

# CENTRAL VALLEY FLOOD PROTECTION BOARD EXECUTIVE OFFICER'S REPORT

December 15, 2017



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## ENVIRONMENTAL SERVICES AND LAND MANAGEMENT BRANCH Status Report and Work Activities

- **2017 Central Valley Flood Protection Plan Conservation Strategy Implementation Advisory Committee**
  - The first meeting of the Advisory Committee post 2017 Central Valley Flood Protection Plan (CVFPP) adoption was scheduled for December 13, at 2:00 at the Joint Operations Center. Topics include methods to improve permitting efficiencies, funding for the permitting of multi-benefit projects, multi-benefit operations and maintenance of current State Plan of Flood Control channel and bypasses, and the development of processes to track ecosystem and flood benefits and progress relative to the 2017 CVFPP goals.
  
- **Lower Elkhorn Basin Levee Setback Project - Yolo and Sacramento Bypasses**
  - The Department of Water Resources (DWR) released the third Administrative Draft of the Environmental Impact Statement/Environmental Impact Report (EIS/EIR) for internal review. Board staff are continuing to participate in the Project Delivery Team meetings for early and ongoing coordination for design and environmental planning activities. DWR plans to release the Draft EIS/EIR for public review in January 2018.
  
- **USACE Public Law (PL) 84-99 Rehabilitation Assistance**
  - Ongoing work continues for emergency levee repairs throughout the Central Valley under the USACE Public Law (PL) 84-99 program.
    - The 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 have been completed for 6 sites and another 5 sites will be inspected on December 8, 2017.
    - Board staff continues to provide CEQA compliance and real estate services support for Sacramento-San Joaquin Drainage District properties in the form of granting property access to construction, inspection, and environmental/cultural monitoring staff.

- The USACE is completing the Project Information Reports (PIR) for the San Joaquin and Delta basin sites. Preliminary designs have been prepared and draft PIRs are expected in mid-January 2018.
- **Yolo Bypass Core Biological Opinion (BiOp) Planning**
  - Board staff continues to participate in the Yolo Bypass Core BiOp Planning effort. The U.S. Bureau of Reclamation (USBR) is the lead agency in accordance with NEPA and DWR is the CEQA lead agency for the preparation of the Yolo Bypass Salmonid Habitat Restoration and Fish Passage Draft EIS/EIR. Board staff are continuing to work with DWR and USBR to identify issues related to permitting and consistency with the CVFPP. A Draft EIS/EIR was released in November 2017 for public comment. A public meeting was scheduled for December 6<sup>th</sup> in Woodland and December 7<sup>th</sup> in West Sacramento. A Final EIS/EIR is expected to be released in October 2018.
- **Feather River Habitat Conservation Plan (HCP) EIS/EIR**
  - A draft HCP is expected to be available in December 2017 for internal agency review. Board staff will continue to work with DWR staff, attend future meetings, review the Draft HCP and continue to coordinate on a Draft HCP EIS/EIR.
- **Western Pacific Interceptor Canal (WPIC) Culvert Replacement Project**
  - Board staff are coordinating with GEI Consultants to assist with updating the project description and site plans based on Title 23 revisions. GEI consultants conducted a site visit on November 20, 2017 to determine the extent of an existing sinkhole and other project site features. Board environmental staff is updating the Initial Study/Mitigated Negative Declaration (IS/MND) and other documents based on these revisions. At the December 15, 2017 Board Meeting, staff will present the IS/MND for certification by the Board, propose the adoption of the Mitigation Monitoring and Reporting Plan and approval of the Project. Once the Board has certified the IS/MND and approved the project, staff will secure the necessary permits for construction of the Project. The Project will likely begin during the 2018 construction season.
- **Delta Levee Habitat Advisory Committee Meeting**
  - Board staff attended the Delta Levee Habitat Advisory Committee Meeting on Friday, December 1, 2017. Local maintaining agencies in attendance voiced concerns that Assembly Bill (AB) 732 was not approved this year. AB 732 would have extended the July 1, 2018 sunset date to July 1, 2020 for the Delta Levees Maintenance grant program cost-share provisions.

- Delta Stewardship Council (DSC) has released the Delta Plan Amendment EIR to the public for comments due on December 18, 2017. Delta Protection Commission staff reported that a Flood Risk Management Assessment District Feasibility Study Subcommittee Meeting was scheduled for December 11, 2017 at the Resources Building.
  
- **Encroachment Permitting Assistance**
  - Environmental staff are continuing to assist encroachment permit applicants by conducting pre-application meetings to discuss compliance with the Board's regulations under Title 23 and Title 33 USC Section 408. On November 29, 2017 Board staff conducted a pre-application meeting at the request of the City of Lincoln engineering staff. The proposed project includes the removal of an existing two lane bridge and the construction of a new four lane bridge on Mc Bean Park Drive at the crossing of Auburn Ravine in Placer County.
  
- **Delta Levees Investment Activity Interagency Coordination Group**
  - Board staff participated in two meetings with the DSC/DWR/CVFPB Delta Levees Investment Activity Interagency Coordination Group. The group discussed AB 97 budget language requiring written certification of consistency of DWR's Delta Levees Special Projects Proposition 1 funding with the Delta Levee Investment Strategy (DLIS). The group also discussed how to build Delta Stewardship Council's DLIS prioritization into the Delta Levees Special Projects guidelines and proposal solicitation packages in the future.

## **RIGHT-OF-WAY AND REAL ESTATE SUPPORT**

### **Status Report and Work Activities**

- **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 with the State Lands Commission (SLC) to create a system whereby the scope of work of the interagency agreement between the Board and the SLC to administer the SSJDD oil and gas leases is maximized to the benefit of the Board.
  - 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 Board approved permits.*
  - Work is ongoing to acquire flood control levee easements or licenses as a special condition of the following Permits:
    - No. 18313 for West Sacramento Area Flood Control Agency (WSAFCA), West Sacramento, CA
    - No. 18257 for Atlas Tract Reclamation District (RD) 2126, Stockton, CA
    - No. 17858 for Mossdale Marina, Lathrop, CA
    - No. 15178-1 Marysville Wastewater Treatment Plant (WWTP) easement
    - No. 14455 License Renewal for gas line in Sutter Bypass.

- **Right of Way and Real Estate Support Activities**

- Work is ongoing to provide real estate support services in conjunction with the DWR Geodetic Branch for the Board 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 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 and for an existing water line the City recently acquired. The City is working to provide the necessary legal description documents for staff's review.
- Board staff is working with USBR and USFWS staff to provide access to an SSJDD Parcel for the Sutter National Wildlife Refuge Lift Station Project.
- Board staff is coordinating with California Department of Transportation (Caltrans) and DWR Geodetic Branch Staff on two Caltrans highway (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 staff to acquire the necessary permits. Staff is also working with Caltrans staff to provide them temporary access during construction pending the permanent acquisition of an easement of flood control rights.
- Staff is working with Western Area Power Administration (WAPA) and Sacramento Municipal Utility District (SMUD) to provide access to 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.
- Staff provided SSJDD property rights information to DWR's Public Affairs Office and Sutter Maintenance Yard's Superintendent for private citizen inquiry regarding SSJDD parcels adjacent to California Department of Fish and

Wildlife's (CDFW) Nelson Slough Wildlife Area.

- Staff is working with the Madera County Sheriff to resolve trespassing issues on SSJDD parcels in Madera County along the Fresno River.
- Staff sent written interrogatories to the City of Lathrop regarding a Parcel Map of a proposed Richland Communities commerce center adjacent to SSJDD property and the San Joaquin River.