

CENTRAL VALLEY FLOOD PROTECTION BOARD
EXECUTIVE OFFICER'S REPORT
May 18, 2018



ENVIRONMENTAL SERVICES AND LAND MANAGEMENT BRANCH
Status Report and Work Activities

- **Lower Elkhorn Basin Levee Setback Project - Yolo and Sacramento Bypasses**
 - DWR and the USACE plan to release the Lower Elkhorn Basin Levee Setback Project Draft Environmental Impact Statement/Environmental Impact Report (DEIS/EIR) for a 45-day public review period during spring 2018. Board staff are continuing to participate in the Project Delivery Team meetings for early and ongoing coordination for design and environmental planning activities.

- **Yolo Bypass Core Biological Opinion (Bi-Op) Planning**
 - Board staff continues to participate in the Yolo Bypass Core Bi-Op Planning effort. The U.S. Bureau of Reclamation (USBR) is the lead agency in accordance with NEPA and DWR is the CEQA lead agency for the preparation of the Yolo Bypass Salmonid Habitat Restoration and Fish Passage Draft EIS/EIR. Board staff is continuing to work with DWR and USBR to identify issues related to permitting and consistency with the CVFPP. A Draft EIS/EIR was released in November 2017 for public review. A Final EIS/EIR is expected to be released in October 2018.

- **Marysville Ring Levee Project (MRL)**
 - The Board certified the Supplemental EA/IS/MND at the April 2018 Board Meeting, including adoption of the Statement of Findings, and the Supplement to the Mitigation Monitoring and Reporting Plan. Board staff will continue to coordinate with DWR staff regarding the MRL project, schedule and construction start dates.

- **Folsom Dam Raise Project Supplemental Environmental Impact Report/Environmental Impact Statement (SEIS/EIR)**
 - The Board certified the Final Supplemental EIS/EIR at the April 2018 Board Meeting. The Board's certification of the Supplemental EIS/EIR will allow the project partners to move forward and sign the Project Partnership Agreement (PPA). Board staff will continue to coordinate with DWR staff on the elements of this project.

- **Western Pacific Interceptor Canal (WPIC) Culvert Replacement Project**
 - Board staff is reviewing final design configurations and cost estimates for the project. Final design and the project description will be completed upon approval by Board management. Board staff continues to coordinate with DWR on project scheduling and budget planning.

- **San Joaquin River Restoration Program**

- The U.S. Bureau of Reclamation (USBR) and DWR provided an informational briefing to the Board on the current status of the San Joaquin River Restoration Program during the March 23, 2018 Board Meeting. DWR, as the CEQA lead agency, has submitted to the Board, an encroachment permit application that includes modifications to the Eastside Bypass including reinforcement of approximately 2 miles of levee to improve levee stability and reduce seepage; modifying the existing Eastside Bypass Control Structure to improve fish passage; and replacement of the existing culvert at the Dan McNamara Road crossing at the Eastside Bypass to improve fish passage. Construction is tentatively scheduled to begin in 2019.

- **Butte Slough Outfall Gates Rehabilitation Project**

- Board staff attended a meeting on April 6, 2018 held by DWR Flood Maintenance Office staff to discuss the status of Encroachment Permit Application No. 19019 for the Butte Slough Outfall Gates Rehabilitation project submitted by DWR. The project is located at the confluence of Butte Slough and the Sacramento River, approximately 5 miles downstream from the town of Colusa on the left bank of the Sacramento River, within Sutter and Colusa counties. DWR, as the CEQA lead agency, certified the Initial Study Mitigated Negative Declaration for the Butte Slough Outfall Gates Rehabilitation Project (December 31, 2014). Consultations with the National Marine Fisheries Service (NMFS) and California Department of Fish and Wildlife (CDFW) are in progress to determine potential impacts to federal and State listed species, which includes Central Valley spring-run Chinook salmon and Sacramento River winter run Chinook salmon. DWR is planning to have future regulatory agency meetings as the scope of work and additional clarity is defined.

- **DWR Incident Command Team (ICT) 4 Spring 2018 Exercise**

- On March 28, 2018, Board staff assigned to ICT 4 participated in a training exercise including on-site incident management, threats and hazards identification, and ICT/Emergency Operations Center communications during a simulated flood emergency scenario for levee instability.

- **Delta Levee Habitat Advisory Committee Meeting**

- Board staff attended the monthly meeting on Friday, May 5, 2018. CDFW staff provided a presentation on the invasive pest, nutria. According to CDFW, nutria sightings are occurring closer to the Delta. Kris Tjernell, Natural Resources Agency, expressed possible interest from the Resources Agency for augmenting CDFW funds for nutria management. The Delta Stewardship Council (DSC) announced that at its April 26, 2018 meeting, the Delta Plan Amendments and Programmatic EIR for Delta Plan Amendments were adopted. DSC staff also announced that DSC approved the Delta Levee Investment Strategy as a regulation instead of a recommendation.

- **Encroachment Permitting Assistance**

- Environmental staff are continuing to assist encroachment permit applicants by conducting pre-application meetings to discuss compliance with the Board's regulations under Title 23 CCR, and Title 33, USC Section 408. On April 20, 2018, Board staff conducted a pre-application meeting at the request of Caltrans for the Cottonwood Creek Bridge Replacement Project. The proposed project is adjacent to federal levees along Cottonwood Creek, in Butte County.

RIGHT-OF-WAY AND REAL ESTATE SUPPORT

Status Report and Work Activities for Sacramento-San Joaquin Drainage District (SSJDD) Leases and Land

- **Local Assessments**
 - CVFPB staff are coordinating fire and weed abatement with the City of West Sacramento Fire Department and City of Fairfield Fire Department for vegetation management on 12 SSJDD properties.

- **State Lands Commission (SLC)**
 - Work is ongoing with the SLC for the development of a scope of work to manage CVFPB oil and gas leases. The DWR Accounting Department is developing annual financial statements for Oil and Gas Leases and Traditional Agricultural Leases.

 - Work is ongoing to renew the CVFPB's leases (Term 30-years) from SLC for levee construction, bank protection, and maintenance at six locations: Sacramento River, Feather River, American River, Georgina Slough, Steamboat Slough, and Cache Slough.

- **Fair Market Value Lease Renewals**
 - Board staff are determining the best option for obtaining fair market value for SSJDD leases. Considerations include use of contracted appraisals or Department of General Services (DGS) drafted appraisals. Property descriptions, updated maps and exhibits for SSJDD leased properties for appraiser(s) are in progress.

 - Board staff are developing a public bid process in conformance with DGS public bid procedures for SSJDD lease renewals. Leases are being analyzed based on Bid Process eligibility and exemptions from the Bid Process. Contact with DGS Property Manager for guidance is ongoing.

 - The CVFPB tenant, Asta Construction Company, Inc., is operating in a holdover status. The firm provides sand for levee repair to DWR and flood control agencies in Sacramento area. To facilitate the DGS mandated Bid Process, a minerals and land appraisal is required to determine the value of the site. DWR's contract appraisal company will offer an estimate for the appraisal of the site and suggest a subcontractor to appraise the value of the remaining soils as a property asset.

- CVFPB staff received a proposal from Groteguth Farms to lease property near Chico for grazing on approximately 400 acres. Based on property reviews with DGS, the leases will be subject to and undergo an open Bid process. The property will be appraised first to determine lease value before advertising on DGS's website FISCAL.
- **Real Property Conveyances and Real Estate Transactions for Board Encroachment Permits**
 - Acquiring flood control levee easements (or licenses) as a special condition of the following Encroachment Permits (EP):
 - EP No. 18313 - West Sacramento Area Flood Control Agency (WSAFCA), West Sacramento, CA;
 - EP No. 18257 - Atlas Tract Reclamation District 2126, Stockton, CA; EP No. 17858 - Mossdale Marina, Lathrop, CA;
 - EP No. 15178-1 - Marysville Wastewater Treatment Plant (WWTP) easement;
 - EP No. 14455 - License Renewal for gas line in the Sutter Bypass;
 - EP No. 14389-1 - The Rivers Development (formerly West Levee Lighthouse Marina): Seven of nine acquisitions are fully executed and recorded; seven Litigation Guarantees were acquired and reviewed; the last remaining two easements are in process for recordation.
- **Property Access, Easements and Parcel Acquisitions**
 - Property Access – Western Area Power Administration (WAPA) and Sacramento Municipal Utility District (SMUD): Entry access has been requested for 12 SSJDD parcels located in Sutter County. The access is necessary to perform environmental studies and determining the locations for the installation of a new transmission line across these parcels. The studies are estimated to take three years to complete.
 - SSJDD Property Descriptions – Board staff is verifying existing SSJDD flood control property rights, reviewing legal descriptions for state standards, and providing exhibits. DWR's Geodetic Branch work is ongoing to resolve out-of-date SSJDD land surveyor drawings and tracings. DWR is creating geographic information system (GIS) shape files that will include existing SSJDD leased parcels, clarify map details and improve storage and retrieval of CVFPB property holdings (deeds, documents, and maps).
 - Easement Acquisition – Negotiations are ongoing to acquire an easement from the City of Sacramento (City) for a water line in the Garden Highway levee near Orchard

Lane. The easement is for an existing water line the City recently acquired. The City is working to provide the necessary legal description documents for staff's review.

- Easement Acquisition – USBR has requested an encroachment permit (EP) to construct a four pump water-lift station and water pipeline system that will provide federal water to the Sutter National Wildlife Refuge Area. The water lift station and pipeline will be located at the East Borrow Ditch levee of the Sutter Bypass. Board staff is working with USBR and U.S. Fish and Wildlife Service (USFWS) to provide an easement for the construction.
- Easement Acquisition – Board staff is coordinating with Caltrans to allow entry on to SSJDD parcels for the replacement of the Wadsworth Canal Bridge on Highway 20. Caltrans has proposed the use of a Memorandum of Agreement to allow entry.
- Parcel Acquisition – Work is ongoing to acquire a parcel in fee from the American River Flood Control District (ARFCD) on La Rivera Drive at Howe Avenue on the left bank of the American River for establishing a staging area to support emergency flood-fights. ARFCD will be responsible for O&M of the parcel. ARFCD's land surveyor is drafting a legal description for DWR Geodetic Branch's review.
- Natomas Basin – On Reach B, Six appraisals received of which two will go to DGS for review; negotiating with Bender Rosenthal, Inc. for the remaining four. On Reach H, Prepared offers sent out to property owners; subsequent meeting ongoing until documents are executed.
- Marysville Ring Levee – The USACE take letters have been requested by DWR and are pending for USACE certification; USACE will provide letters in early June 2018. Received 60% design plans for Reach 2C, acquisition work and coordination with the local sponsor is ongoing.
- Nutria Eradication Project – CVFPB staff are working with DWR to provide DFW access to CVFPB owned properties for surveying and trapping Nutria. Project plans for access will include wide swathes of DWR/CVFPB properties. CDFW will develop a Scope of Work for determining actual area of impact, timeframe and work priorities.