

# CENTRAL VALLEY FLOOD PROTECTION BOARD EXECUTIVE OFFICER'S REPORT

November 17, 2017

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## OPERATIONS BRANCH Status Report and Work Activities

### Enforcement Section

#### 1. CVFPB Enforcement Program

- Enforcement staff has concluded their participation in DWR's Preseason Flood Coordination Meetings. Presentations were made in 5 locations this year including Merced, Solano, Tehama, Colusa, and Sutter counties.
- Interviews were held to backfill two engineering positions within the Enforcement Program. Tentative offers have been made to applicants as of November 2, 2017.
- 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: 1
  - FFL/NOV being drafted for management review: 3
  - FFL/NOV currently under management review: 1
  - FFL/NOV mailed to landowner/responsible party: 0
  - Working with landowner/responsible party to resolve encroachment issue (new and continued cases): 9
  - Based on enforcement case, a permit application was received: 0
  - Notice to Proceed issued: 0
  - Enforcement case closed: 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 Public Law (PL) 84-99 Program. A Letter of Intent (LOI) prepared by the LMA precedes the SWIF reports. Because USACE evaluates federal levees by system, it is possible for multiple LMAs to participate in the SWIF program together if their levees are part of the same system.

- **SWIF reports**
  - Three systems have revised draft SWIFs under review by USACE staff or under revisions by the LMAs. Lead LMAs include: Reclamation District (RD) 1001, RD 1000, and Maintenance Area (MA) 9.

- Five systems have SWIF drafts under review by USACE staff.
- Two systems have completed 1-year progress reports which are under review by USACE staff.
- **LOI reports**
  - Four systems have approved LOIs. The 1-year progress report is due for USACE staff review in 2018.
  - Two systems have LOIs that passed Board consent on October 27, 2017 and are awaiting USACE approval. Lead LMAs include: RD 1500 and West Sacramento Area Flood Control Agency (WSAFCA).
  - Three systems have draft LOIs under review by USACE staff or are undergoing revision by the LMAs.
  - Two systems are expected to develop a first draft of LOIs in the coming months.

### **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 most sites and is nearing completion on several sites. Final construction inspections were held on two sites on November 3, 2017.
- Staff is waiting for USACE to complete the draft Project Information Reports (PIR) for the San Joaquin and Delta basin sites, which are expected in November or December.
- CVFPB staff sent out 3 Local Assurance Agreements for execution between the LMA and CVFPB for rehabilitation work. As of November 2, 2017, all agreements have been executed. CVFPB also executed an Assurance Agreement with USACE for the work on September 27, 2017.
- CVFPB staff continues to participate in weekly PL 84-99 coordination calls with USACE and DWR.

### **4. 2017 Storm Damage DWR Rehabilitation**

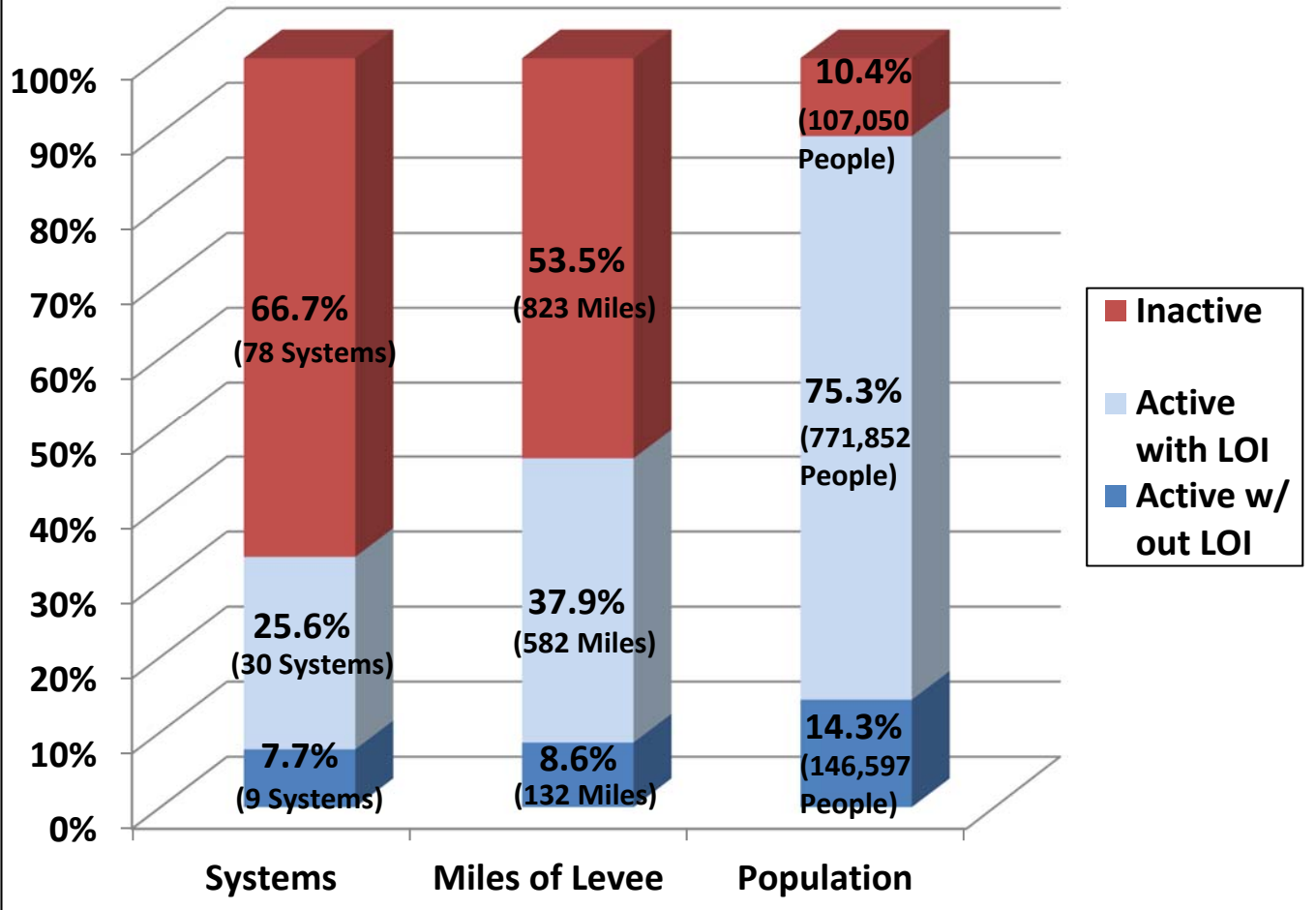
DWR is prioritizing identified damage sites that have not been approved by USACE because the damage site(s) or the levee system does not meet USACE criteria. DWR is working under existing emergency declarations and using the Standardized Emergency Management System process that will allow for possible FEMA reimbursement in the future. CVFPB staff is assisting with site inspections and priority review.

- Approximately 30 damage sites that did not meet USACE criteria are being constructed by DWR. Construction is in progress on 19 sites and 11 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.
  - Draft contingency plans started being mailed to LMAs.
  - In-person meetings are underway to discuss draft contingency plans with CVFPB, DWR, LMA, and Operational Area representatives.
- CVFPB and DWR staff sent out 11 Local Assurance Agreements for execution between the LMA and CVFPB for rehabilitation work. As of November 2, 2017, five agreements have been executed. Staff has contacted the remaining LMAs to discuss the submittal of the Agreements.
- CVFPB Operations Branch and DWR continue to meet weekly to coordinate internal and external communication regarding status of USACE and DWR repair efforts. Documents are updated and posted to the DWR and CVFPB websites weekly.
- 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 PL 84-99 Program eligibility as of November 2, 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

## Public Law 84-99 Status as of November 2, 2017



## **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 cleaned and inspected approximately 50 drainage pipes within State MAs along Willow Slough and Putah Creek. Pipes are being assessed to determine if they require replacement or repair. The goal is to have all system drainage pipes inspected by Spring 2018. It is anticipated the USACE Operation and Maintenance manuals will be updated to document all repair/replacement work.

- Programmatic Biological Opinion

There are no Biological Opinion (BO) updates since the last meeting.

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

- West Stanislaus Irrigation District (WSID) was provided the new hydraulic analysis that was completed by MBK Consultants. Staff participated in a phone conference on October 23<sup>rd</sup> between River Partners and WSID to discuss the results and proposed changes to the project. It was agreed that minor changes to the location of the drainage swale in field 13 would be an acceptable solution. The proposed change was presented to WSID's Board on November 1<sup>st</sup> and they voted unanimously to approve the change. WSID has agreed to formally resend their request for Reconsideration of Permit No. 19083.
- Staff anticipates receipt of the Permission Letter from the USACE Flood Protection and Navigation Section and issuance of both permits next month.

### **3. PL 84-99 Site Visits**

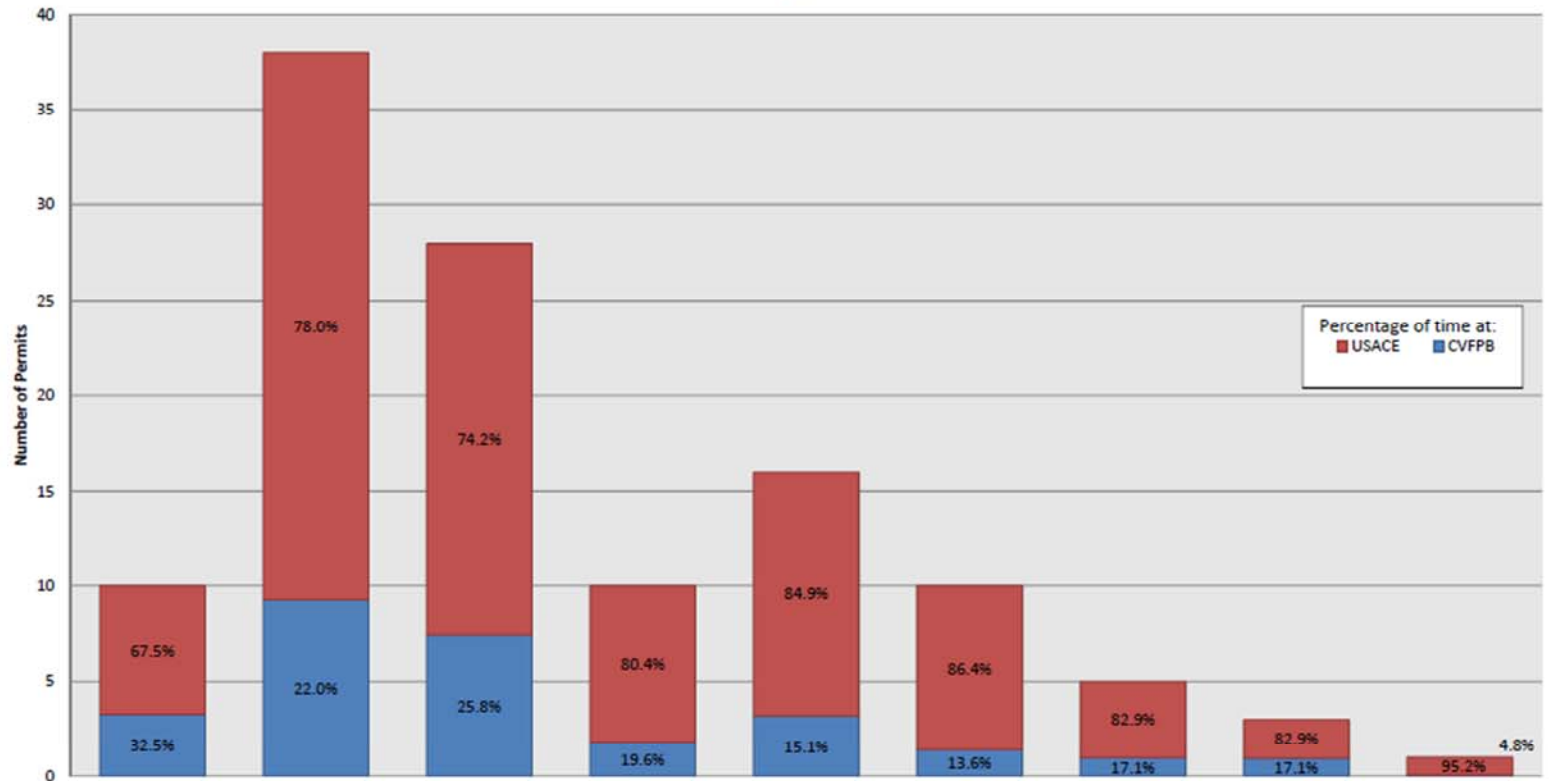
- Permitting staff accompanied USACE and DWR staff to conduct a final inspection of two completed PL 84-99 emergency repair sites. The sites are located in Reclamation District 1001 near Verona on the left (east) bank of the Sacramento River and on the right (north) bank of the Natomas Cross Canal. The USACE is

finalizing work on 14 other repair sites and the goal is to have all work completed by November 15<sup>th</sup>.

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

The following chart 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 November 3, 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 October 2017. The numbers in this table reflect how many permits were posted to the Board’s website, issued, etc.in each month.

Table 2: 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	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
October	3	0	0	0	0
Totals	130	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.