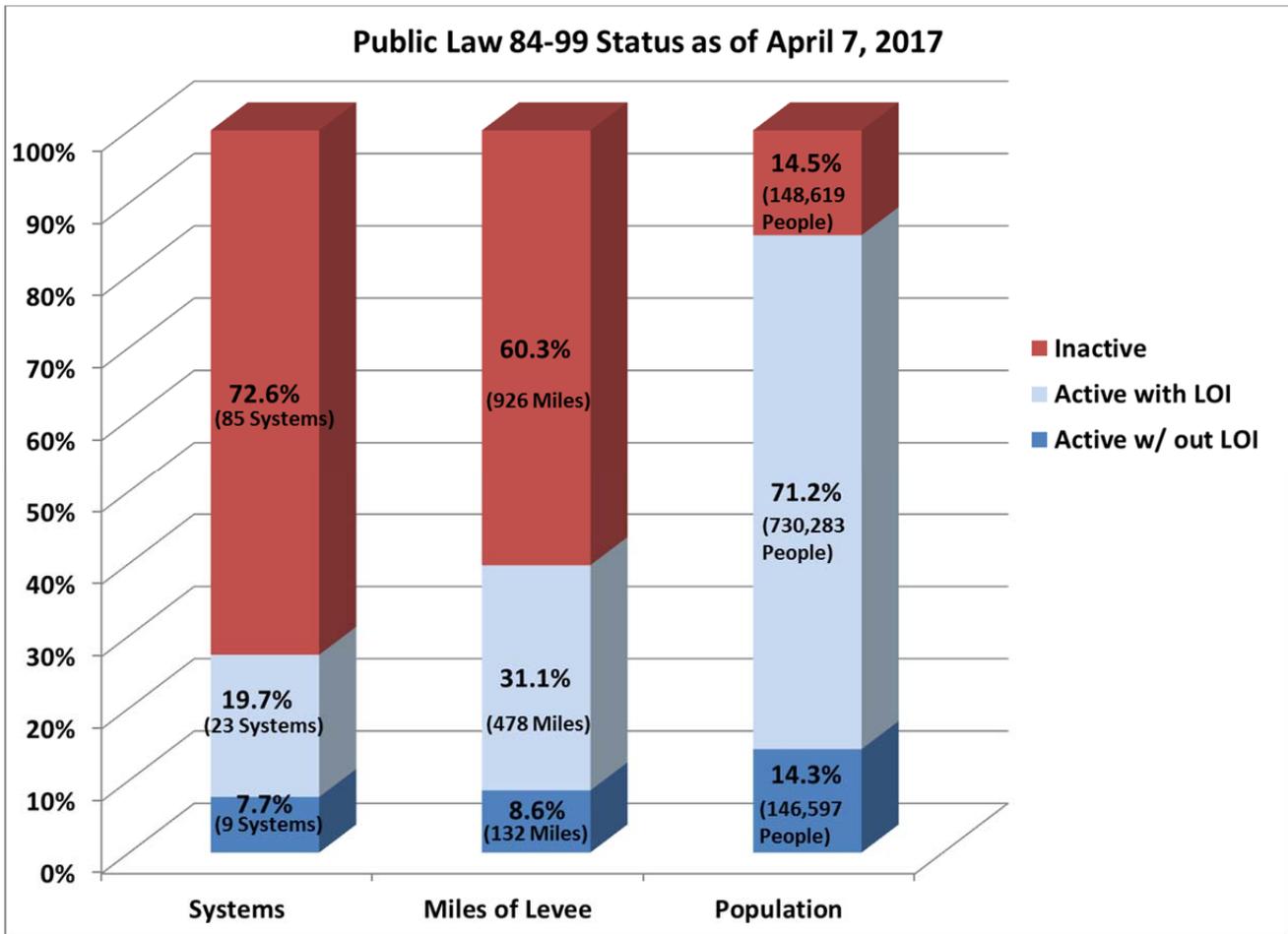
2. Local Maintaining Agency (LMA) Coordination

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

3. PL 84-99 Levee System Status

- On April 4, 2017 the USACE sent a Notice to the Executive Officer announcing a 30 day application period, for Public Sponsors to request rehabilitation assistance for flood-damaged flood risk reduction projects, within the Sacramento River and Tributaries (Sacramento Basin). LMA's that are active in the USACE PL 84-99 Program can request repair of flood risk reduction projects that were damaged due to recent flooding between January and March of 2017. Rehabilitation assistance will be provided by the USACE only when work is economically justifiable, the damage was sustained during the recent flood events, and the cost of repairs is more than \$15,000. Staff has notified all pertinent LMA's and all requests are due to the CVFPB by April 28, 2017. Staff will assemble the requests and transmit them to the USACE by May 5, 2017. The USACE will send a separate notice for the San Joaquin River Basin and the Delta region.
- The data and chart below represent the most updated information about PL84-99 eligibility as of April 7, 2017:
 - Systems: **72.6%** Inactive, **7.7%** Active w/ out Letter of Intent (LOI), **19.7%** Active w/ LOI.

- Levee Miles: **60.3%** Inactive, **8.6%** Active w/ out LOI, **31.1%** Active w/ LOI.
- Population (urban): **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 DWR's 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. Efforts between DWR and USACE continue on a programmatic Biological Opinion (BO) for DWR's Deferred Maintenance Project (DMP).

Phase 1 of the DMP, which includes video inspections of system pipes, will continue once funding is finalized. Phase 2 will involve repairs to pipes that have been identified as being damaged and in need of immediate repair.

DWR is attempting to add seepage berm work to the programmatic BO to help streamline the 404 approval process. There are several locations that require new seepage berms and the goal is to have the work completed prior to the next flood season.

- **California Code of Regulations, Title 23, Division 1 (CCR Title 23) Revision**

Permitting staff has been assisting Dan Fua (Board staff), and representatives from the consulting firm of HDR with the review of proposed revisions to CCR Title 23 Article 8 Standards. Previous drafts were reviewed by staff and comments were provided to HDR for further discussion. HDR finalized the latest draft on April 14th and the draft was provided to DWR and USACE for review and comment. Comments from both agencies are expected by mid-May.

- **Permitting Section Staff News**

Sungho Lee of the Permitting Section received the honor of presenting at the 2017 California Water and Environmental Model Forum in Folsom, CA. His presentation was titled "Hydraulic Analysis near Fremont Weir and Yolo Bypass by 1D and 2D Hydraulic Model." He presented his findings and recommendations on the flood conditions near the existing Fremont Weir. His information was based on a 1-dimensional (1D) HEC-RAS model created from the Central Valley Floodplain Evaluation and Delineation Program (CVFED) and his own 2-dimensional (2D) hydraulic model.

- **Permitting Overview**

The chart below shows the averaged 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.

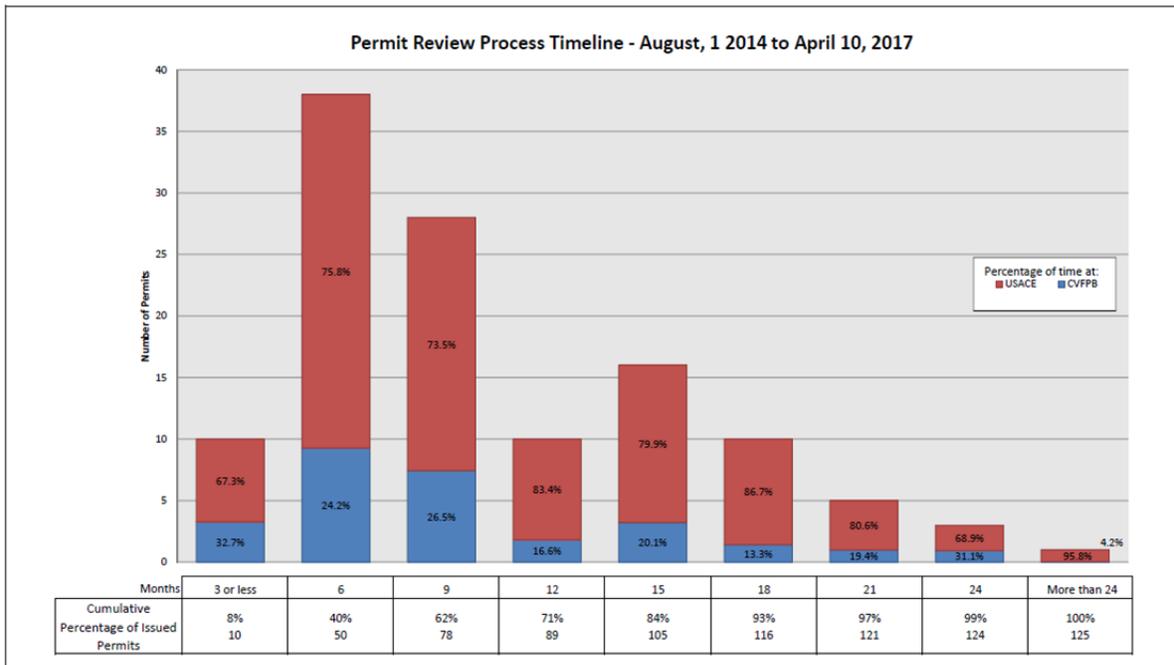


Table 1 below provides a status breakdown for all Executive Officer Delegated Permits from January 2015 through March 2017. The data entered reflects the date the applications were posted to the Board's website.

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	6	0	0	2
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	2	0	0	2
March	3	1	0	0	1
Totals	110	75	2	3	30

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.