

CENTRAL VALLEY FLOOD PROTECTION BOARD EXECUTIVE OFFICER'S REPORT

December 16, 2016



OPERATIONS BRANCH Status Report and Work Activities

Enforcement Section

1. Local Maintaining Agency (LMA) Coordination

- Staff reviewed and submitted the RD 1001 draft System-Wide Improvement Framework (SWIF) documents to USACE Sacramento District on November 9, prior to the November 18 deadline. The RD 1001 levee systems remain active in the Public Law (PL) 84-99 Rehabilitation Program (RP) while USACE Sacramento District reviews the draft SWIF.
- At the November 18 Central Valley Flood Protection Board (CVFPB) meeting, CVFPB authorized the EO to transmit Letters of Intent (LOI) to the USACE for the Butte Creek and Putah Creek levee systems. Staff transmitted the Department of Water Resources (DWR) Flood Maintenance Office's two LOIs on November 29. One LOI is for two levee systems: MA 05 Unit 1 - Butte Creek Left Bank and MA 05 Unit 2 - Butte Creek Right Bank, and the other is for the Putah Creek Unit 1 - Yolo Bypass - Willow Slough Unit 2 levee system.
- Staff has been facilitating discussions between LMAs and USACE Sacramento District regarding the draft SWIFs submitted for the MA 9 – City of Sacramento – American River left bank levee system and the RD 1000 – Natomas levee system. The levee systems remain active in the PL84-99 RP while the LMAs update the SWIFs.
- On November 17 staff facilitated a meeting with RD 1000, MBK Engineers, SAFCA, and the USACE. The purpose of the meeting was to discuss how to address encroachments impeding levee visibility and access on the water side of the Garden Highway levee. RD 1000 developed draft local-level guidelines to identify and prioritize encroachments and vegetation along the Garden Highway, which staff has reviewed and commented on.
- Staff received email notification from USACE Sacramento District that the RD 0070 and 1660 – Sutter Basin North levee system LOI was approved by USACE Headquarters on November 9, bringing the levee system into active status in the PL 84-99 RP.

2. CVFPB Enforcement Program

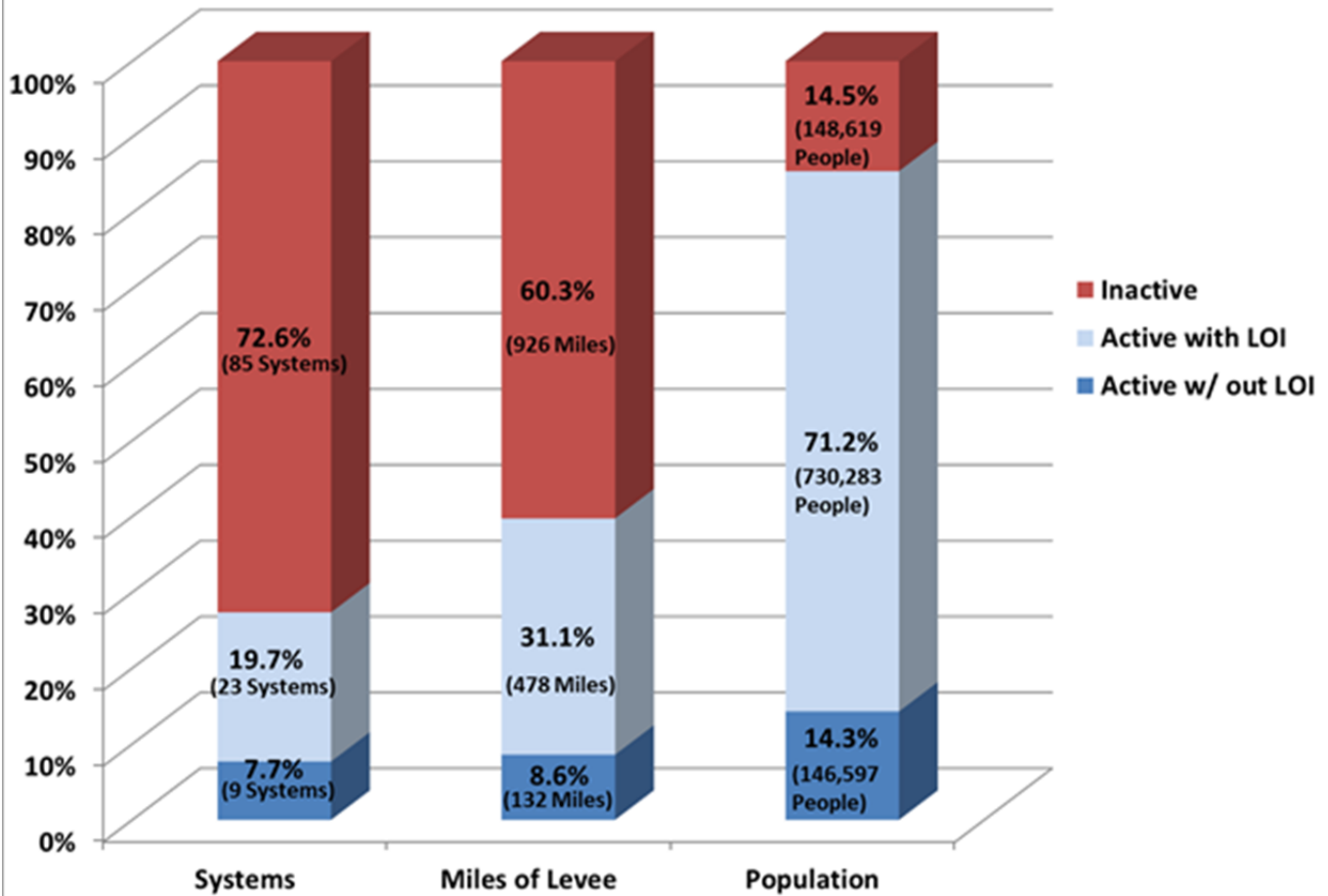
- Staff reviewed DWR's Utility Crossings Inventory Program (UCIP), and identified 166 privately-owned urgent pipes penetrating the levee that are either unauthorized or noncompliant with their permits. Staff has prioritized these pipes and will be performing additional desk and field studies before contacting the property owners for corrective actions.
- Staff mailed out one Compliance Letter and one Fact-Finding Letter (FFL). Staff is preparing two FFLs, two NOVs, and one Compliance Letter.
- Since participating in the Board's Enforcement Authority Delegation (EAD) Program, these LMAs have resolved encroachment issues:
 - American River Flood Control District (NA0001): **3**
 - City of Sacramento (NA0005): **14**
 - DWR Sacramento Maintenance Yard (MA0009): **18**
 - San Joaquin County Flood Control and Water Conservation District (NA0017): **26**

3. PL 84-99 levee system status as of November 29, 2016

The data and chart below represent the most updated information about PL84-99 eligibility.

- Systems: 72.6% Inactive, 7.7% Active w/ out Letter of Intent (LOI), 19.7% Active w/ LOI
- Mileage: 60.3% Inactive, 8.6% Active w/ out LOI, 31.1% Active w/ LOI
- Population: 14.5% Inactive, 14.3% Active w/ out LOI, 71.2% Active w/ LOI

Public Law 84-99 Status as of December 5, 2016

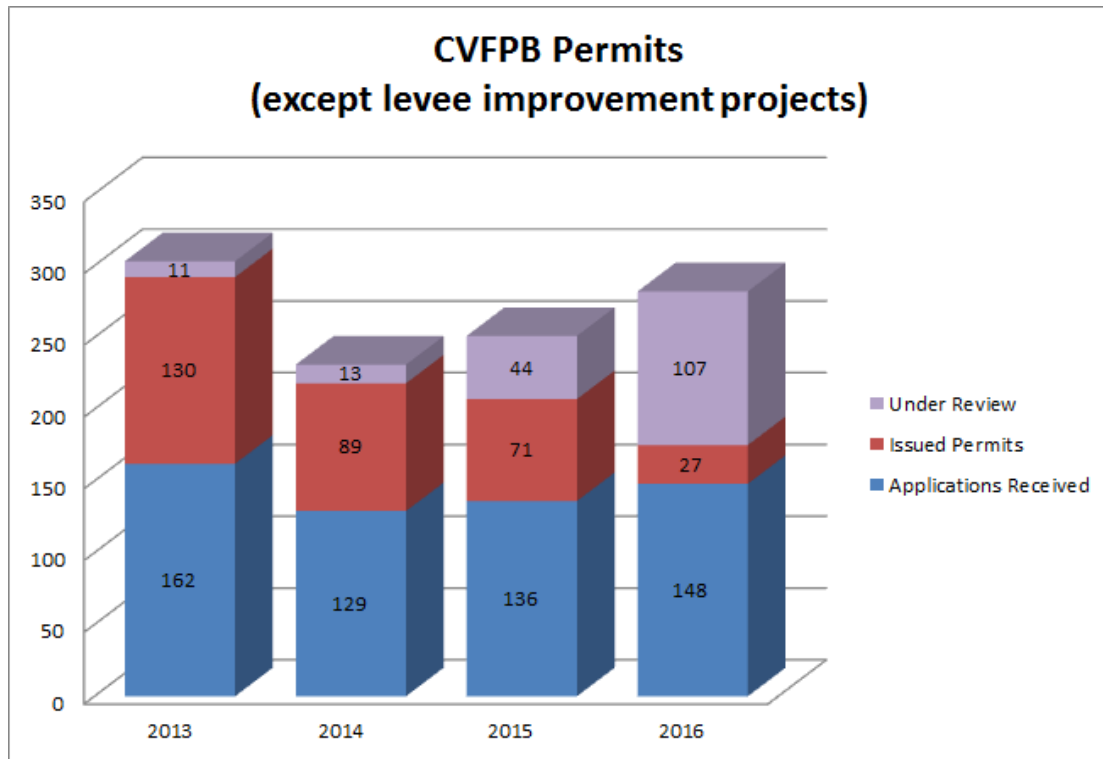


Permitting Section

- Mr. Ryan Larson has returned to his position as Chief of the Flood Protection and Navigation Section after a 120-day special assignment.
- Staff continues to attend monthly coordination meetings with DWR's Inspection Section and the USACE Flood Protection and Navigation Section (408 Section). The meetings focus on USACE inspections/re-inspections/levee screenings and CVFPB encroachment updates. DWR inspectors bring on-the-ground insight and recommendations 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.
 1. The transfer letter for the updated Operation and Maintenance (O&M) Manuals has been signed by Colonel David Ray, District Commander U.S. Army Corps of Engineers Sacramento District. The updated O&M Manuals will be transmitted to the Board in January. The updated manuals will be placed on DWR's California Data Exchange Center website.
 2. Recently found USACE as-constructed drawings by the 408 Section are being combined with archived USACE as-constructed drawings that are currently stored in San Bruno. The USACE will provide electronic copies of all files to the Board and DWR in February 2017.
 3. DWR's Deferred Maintenance Project that will fund the replacement/removal of drainage pipes was discussed. Environmental compliance will be the critical path for the review and subsequent permitting of these pipes. Due to limited funding and expenditure timeframes (2-years) as many pipes as possible that have been identified by DWR as being in failure mode will be removed and replaced or abandoned completely. Pipe inspections are currently ongoing and will be completed in January 2017 followed by video inspections which will begin in February. It has been determined that a biological assessment and possibly an environmental assessment will be required to initiate the review of these project(s). The USACE will not be the federal nexus unless the identified pipe(s) are listed in the pertinent O&M Manual. Board staff and 408 Section staff are committed to working together so that the maximum number of pipes can be replaced or removed within the two year funding expenditure timeframe.
- Permitting and Environmental staff met with 408 Section staff on November 9th to discuss applications that have been in review for more than six months. An application status spreadsheet was provided to staff that identified the current status of several applications. Providing expanded database access to Board staff was also discussed. This will provide Board staff with additional review status information that can then be used when responding to inquiry requests from applicants. The 408 Section is also exploring the possibility of connecting their database with the USACE Regulatory Branch database to further enhance application status information. The next meeting between the 408 Section and Board staff is scheduled to occur on December 7th.

The following graph depicts the number of applications that have been received and issued by the Permitting Section since January 1, 2013 as of December 7, 2016. The numbers are

reflective of the date when the applications were received.



The following two (2) tables provide more detailed information about the permitting process and the various stages of the review. Table 1 provides a status breakdown of **all** permit applications from 2013, 2014, 2015, and through December 7, 2016. The numbers are reflective of the date the applications were received. Table 2 provides a status breakdown for all Executive Officer Delegated Permits from January 2015 through October 2016. The numbers in this table are reflective of when the applications were posted to the Board's website.

Permitting Section Update

Table 1: Application Status Breakdown of All Permit Applications

	2013	2014	2015	2016	Total
Total New Applications Received	162	129	136	148	575
Issued Permits	130	89	71	27	317
Incomplete Applications Returned to Applicant	1	1	1	3	6
Application Withdrawn by Applicant	3	10	7	2	22
No Response by Applicant Administratively Closed	7	6	3	0	16
No Permit Required	10	8	10	9	37
Permit Denial	0	2	0	0	2
Under Enforcement	3	3	1	0	7
Future Scheduled Applications	4	8	35	48	95
Reviewing for Completeness	4	1	5	58	68
Approved by Board but Need USACE Letter	0	1	3	1	5

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	7	0	0	1
April	3	2	0	0	1
May	8	4	0	0	4
June	10	3	0	0	7
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	0	0	0	3
Totals	94	59	2	3	26

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.