

**CENTRAL VALLEY FLOOD  
PROTECTION BOARD EXECUTIVE  
OFFICER'S REPORT  
June 22, 2018**

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**ENVIRONMENTAL SERVICES AND LAND  
MANAGEMENT BRANCH  
Status Report and Work Activities**

**Environmental Services Section**

**1. Project Planning and Coordination**

- **2017 Central Valley Flood Protection Plan Conservation Strategy Implementation Advisory Committee**
  - The Advisory Committee met on May 24, 2018. Meeting topics included multiple-objective operations and maintenance updates, and discussion regarding key steps for permitting and tracking a pilot project. A pilot project sub-committee was formed to study proposed projects in four separate regions (Yolo Basin, San Joaquin River system, Feather River system and the Mid-Upper Sacramento system) for their multi-benefit opportunities. In addition, Board staff has developed an Advisory Committee webpage on the Board's website. This webpage will house meeting dates, agendas, meeting notes and slide decks for presentations given at meetings. The sub-committee will present findings at the next Advisory Committee meeting.
  
- **Lower Elkhorn Basin Levee Setback Project - Yolo and Sacramento Bypasses**
  - On May 25, 2018 DWR and the USACE released the Lower Elkhorn Basin Levee Setback Project Draft Environmental Impact Statement/Environmental Impact Report (DEIS/EIR) for a 45-day public review period. Board staff attended a public meeting on Thursday June 7, 2018 which presented information about the project and received oral and written comments on the Draft EIS/EIR. The Draft EIS/EIR is available on DWR's webpage at <https://www.water.ca.gov/Programs/Flood-Management/Flood->

[Projects/Lower-Elkhorn-Basin](#). Board staff continues to participate in the Project Delivery Team meetings for ongoing coordination for design and environmental planning activities.

- **Yolo Bypass Core Biological Opinion (Bi-Op) Planning**
  - Board staff attended the May 16, 2018 meeting of the Yolo Bypass Core Bi-Op Planning group. 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 are 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.
- **Yolo Bypass/Cache Slough Complex Program Development Workshop**
  - Board staff continue to coordinate with the Yolo Bypass/Cache Slough Complex Workshop participants. The purpose of the group is to build a shared regional and state agency vision for the Yolo Bypass/Cache Slough Complex. The Project Working Group discussed the Program Management Actions that will provide the framework upon which the Yolo Bypass Partnership will establish next steps and future actions. Board staff is currently assigned to the Programmatic 408 Permitting sub-group. The next meeting is scheduled for June 15, 2018.
- **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**
  - Final design of the project will be submitted to the Board for review at the end of June 2018. 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.

## **2. State Agency Committee Meetings and Coordination**

### **• Delta Levee Habitat Advisory Committee Meeting**

- Board staff attended the monthly meeting on Friday, June 1, 2018. LMA representatives discussed the budget trailer bill legislation that would eliminate the sunset date for the Delta Levee Subventions Program; increase reimbursements to some local agencies for not more than 75% of any costs incurred per mile of project or non-project levee if project costs are in excess of \$2,500/mile in urban areas and \$1,000/mile in rural areas; and eliminate the ability to pay requirement. The Delta Stewardship Council (DSC) announced that they will share via their website, updates on their Office of Administrative Law (OAL) process and opportunities to provide input on their rulemaking efforts. The Delta Protection Commission (DPC) reported that the DPC approved transmitting to DWR, the Delta Flood Risk Management Assessment District Feasibility Study and Delta Levee Financing Options.

## **3. Encroachment Permitting Assistance**

- Environmental staff are continuing to assist encroachment permit applicants by conducting pre-application meetings to discuss the permitting approval processes and compliance with the Board's regulations under Title 23 CCR, and USACE regulations under Title 33, USC Section 408:
  - On May 11, 2018, Board staff conducted a pre-application meeting at the request of the City of West Sacramento, for the Riverwalk Trail Extension Project, from the existing I Street Bridge north to the Broderick Boat Ramp. The proposed project is adjacent to federal levees along the Sacramento River, in Yolo County.
  - On May 22, 2018, Board staff conducted a pre-application meeting with the applicant to construct a swimming pool and landscaping improvements located at 4171 Garden Highway, along the Sacramento River, waterside of

the levee, in Sacramento County.

- On May 30, 2018, Board staff met with the Lower San Joaquin Levee District, Triangle T Water District, and encroachment permit applicant's consultant, Provost & Pritchard Consulting Group, to discuss permits that may be necessary based on pending consultations with the Department of Fish & Wildlife, State Water Resources Control Board and USACE Regulatory Division for projects that divert flood flows from regulated streams. The meeting participants have agreed to contact the respective agencies.
- On June 6, 2018 Board staff met with The Nature Conservancy and the applicant's representative MBK Engineers to discuss permitting requirements for the proposed floodplain habitat restoration project. The proposed project has the potential to affect two regulated streams under Board jurisdiction including Angel Slough and the Sacramento River.

## **Land Management Section – Sacramento-San Joaquin Drainage District (SSJDD)**

### **1. Local Assessments**

- County assessments for levee repair and maintenance are being paid on an on-going basis.

### **2. Leases**

- State Lands Commission (SLC)
  - Work is ongoing with the SLC for the development of a scope of work to manage CVFPB-owned 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, Georgiana Slough, Steamboat Slough, and Cache Slough.
- **Lease Renewals – Fair Market Value**
  - Board staff are determining the best option for obtaining fair market value for SSJDD leases. Considerations include the 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 compliance 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 the Department 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. SSJDD is negotiating with DWR's contract appraiser for a minerals and land value appraisal. The estimated deliverable date is September 2018.
- 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 lease is pending appraisal of the fair market value prior to advertising on DGS's website, Financial Information System for California (FISCAL).

### **3. Real Property Conveyances and Real Estate Transactions for Board Encroachment Permits**

- Acquisitions are in process for flood control levee easements (or licenses) as required by permit conditions for 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 (RD) 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.

### **4. Property Access, Easements and Parcel Acquisitions**

- SSJDD Property Descriptions – Board staff are verifying existing SSJDD flood

- control property rights; 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 staff are 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 an existing water line within the Garden Highway levee near Orchard Lane. The City is working to provide the necessary legal description documents for staff's review.
  - Easement Acquisition – USBR has requested an 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 are working with USBR and U.S. Fish and Wildlife Service (USFWS) to provide an easement for the construction. CVFPB and USBR have negotiated a two year Temporary Entry Permit (TEP) for Biological Site Surveys and Topographical Site Surveys.
  - Easement Acquisition – Board staff are 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 to establish 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.
  - Parcel Acquisition – Natomas Basin, Reach B: six appraisals have been received, two of which will go to DGS for review; negotiations with Bender Rosenthal, Inc. are planned for the remaining four. Natomas Basin, Reach H: prepared offers were sent out to property owners; subsequent meetings are ongoing until documents are executed.
  - Parcel Acquisition – Marysville Ring Levee: The USACE take letters have been requested by DWR and are pending for USACE certification; the

USACE will provide letters in June 2018. The 60% completed design plans for Reach 2C have been received; acquisition work and coordination with the local sponsor is ongoing.

- Temporary Entry Permit (TEP) – Nutria Eradication Project: CVFPB staff are working with DWR to provide the Department of Fish and Wildlife (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 impacts, timeframe and work priorities. DWR Surveyor is working with CDFW to identify affected properties and the specific sites, locations and maps.