

CENTRAL VALLEY FLOOD PROTECTION BOARD

EXECUTIVE OFFICER'S REPORT

December 18, 2015



OPERATIONS BRANCH

Status Report and Work Activities

Enforcement Section

Local Maintaining Agency (LMA) Coordination – USACE Levee Screening Program

Enforcement staff has been coordinating with the LMAs to ensure that the LMAs are aware of, and are able to participate in, the USACE's Levee Screening Program. The Program, which does not affect PL 84-99 eligibility, is a risk assessment that considers the geotechnical, hydraulic, economic, and flood readiness conditions of individual federal levee segments. All levee segments in the United States are assigned a risk rating which USACE uses to prioritize funding for future feasibility studies. The National Cadre Rollup Presentation meeting is where the Cadre, a panel of subject-matter experts, reviews the levee segment presentations prepared by District-level personnel and makes risk rating recommendations that will later be confirmed by USACE's Levee Senior Oversight Group.

The National Cadre Rollup Presentation meetings occurred the week of December 7th and included presentations for 19 LMAs responsible for 15 levee systems. Enforcement staff attended all of the meetings either in person or by teleconference.

CVFPB Enforcement Program

- Four encroachments entered into the database, two of these have been resolved
 - Cherry tree orchard recently planted within the Putah Creek floodway has been voluntarily removed by the respondent after discussion with Enforcement staff
 - Recurring enforcement that requires a permitted slide gate on a drainage pipe to be closed at the beginning of flood season at Cherokee Canal. Permittee complied and closed the slide gate after discussions with Enforcement staff.
- Staff is finalizing two Notices of Violation
- Staff is considering issuance of one compliance letter

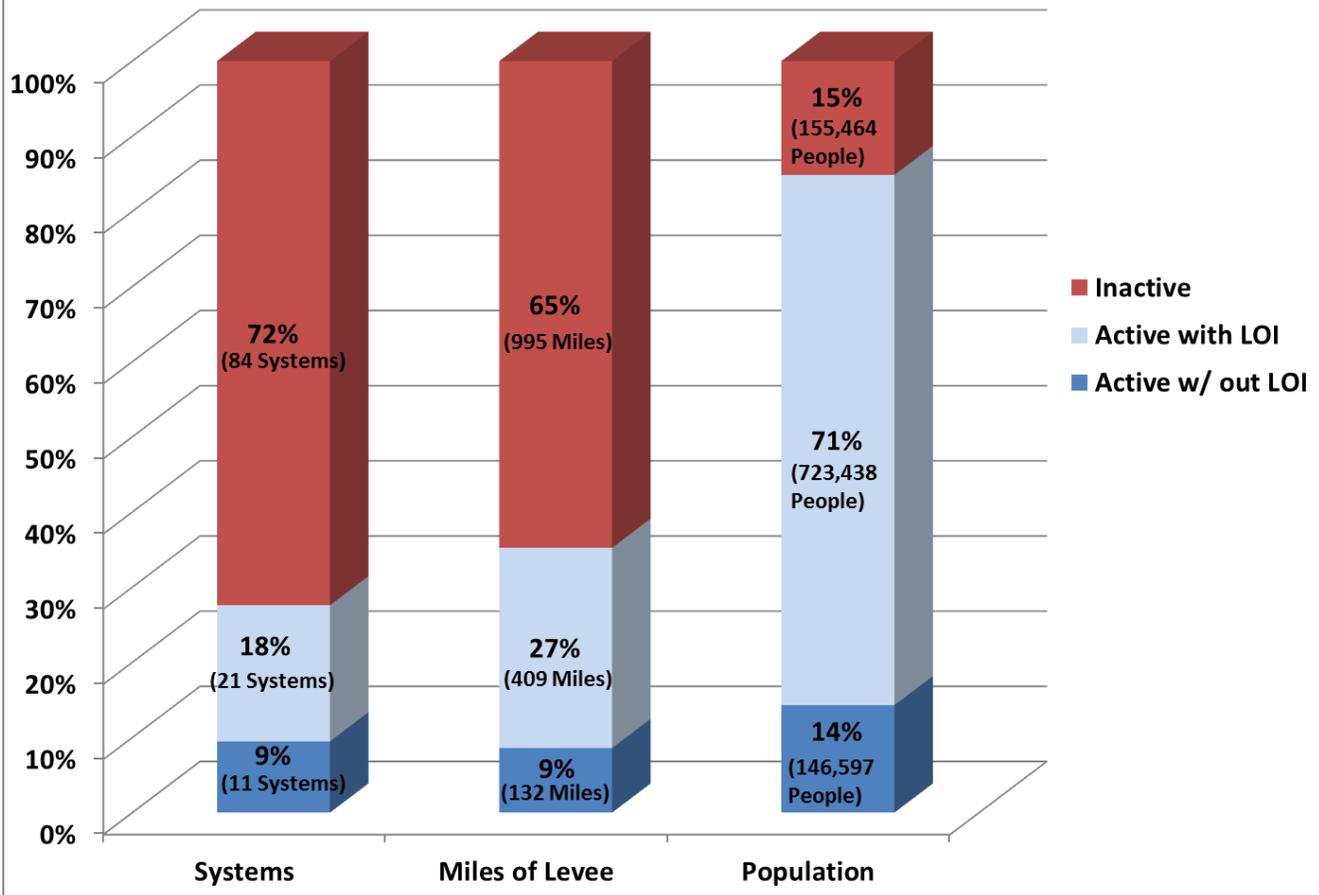
LMA Letters of Intent for System Wide Improvement Framework Plans

- Reclamation District 2035's Letter of Intent was approved by CVFPB at the November Board meeting and submitted to USACE December 2, 2015.

PL 84-99 levee system status as of December 7, 2015

- Systems: (72% Inactive, 9% Active w/ out LOI, 18% Active w/ LOI)
- Mileage: (65% Inactive, 9% Active w/ out LOI, 27% Active w/ LOI)
- Population: (15% Inactive, 14% Active w/ out LOI, 71% Active w/ LOI)

Public Law 84-99 Status as of December 7, 2015



Permitting Section

Several staff visited the USACE Sacramento District on December 8th to view a webcast of the Washington D.C. based Civil Works Review Board meeting. The Review Board met to hear testimony from USACE, Sacramento Area Flood Control Agency (SAFCA) and West Sacramento Area Flood Control Agency (WSFCA) staffs, and our Executive Officer regarding the American River Common Features and West Sacramento General Reevaluation Reports. The Recommended National Economic Development (NED) Plans for both projects were presented and discussed. SAFCA proposed a Locally Preferred Plan that includes modifications to the Sacramento Weir and Sacramento Bypass. This portion of the project will be funded with non-federal dollars. Both Colonel Michael Farrell, Commander of the Sacramento District, and Brigadier General Mark Toy, Commander of the South Pacific Division, recommended approval of the NED Plans to the Civil Review Board. The Civil Review Board voted unanimously to approve the NED Plans. A draft of the Chief Engineer’s Report for both projects is anticipated for release in early 2016 for State and local agency review.

Effective December 1st restoration and bridge applications will be processed by the Permitting Section; these projects were previously handled by the Planning Branch. The Planning Branch will continue to process State Plan of Flood Control (SPFC) alteration projects and High Speed

Rail (HSR) Projects. Two (2) staff from the Planning Branch have been reassigned to the Permitting Section to accommodate the transferred workload.

Biweekly conference calls with the USACE Sacramento District Flood Protection and Navigation Section continue. All applications under USACE review that have passed their scheduled meeting date are discussed to ensure all issues are being addressed. Permitting staff also attend monthly coordination meetings with USACE and DWR to discuss/clarify any permitting and enforcement issues.

The following three (3) tables provide status information about permit applications that are being processed. Table 1 provides a status breakdown of **all** permit applications from 2013, 2014, and 2015 through November 30th. Table 2 provides a breakdown of applications approved by the Board but waiting for the USACE decision letter prior to issuance. Table 3 provides a status breakdown for all 2015 Executive Officer Delegated Permits through November:

Table 1: Application Status Breakdown of All Permit Applications

	2013	2014	2015	Total
Total New Applications Received	162	129	133	424
Issued Permits	127	77	28	232
Incomplete Applications Returned to Applicant	7	10	8	25
Application Withdrawn by Applicant	3	8	2	13
No Response by Applicant Administratively Closed	6	2	1	9
No Permit Required	10	8	5	23
Permit Denial	0	1	0	1
Under Enforcement	2	4	3	9
Future Scheduled Applications	2	1	39	42
Reviewing for Completeness	2	9	35	46
Approved by Board but Need USACE Letter	3	9	12	24

Table 2: Conditionally Approved Applications

Approved by Board but Need USACE Letter	
Letter Routing	2
Additional information requested from applicant	6
In review at USACE	12
Regulatory issues/review	4
Flood System Alteration Projects	1
Total	24

Table 3: Executive Officer Delegated Permit Status

Month	Posted	Issued	With Enforcement	With Applicant	With USACE
January	7	3	2	1	1
February	2	1	0	1	0
March	1	1	0	0	0
April	1	1	0	0	0
May	4	1	1	0	2
June	2	1	0	0	1
July	8	4	0	1	3
August	6	1	0	1	4
September	0	3	0	1	0
October	0	4	0	0	0
November	1	0	0	0	1
Totals	32	20	3	5	12

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.

RIGHT-OF-WAY AND REAL ESTATE SUPPORT TO BOARD

Status Report and Work Activities

- **Real Property Conveyances:** *real estate transactions resulting from Board approved permits.*
 - Work is ongoing to acquire flood control levee easements as a special condition of the following Permits:
 - Nos. 17858-97 for Mossdale Marina, Lathrop, CA.
 - No. 18257 for Atlas Tract RD-2126, Stockton, CA.
 - No. 18305 for Capitol Station 65, LLC, Sacramento, CA.

 - Work is ongoing to provide a flood control levee easement to Montna Farms, Sutter Bypass east levee.

- **Right of Way and Real Estate Support Activities**
 - Providing real estate support services in conjunction with the geodetic branch for the Board Enforcement Section in the form of verifying existing SSJDD flood control property rights and providing exhibits for the following enforcement activities:
 - AT&T Cherokee Canal.
 - Mellin Levee Waterside Fence
 - North Fork Feather River Flood Control Channel
 - Deer Creek Periodic Inspection

- **Other Miscellaneous Activities**
 - Work is ongoing to organize CVFPB property management files.
 - Work is ongoing with DWR's Geodetic Branch to develop the CVFPB interactive database that will contain data on all CVFPB parcels including existing property rights and lease information. The database will have a GIS element with hyperlinks to deeds and other vesting documents. DWR's Geodetic Branch is working on the initial software "build" with input from Board staff.