

CENTRAL VALLEY FLOOD PROTECTION BOARD EXECUTIVE OFFICER'S REPORT

June 23, 2017



OPERATIONS BRANCH Status Report and Work Activities

Enforcement Section

1. CVFPB Enforcement Program

- Mr. Alfred Lam has been working in the Enforcement Section for 2 years and was a borrowed position from the Division of Engineering (DOE). His time with the CVFPB expired and he was transferred back to DOE to work at the Oroville Dam incident as of May 19, 2017. Alfred had a total of 26 active enforcement cases assigned to him. Those cases are now being redistributed to existing staff.
- Staff is currently working with multiple respondents who replied to previously mailed Fact-Finding Letters (FFL) or Notice of Violations (NOVs) regarding unauthorized levee excavation, pipe installation, and tree planting. Staff continues to work with them to resolve the cases to satisfaction.
- Staff issued three NOVs and one FFL for unauthorized irrigation pipes, landscaping, farming debris, and other miscellaneous encroachments within the Adopted Plan of Flood Control. There are currently three more NOVs that are in the process of being issued.
- An encroachment was brought to the attention of enforcement staff by DWR inspectors. Staff made a site visit and educated the property owner of the CVFPB's jurisdiction. After working and coordinating with the property owner staff reached voluntary compliance. In addition, a waterside well had been drilled that was not permitted by CVFPB, but was permitted by Yolo County. Since staff notified them of noncompliance, the well has been abandoned per Yolo County standards. As a result of this incident, Yolo County has updated their well application forms to include the CVFPB as a resource for well setback limitations. Now landowners who want to drill a new well within 200- feet of the level must contact the CVFPB permitting section for jurisdictional authorization.

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.
 - A draft SWIF for the Cache Creek – RD 2035 – Willow Slough Bypass Levee System was submitted to CVFPB on June 5, 2017 for review. It must be reviewed and sent to USACE by July 6, 2017.
- Four LOIs, which CVFPB transmitted to USACE in late 2016 and early 2017 are being reviewed by USACE and are awaiting approval.
 - A LOI for MA 13 (Cherokee Canal Levee System) was approved by USACE on May 18, 2017. However, a formal approval letter has not been received by CVFPB to date.
 - USACE Sacramento District completed its review of the LOI for the Wadsworth Canal Right Bank – Sutter Bypass East Levee System. It was sent to USACE Headquarters for approval on June 2, 2017.
- Two LOI drafts are undergoing preliminary USACE staff review.
- Three new LOI drafts are expected from LMAs in the coming months.

3. PL 84-99 Rehabilitation Assistance Status

LMAs that are active in the USACE PL 84-99 Program may 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 over \$15,000.

- **Sacramento River and Tributaries**

- Of the 64 rehabilitation requests sent to the USACE on May 5, 2017 47 sites (17 LMA's) have met USACE criteria and will be moved forward. Seventeen of the sites were either inactive in PL 84-99 or have a Letter of Intent in review. Two other damage sites were identified as being legacy sites from previous high water events.
- Project information reports will be completed by the USACE for the 47 sites by the first week in July. Possible betterments to the proposed USACE repair scope-of-work will be discussed at that time.

- **San Joaquin River and Delta**

- On June 07, 2017 the USACE sent a Notice to Public Sponsors of flood risk reduction projects in the San Joaquin River and Delta indicating they have until July 7, 2017 to apply for Public Law (PL) 84-99 Rehabilitation Assistance from the USACE, Sacramento District. The eligibility criterion is the same as it is for the Sacramento River Basin. Upon receipt of the request(s) the USACE will coordinate with the Public Sponsor to schedule an inspection.

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. Board staff is assisting with site inspections and priority review.

- **Sacramento River and Tributaries**

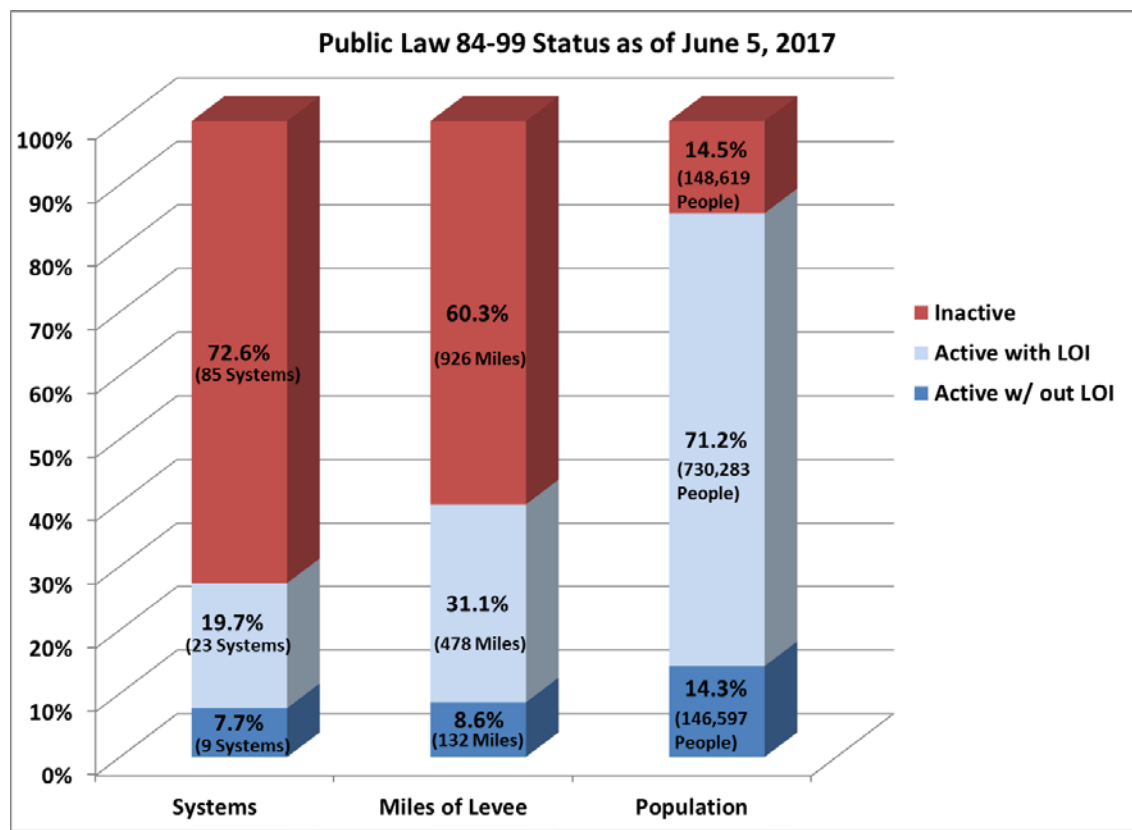
- Approximately 19 damage sites from the 64 that were sent to the USACE did not meet USACE criteria and may be considered for rehabilitation by DWR.

- **San Joaquin River and Delta**

- DWR and Board staff will coordinate and conduct field inspections at all reported damage sites.

5. PL 84-99 Levee System Status

- The data and chart below represent the most updated information about PL84-99 eligibility as of June 5, 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 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. Corps Levee Safety Program Manager Michael Kynett has accepted a position with a local engineering firm and will be leaving the Corps this month. Mr Kynett started working for the Corps in 2009. His leadership and geotechnical knowledge will be a significant loss to the USACE and the Board.
2. The Corps will be performing routine inspections of Maintenance Area No. 9 this month.

- **Permitting Section Staff News**

Following a very competitive review process that included 40 applicants Justin Logan was hired as the newest member of the Permitting Section. Justin received his Bachelors of Science in Civil Engineering from Sacramento State University with a focus on hydraulics. He worked as a DWR Student Assistant in the Division of Flood Management for two and a half years assisting with levee rehabilitation projects in the Delta. These skills will allow Justin to make an immediate contribution to the Permitting Section. Mr. Logan started his duties with the Board on June 12th.

- Permitting Staff are coordinating with the USACE and DWR on the PL 84-99 rehabilitation assistance process. Staff is also assisting DWR with field inspections of all damage sites that are not eligible for PL 84-99 rehabilitation assistance.

- **Permit Review Process Overview**

The chart below shows the average permit review times in percentage that an application is with the CVFPB and USACE. The chart is reflective of all applications received after the change in federal regulations that made it mandatory for all USACE Section 408 permit application reviews to be a federal action.

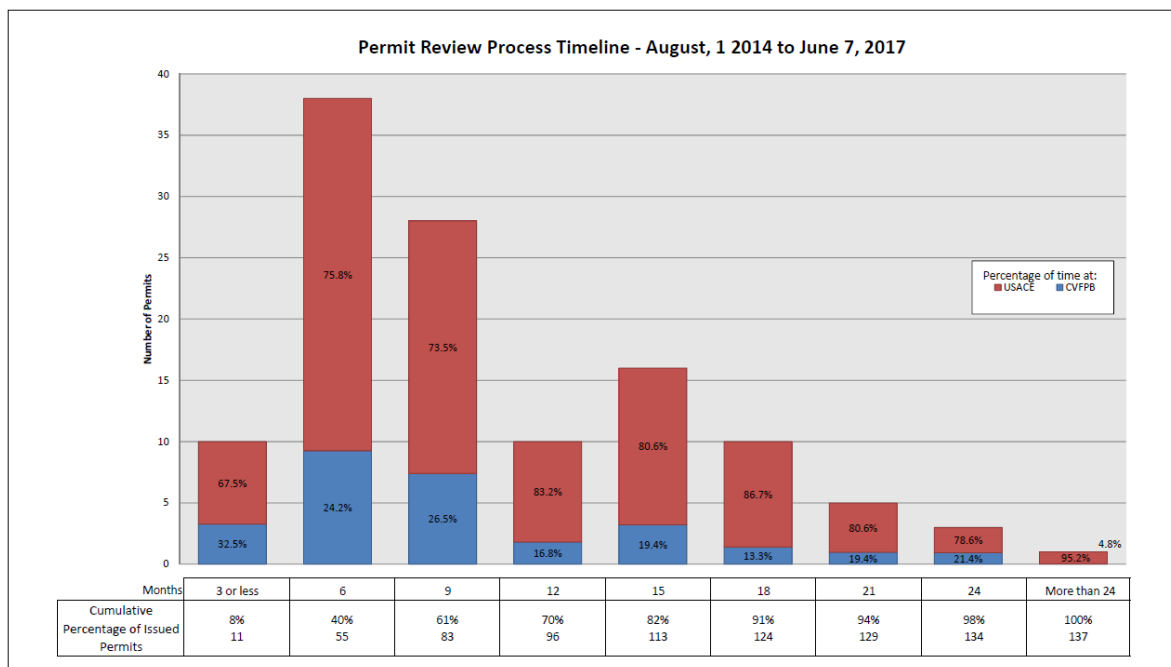


Table 1 below provides a status breakdown for all Executive Officer Delegated Permits from January 2015 through May 2017. The numbers in this table are reflective of when the applications were posted to the Board’s website.

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	3	0	0	0
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	4	0	0	0
March	3	3	0	0	0
April	1	1	0	0	0
May	3	0	0	0	3
Totals	114	81	2	3	29

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