

CENTRAL VALLEY FLOOD PROTECTION BOARD EXECUTIVE OFFICER'S REPORT September 22, 2017



ENVIRONMENTAL SERVICES AND LAND MANAGEMENT BRANCH Status Report and Work Activities

- **USACE Coordination**

- USACE staff will be presenting the categorical permission effort at the September 22, 2017 Board Meeting. Board staff assisted the USACE Flood Protection and Navigation Section with a Programmatic Environmental Assessment pursuant to the National Environmental Policy Act to address environmental effects of various types of alteration actions proposed as categorical permissions. Categorical permissions will simplify the Section 408 review process for potential alterations at the District level and would neither individually, nor cumulatively, cause more than minor impacts to the environment or the engineering integrity of the USACE project. Public noticing of the preliminary project description will likely begin at the end of September. The USACE is anticipating the categorical permission process to be in place at the beginning of 2018.

- **Lower Elkhorn Basin Levee Setback Project**

- Board Staff is continuing coordination with DWR environmental staff on the Administrative Draft of the Environmental Impact Statement/Environmental Impact Report (EIS/EIR). DWR environmental staff is also currently working on the draft Biological Assessment and the Wetland Delineation needed to conduct consultations with U.S. Fish and Wildlife and the National Marine Fisheries Service. In addition, Board staff is participating in the Project Delivery Team meetings for early and ongoing coordination for design and environmental planning activities. Board staff will continue to provide updates on the activities surrounding the project planning activities.

- **USACE PL 84-99 Levee Rehabilitation**

- Board staff has been coordinating the environmental compliance for PL 84-99 Levee Rehabilitation work within the Sacramento and San Joaquin basins. USACE has prioritized 16 PL 84-99 eligible sites to be constructed in the Sacramento basin this year, with another 35 eligible sites to be constructed next year. USACE is currently prioritizing 18 PL 84-99 eligible sites in the San Joaquin basin that may be constructed this year.

- **Yolo Bypass Core BiOp Planning**

- Board staff has received an advanced agency review copy of the Yolo Bypass Salmonid Habitat Restoration and Fish Passage Administrative Draft EIS/EIR. The Bureau of Reclamation (BOR) is the lead agency in accordance with NEPA and DWR is the lead agency in accordance with CEQA in preparing this document. Staff will be working DWR and BOR to identify issues related to permitting and consistency with the CVFPP. A Final EIS/EIR is expected to be released in October 2018.

- **Western Pacific Interceptor Canal Culvert Replacement Project**
 - Board staff has completed the Final Initial Study/Mitigated Negative Declaration (IS/MND) for the Western Pacific Interceptor Canal Culvert Replacement Project (Project). Staff expects to present the IS/MND for certification by the Board at the October 27, 2017 Board Meeting. In addition to certification of the IS/MND, staff will be requesting that the Board consider adoption of the Mitigation Monitoring and Reporting Plan and approve the Project. Once the Board has certified the IS/MND and approved the project, staff will work to secure the necessary permits for construction of the culvert replacement project. The Project will likely occur during the 2018 construction season.

RIGHT-OF-WAY AND REAL ESTATE SUPPORT

Status Report and Work Activities

****Indicates new activity this month**

- ****Land Management Branch Staff Update:**
 - GIS Student Assistant interviews were conducted on 7/27/2017 and a candidate was selected.
 - Associate Right of Way Agent position was advertised on 8/7/2017; the final filing date for potential applicants was 08/21/17; the advertisement was postponed on 8/16/2017 when DWR HR support staff advised the Board that there was no eligible list for this classification and that it had been advertised in error. This position is currently on hold pending further work by DWR humand resources.

- **Sacramento-San Joaquin Drainage District (SSJDD) Leases:** Below is a summary of completed and recommended activities to the SSJDD leases:
 - Work is ongoing with DWR Fiscal Staff to ensure lessees make lease payments in a timely manner.
 - Work is ongoing fielding lessee calls regarding a variety of property issues.
 - Work is ongoing with the State Lands Commission (SLC) to create a system whereby the scope of work of the interagency agreement between the CVFPB and the SLC to administer the SSJDD oil and gas leases is maximized to the benefit of the CVFPB and Board Staff.
 - Work is ongoing to renew the Hogback Island bank protection lease number PRC 3300.9 with the SLC.
 - Work is ongoing to renew a General Lease with the California State Lands Commission for the use of State Sovereign Land, for a Protected Structure, located in the Sacramento River, Georgiana Slough, Steamboat Slough, Sutter Slough, Feather River, American River, and Cache Slough in Yolo County.
 - Work is ongoing to determine best option for obtaining current fair market value for SSJDD leases, to obtain updated maps and exhibits for SSJDD leased properties, to obtain a legal review of relevant Water Code of SSJDD lease public bid process to ensure proper procedures are followed in lease renewal process, and to prepare SSJDD lease renewals.
 - Work is ongoing to convert out-of-date SSJDD land surveyor drawings and tracings to aerial picture shape files of existing SSJDD leased parcels.

- **Real Property Conveyances:** *real estate transactions resulting from CVFPB approved permits.*
 - Work is ongoing to acquire flood control levee easements or licenses as a special condition of the following Permits:
 - No. 18303-3 for WSAFCA, West Sacramento, CA
 - No. 18257 for Atlas Tract RD-2126, Stockton, CA
 - Nos. 17858-97 for Mossdale Marina, Lathrop, C.
 - No. 19109 DLM Partners Chowchilla Canal Bypass
 - No. 15178-1 Marysville WWTP
 - No. 14455 License Renewal for gas line in Sutter Bypass for CRC

- **No. 14389-1 Oakstone Investments/The Rivers Comm. Assoc.**
 - ****Working with five grantors on nine easements on forty-three parcels to finalize flood control levee and slope control easements as a special condition of Permit No. 14389-1 for the Rivers Development (formerly Lighthouse Marina), West Sacramento, CA. All nine of the easements have been fully executed and recorded.**

- **Right of Way and Real Estate Support Activities**
 - Work is ongoing to provide real estate support services in conjunction with the geodetic branch for all CVFPB Staff in the form of verifying existing SSJDD flood control property rights and providing exhibits.

- **Other Miscellaneous Activities**
 - Work is ongoing to review a legal description from Sutter County for Sacramento Avenue across the Sutter Bypass; the County is perfecting their roadway rights for a new road alignment. The County's land surveyor is drafting a legal description.
 - 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 the primary use of establishing a staging area to support emergency flood fights; ARFCD will be responsible for the O&M of the parcel. ARFCD's land surveyor is drafting a legal description.
 - Negotiations are ongoing to acquire an easement from the City of Sacramento for a water line in the Garden Highway levee near Orchard Lane in for an existing water line the City recently acquired. The City is working to provide the necessary legal description documents for staff's review.

- Geodetic Branch staff is preparing legal descriptions on flowage easements that will be acquired from the USACE for the Three Amigos project in Stanislaus County by quitclaim deeds.
- Working with Board Staff, USBR Staff & USFWS Staff to provide access on to an SSJDD Parcel for the Sutter National Wildlife Refuge Lift Station Project.
- **Coordinating with Caltrans, DWR Geodetic Branch Staff, and Board Permitting Staff on two Caltrans Hwy widening projects (Highways 20 and 99); Caltrans is seeking access onto SSJDD parcels for construction for replacing the Wadsworth Canal Bridge on Hwy 20. The Hwy 99 widening project has already been completed. Caltrans is seeking to acquire portions of fee owned SSJDD parcels for these two projects. Currently, Caltrans is working with Board Permitting Staff to acquire the necessary Permits. Senior ROW Agent is working with Caltrans staff to provide Caltrans temporary access during construction pending the permanent acquisition of an easement of flood control rights.
- **Working with Western Area Power Administration (WAPA) and Sacramento Municipal Utility District (SMUD) to provide access approximately a dozen SSJDD parcels in Sutter County to perform studies for an environmental review for the purposes of creating an EIR/EIS for options to install a new transmission line across these parcels. The studies are estimated to take three (3) years to complete.