

CENTRAL VALLEY FLOOD PROTECTION BOARD EXECUTIVE OFFICER'S REPORT

December 15, 2017



OPERATIONS BRANCH Status Report and Work Activities

Enforcement Section

1. CVFPB Enforcement Program

- The two vacant engineer positions have been filled. Jenna Peterson started on November 27 and Edwin Limanto will start on December 11.
- 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: 2
 - FFL/NOV currently under management review: 0
 - FFL/NOV mailed to landowner/responsible party: 1
 - Working with landowner/responsible party to resolve encroachment issue (new and continued cases): 16
 - Based on enforcement case, a permit application was received: 1
 - 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 revision 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 were approved by USACE on November 26, 2017. These include RD 2035 and RD 70/1660.

- **LOI reports**

- Four systems have approved LOIs. The 1-year progress reports are due for USACE staff review in 2018.
- Two systems with LOIs that passed Board consent on October 27, 2017 were submitted to USACE thereafter and are awaiting USACE approval.
- Three systems have draft LOIs under review by USACE staff or are undergoing revision by the LMAs.
- Three systems are expected to develop a first draft LOI 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 15 damage sites active in the PL 84-99 Program for repair this year. Construction has commenced on all sites. Construction is complete on 10 sites and the remaining sites should be completed in early December. Final construction inspections are being held currently.
- 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 December.
- 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 and DWR staff sent out 11 Local Assurance Agreements for execution between the LMA and CVFPB for rehabilitation work. As of December 1, 2017, six agreements

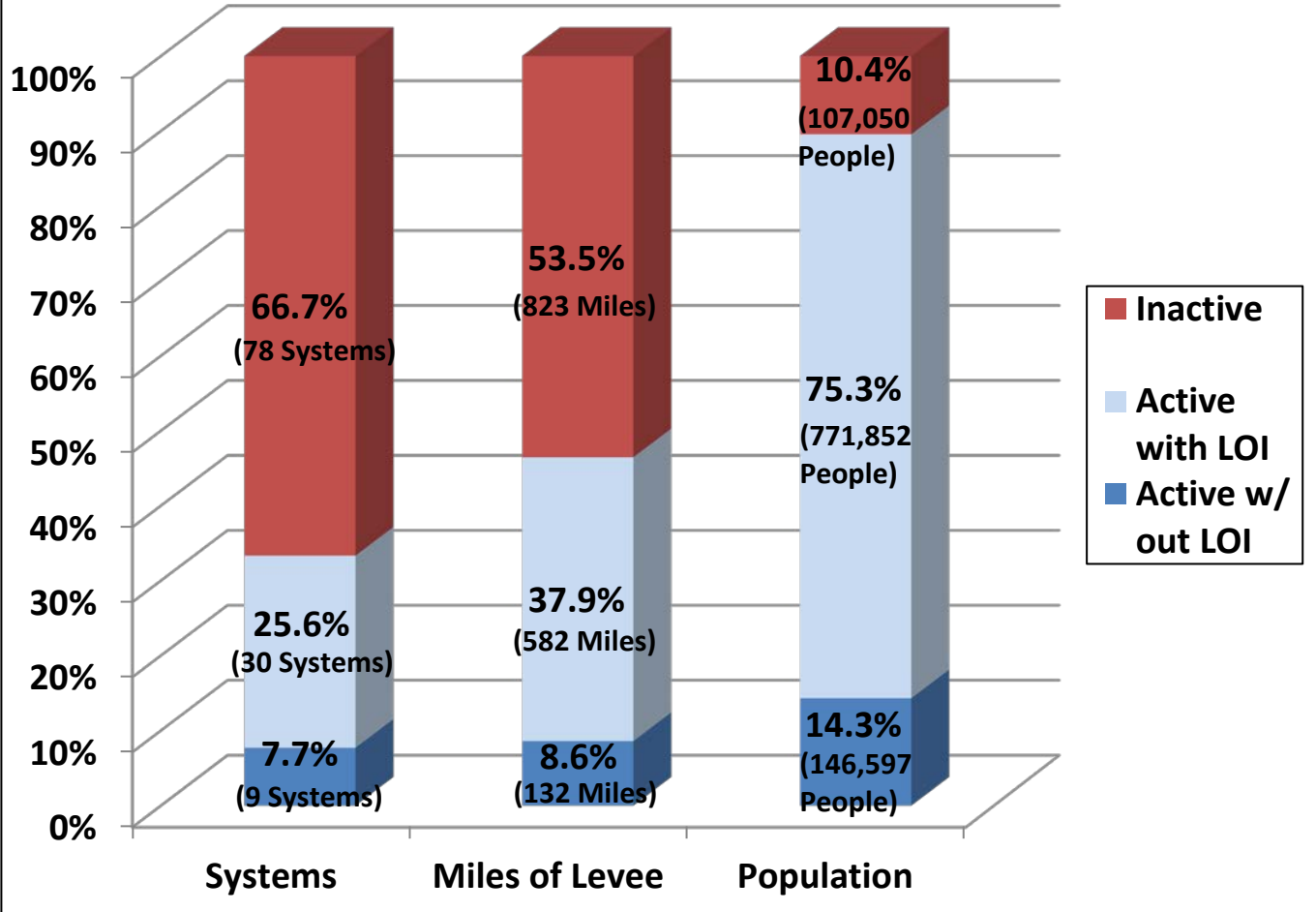
have been executed. Staff has contacted the remaining LMAs to discuss the submittal of the agreements.

- 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 with USACE and DWR.

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 December 15, 2017:
 - Systems: 66.7% Inactive, 7.7% Active without Letter of Intent (w/out LOI), 25.6% Active with LOI (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 December 15, 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 resources for this effort have been cut by 80% due to the Oroville Spillway emergency and the 2017 emergency levee repairs but the goal remains to have all system drainage pipes inspected by Spring 2018. DWR's Flood Maintenance Office (FMO) has cleaned and inspected approximately 57 drainage pipes to date with an additional 40 pipes scheduled for inspection this month. There are approximately 330 DWR drainage pipes that will be inspected. The FMO has submitted notices of eligibility to 69 LMAs; currently eight LMAs that have signed the agreement with an additional 23 agreements pending. It is anticipated the USACE Operation and Maintenance (O&M) manuals will be updated to document all repair/replacement work. DWR anticipates having all gravity drain pipes in State maintained areas inspected by spring 2018.

2. USACE Coordination

- National Levee Safety Program

USACE staff met with DWR and Board staff last month to discuss the next steps for the National Levee Safety Program. The USACE will work with interested states and levee owners/operators to conduct a one-time inventory and review of levees across the Nation. The inventory and review of levees effort will collect available levee information and assess the condition and flood risks associated with levees nationally. This information can be used by states and levee owners/operations to make informed decisions on managing flood risks associated with these levees. Information will be placed in the USACE's national levee database viewer for use by agencies and to promote public awareness of the benefits and flood risks associated with levees. Levee owners/operators will be given log-on access to the viewer so they can provide ongoing input about the levee(s) condition. Participation in the program is voluntary and does not create a federal responsibility to operate, maintain, repair, or replace levees assessed by the USACE. The USACE sent a letter last month to Governor Jerry Brown explaining the program. The program was authorized and funded in the 2014 Water Resources Development Act.

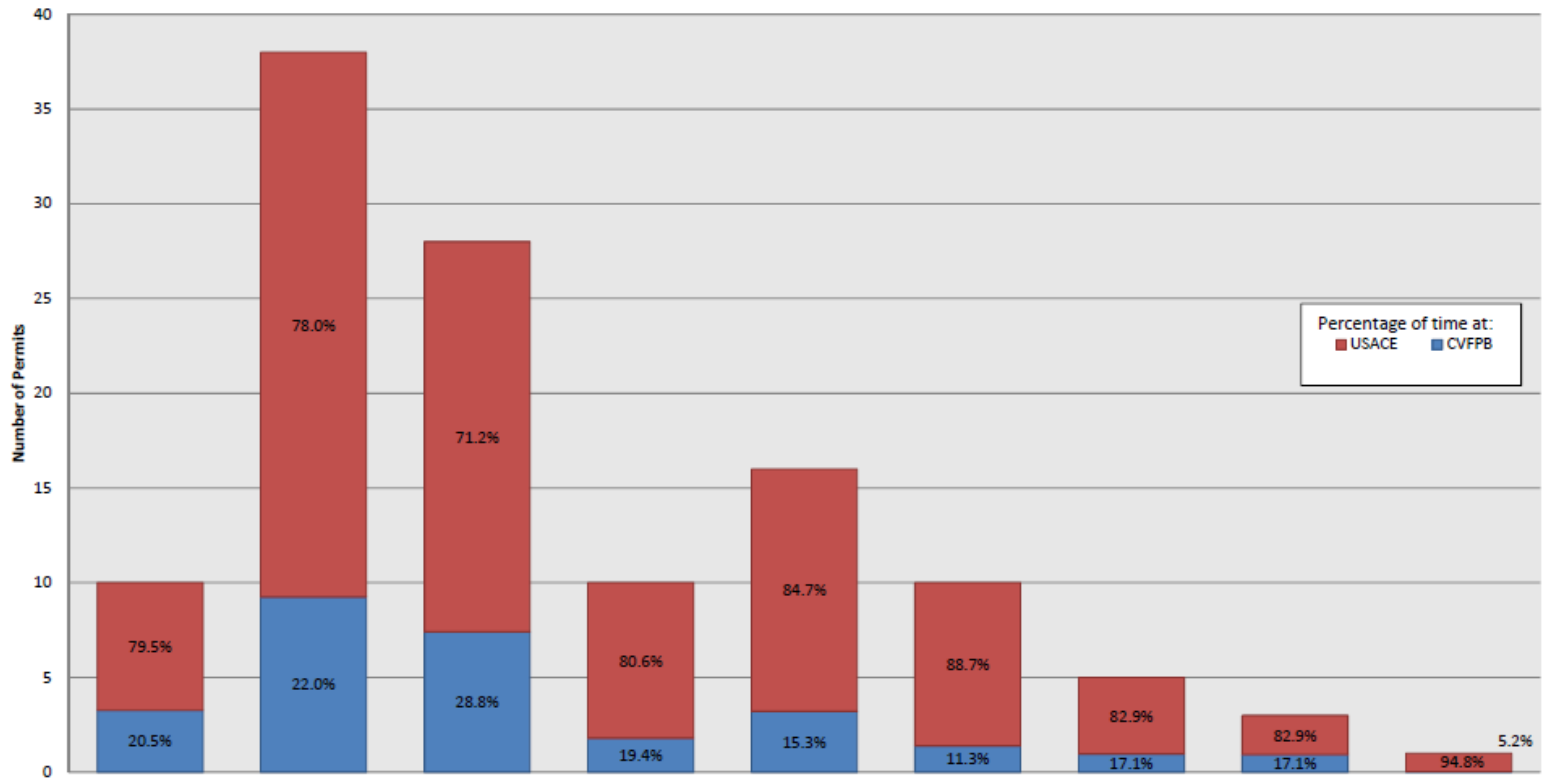
- Bear Creek and Mormon Slough Projects

The USACE is initiating discussions with Board staff, DWR, and the San Joaquin Area Flood Control Agency (SJAFCA) to update the O&M manual for the Bear Creek and Mormon Slough Projects. These projects were constructed by SJAFCA in the mid 1990's without Board involvement. As a result, there were no assurance agreements signed by the Board. The updated O&M manual will define the responsibilities and roles of each agency concerning these two projects. The updated O&M manual is anticipated to be completed by USACE in January 2018.

3. 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 December 6, 2017



Months	3 or less	6	9	12	15	18	21	24	More than 24
Cumulative Percentage of Issued Permits	7%	34%	52%	62%	82%	90%	93%	98%	100%
	12	62	95	113	149	164	170	178	182

The table below provides a status breakdown for all Executive Officer Delegated Permits from January 2015 through November 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	8	0	0	2
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	2	0	0	2
August	2	1	0	0	1
September	3	2	0	0	1
October	3	3	0	0	0
November	7	0	0	0	7
Totals	137	96	2	4	36

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.