

# CENTRAL VALLEY FLOOD PROTECTION BOARD EXECUTIVE OFFICER'S REPORT

October 27, 2017

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## OPERATIONS BRANCH Status Report and Work Activities

### Enforcement Section

#### 1. CVFPB Enforcement Program

- Staff engineer Martin Janolo has taken a temporary assignment, extending up to 18 months, working for DWR Division of Engineering to perform inspection work at Oroville. His last day of work with CVFPB was on September 22, 2017.
- Enforcement staff has been participating in DWR's Preseason Flood Coordination Meetings. Presentations were made in Merced, Solano, and Colusa counties to date. Presentations will also be made in Sutter and Tehama counties on October 17 and 24, respectively.
- Kelly Soule', Enforcement Section Chief, has been identified to perform the duties of Public Law 84-99 (PL 84-99) liaison officer for the DWR Flood Operations Center Red Roster during activations this year with Mitra Emami as her backup. Pre-season meetings and trainings are currently underway.
- On October 3, 2017, a small stunt-type plane landed on the levee in the Sacramento area. Enforcement staff coordinated with DWR inspectors to go to the site and inspect for potential levee damage. No levee damage was noted.
- Staff continues to process encroachment cases by Fact-Finding Letters (FFL) or Notices of Violation (NOV). Status (since last month's report):
  - Case being investigated for appropriate action: 3
  - FFL/NOV being drafted for management review: 1
  - FFL/NOV currently under management review: 1
  - FFL/NOV mailed to landowner/responsible party: 1
  - Notice to Proceed issued: 1
  - Enforcement case closed: 1
  - Working with landowner/responsible party to resolve encroachment issue (new and continued cases): 15
  - Based on enforcement case, a permit application was received: 0

#### 2. Local Maintaining Agency Coordination

Staff continues to coordinate with local maintaining agencies (LMA) as more elect to participate in USACE System-Wide Improvement Framework (SWIF) program to

regain eligibility for the PL 84-99 Program. At this time:

- Two new Letters of Intent (LOI) drafts are expected from LMAs in the coming months.
- Four LOI drafts are undergoing preliminary USACE staff review.
- Two LOIs, Reclamation District (RD) 1500 and West Sacramento Area Flood Control Agency (WSAFCA), are on consent this month (October 27, 2017) to be transmitted from CVFPB to USACE.
- Six approved LOIs have SWIF drafts in development.
  - A 1-year progress report for the draft SWIF for RD 70/1660, Sutter Basin North Levee System, was submitted to CVFPB on October 4, 2017 for review. It will be reviewed and sent to USACE by November 9, 2017.
- Two SWIF drafts are being revised by LMAs, RD 1000 and Maintenance Area (MA) 9.
- Six SWIF drafts are undergoing review by USACE staff.

### **3. PL 84-99 Rehabilitation Assistance Status**

LMAs that are active in the PL 84-99 Program may request repair of flood risk reduction projects that were damaged due to flooding between January and March 2017. Rehabilitation assistance will be provided by USACE only when work is economically justifiable, the damage was sustained during the recent flood events, and the estimated cost of repairs is over \$15,000.

- USACE identified 16 damage sites active in the PL 84-99 Program for repair this year. The estimated cost is about \$14M. Construction has commenced on some sites and construction on other sites is expected to start soon.
- USACE, CVFPB, and DWR staff conducted joint site investigations for all reported damage sites in the San Joaquin and Delta regions between August and October. Staff is waiting for USACE to complete the draft Project Information Reports (PIR), which are expected in November.
- CVFPB staff sent out 3 Local Assurance Agreements for execution between the LMA and CVFPB for rehabilitation work. As of October 13, 2017, two agreements have been executed. CVFPB also executed an Assurance Agreement with USACE for the work on September 27, 2017.
- CVFPB and DWR staff met with RD 108 on October 9, 2017 to discuss the USACE's initial PIR findings in RD 108. Since then, USACE has notified staff that they are considering additional work at USACE site 0561-33/DWR site SRWLD-03 that will likely result in an addendum to the PIR. No details are available yet as to the degree of additional work required or any changes in priority ranking. This information will be forwarded to RD 108 when available, expected in November. Another meeting is scheduled for October 17, 2017 to discuss the concept of betterments with CVFPB and DWR if USACE findings are still not adequate to RD 108.

- CVFPB staff continues to participate in weekly PL 84-99 coordination calls with USACE and DWR.

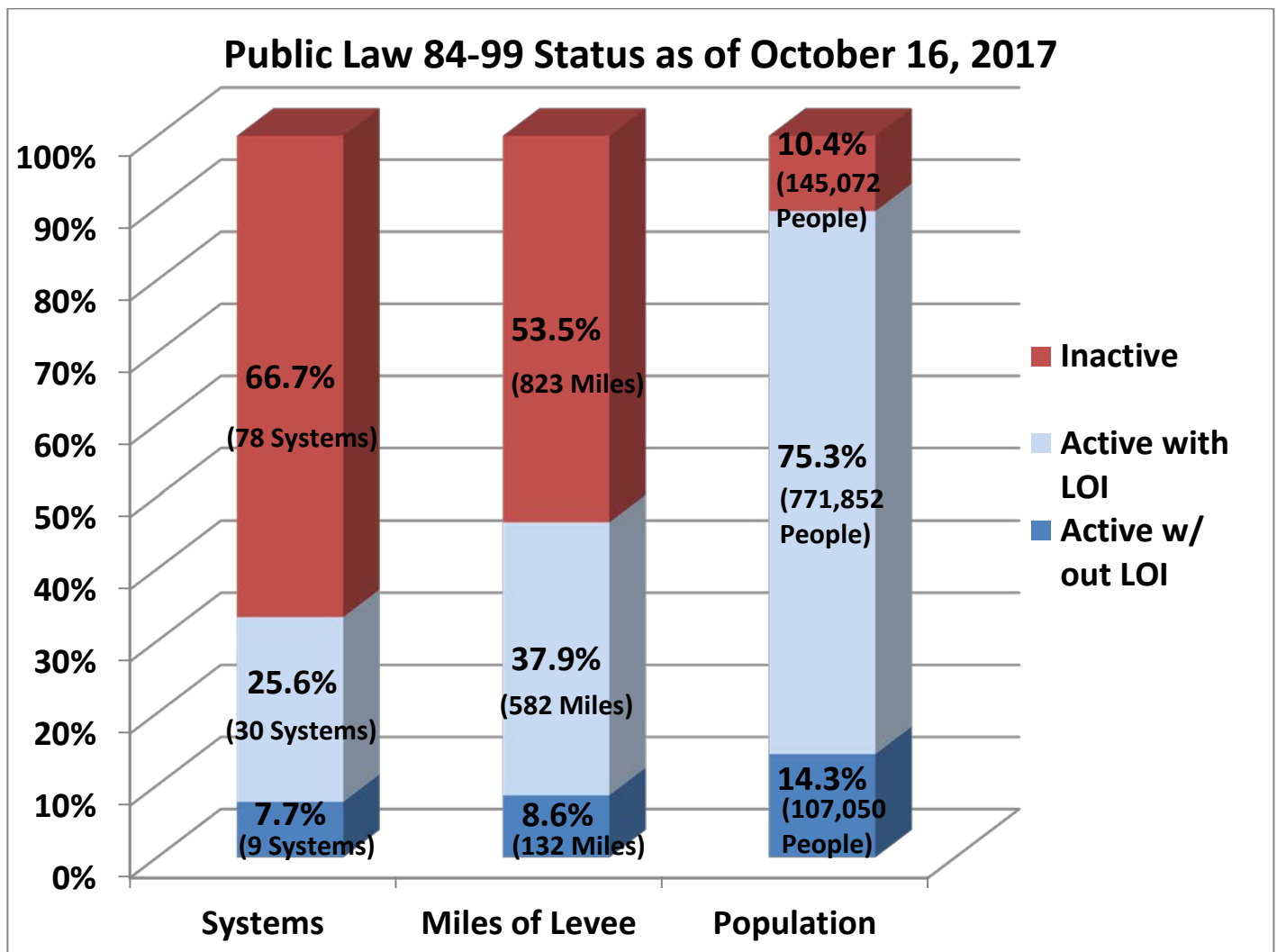
#### 4. 2017 Storm Damage DWR Rehabilitation

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

- Approximately 18 damage sites that did not meet USACE criteria are being constructed by DWR. Construction is in progress and 4 sites have been completed to date.
- DWR is currently evaluating and prioritizing the sites within the San Joaquin River and Delta regions and are waiting to receive the PIRs from USACE before finalizing their sites.
- CVFPB staff emailed 33 LMAs on October 4, 2017 to communicate that CVFPB and DWR will be working with the LMAs on 107 critical and serious sites to develop contingency plans for the flood season in the coming weeks.
  - On October 12, 2017, draft contingency plans started being mailed to LMAs.
  - In-person meetings are being scheduled to discuss draft contingency plans with CVFPB, DWR, LMA, and Operational Area representatives. As of October 13, 2017, two meetings have been scheduled.
- CVFPB and DWR staff sent out 11 Local Assurance Agreements for execution between the LMA and CVFPB for rehabilitation work. As of October 13, 2017, five agreements have been executed.
- CVFPB Operations Branch (Mitra Emami and Kelly Soule') and DWR (Sami Nall and Heidi Hall) are working together as a small group to coordinate internal and external communication regarding status of USACE and DWR repair efforts. A document is being prepared to show the status of the efforts and develop presentations for upcoming CVFPB meetings. An external stakeholder information sheet is also being developed for distribution on the CVFPB website. The group will continue to meet weekly in order to keep the documents updated.
- CVFPB staff continues to participate in weekly storm damage management update meetings.

## 5. PL 84-99 Levee System Status

- The data and chart below represent the most updated information about PL84-99 Program eligibility as of October 16, 2017:
  - Systems: 66.7% Inactive, 7.7% Active w/ out Letter of Intent (LOI), 25.6% Active w/ LOI
  - Levee Miles: 53.5% Inactive, 8.6% Active w/ out LOI, 37.9% Active w/ LOI
  - Population (urban): 10.4% Inactive, 14.3% Active w/ out LOI, 75.3% Active w/ LOI



## **Permitting Section**

### **1. Coordination Meetings**

Staff continues to attend monthly coordination meetings with DWR's Inspection Section and the USACE Flood Protection and Navigation 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.

- Deferred Maintenance Project (DMP):

DWR's Flood Maintenance Office staff has been trained on the use of recently received video equipment that will be used to inspect project feature drainage pipes. There will be a service contract awarded this month to clean all pipes in preparation for inspection. It is anticipated that all system pipes will be inspected by next spring. Pipes will be prioritized and repaired or replaced as needed. DWR submitted notices of eligibility to 69 LMAs. To date approximately 12 LMAs have signed agreements to go into contract whereby they agree to maintain the project feature drainage pipe(s) in perpetuity in exchange for 100% State funding to perform the work.

- Programmatic Biological Opinion

There are no Biological Opinion (BO) updates since the last meeting. The group will continue work on the environmental permits early next year after work is complete for the 2017 storm damage repairs. At this time BOs are being developed for Butte Creek (MA 5) and Cherokee Canal (MA 13).

- National Levee Safety Program

The USACE Flood Protection and Navigation Section (408 Section) will be meeting with DWR and LMAs in the coming weeks to discuss identification and inspection of non-project levees. The program was funded in the 2014 Water Resources Development Act.

### **2. Covenants Running with the Land**

The new process that requires the permittee to record the Covenant Running with the Land (covenant) with the pertinent county has been implemented. The decision to require a covenant will be made on a case by case basis. Covenants will not be required for public utilities or other agencies where there is little chance that the encroachment will be transferred to another entity.

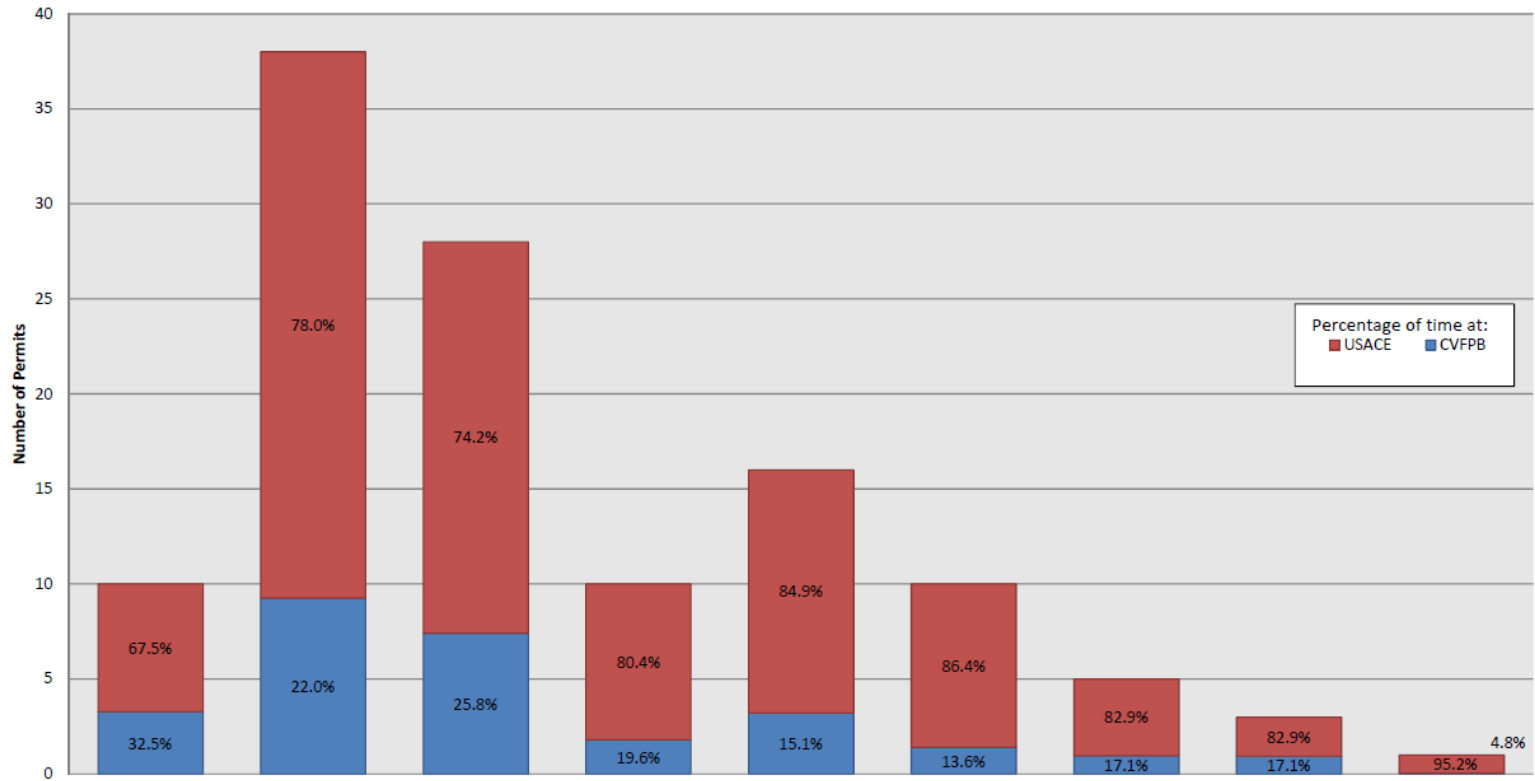
### **3. Dos Rios Ranch Restoration Project Status (CVFPB Permit Nos. 19083 & 19083-1)**

- Additional hydraulic modeling that was requested by West Stanislaus Irrigation District (WSID) has been completed by MBK Consultants. The results were provided to WSID on October 5, 2017.
- As of October 18, Board staff has not received the USACE Permission Letter for Permit No. 19083-1.

### **4. Permitting Status Overview**

The chart on the following page shows the average 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.

Permit Review Process Timeline - August, 16 2014 to October 18, 2017



Months	3 or less	6	9	12	15	18	21	24	More than 24
Cumulative Percentage of Issued Permits	6%	36%	53%	63%	83%	90%	94%	98%	100%
Permits	11	61	91	107	142	154	160	168	171

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

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	8	0	0	0
June	10	7	0	0	3
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
June	4	3	0	1	0
July	4	1	0	0	3
August	2	1	0	0	1
September	3	1	0	0	2
Totals	127	90	2	4	32

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.

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