CENTRAL VALLEY FLOOD PROTECTION BOARD EXECUTIVE OFFICER'S REPORT

September 23, 2016

OPERATIONS BRANCH

Status Report and Work Activities

Enforcement Section

1. Local Maintaining Agency (LMA) Coordination

- CVFPB staff will be coordinating with USACE's Levee Screening team to prepare information to be included in the Levee Screening presentations on Madera County's levees for the risk assessment review that the USACE national cadre of subject matter experts (Cadre) will conduct in October.

  USACE Levee Screening program overview: USACE is currently applying a screening tool to all levees in the program. This tool combines inspection data with a preliminary engineering assessment and maximizes the use of existing information and local knowledge of levee performance. Screening results will be used to rank levees by relative risk to help inform decisions about future actions to improve public safety associated with the levees.

- Staff previously submitted draft SWIFs to USACE Sacramento District for their review for the MA 9 – City of Sacramento – American River left bank levee system, and the RD 1000 – Natomas levee system. Once any necessary changes are made to the draft SWIFs, staff will formally submit the SWIFs to USACE.

2. CVFPB Enforcement Program

- Approximately 14,700 out of an estimated 15,000 encroachments identified by the USACE as "unacceptable" encroachments have been entered into the enforcement database for prioritization.

- Staff is reviewing data from DWR's Utility Crossings Inventory Program (UCIP), which identified, researched, and field verified all utility crossings throughout the flood control system. Staff will use the UCIP information to prioritize pipe penetrations that will not be addressed through DWR's Deferred Maintenance Plan. Staff is developing a process to address privately owned crossings that have exceeded their maximum design life. This will require the owners to either remove or replace their privately owned penetrations.

- Staff is reviewing data from DWR's Field Inspection Reports (FIR). As of this month, there have been 42 enforcement-related FIRs created by DWR Inspectors since 2013. 16 of them either have been or are being addressed by staff. The remaining 26 will be assigned to staff.

- A Cease & Desist (C&D) meeting is scheduled at the Board's September 23 meeting for the Sutter Bypass damage caused by a vehicle getting stuck on the waterside toe of the levee. DWR Sacramento Maintenance Yard did an emergency repair and requested a reimbursement hearing. The C&D meeting will allow the Board to affirm, amend, modify, stay, or rescind the C&D Order.

- Staff mailed out three Compliance Letters and one Notice of Violation (NOV); staff is preparing three NOVs and seven FFLs for mailing.

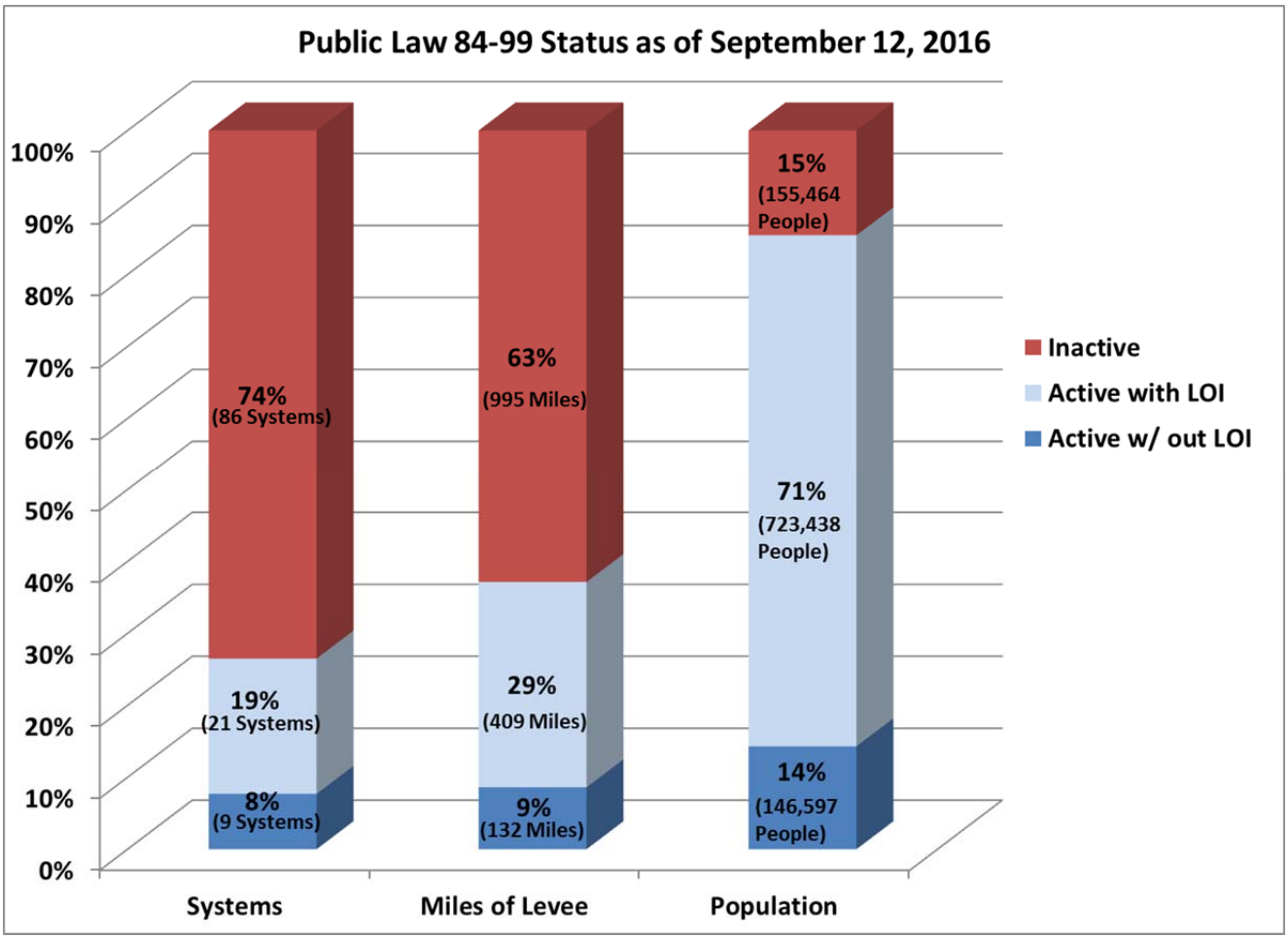
- In early September staff coordinated the removal of the remaining unpermitted and non-compliant encroachments on and near the south levee of Bear Creek in Stockton, west of Interstate 5. A settlement agreement between the Board and the property owners facilitated the removal of the encroachments which included a fence at the landside hinge, vegetation including trees, retaining walls, irrigation, and a swimming pool. As of September 13th all encroachments have been removed, including removal of the swimming pool. The Sacramento Maintenance Yard will finish the work to repair the levee and install a fence at the Board's easement.

3. PL 84-99 levee system status as of August 9, 2016

USACE levee re-inspections are on hold until October 1st which is the beginning of the federal fiscal year.

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

- Systems: 74% Inactive, 8% Active w/ out Letter of Intent (LOI), 19% Active w/ LOI
- Mileage: 63% Inactive, 9% Active w/ out LOI, 29% Active w/ LOI
- Population: 15% Inactive, 14% Active w/ out LOI, 71% Active w/ LOI


Public Law 84-99 Status as of September 12, 2016
100%
90%
80%
70%
60%
50%
40%
30%
20%
10%
0%
74%
(86 Systems)
19%
(21 Systems)
8%
(9 Systems)
63%
(995 Miles)
29%
(409 Miles)
9%
(132 Miles)
15%
(155,464 People)
71%
(723,438 People)
14%
(146,597 People)
Systems
Miles of Levee
Population
Inactive
Active with LOI
Active w/ out LOI

Permitting Section

- 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. DWR's Deferred Maintenance Project has identified several pipes in State Maintenance Area 5 that are being recommended for abandonment. Additional inventory work began this month to assess the condition of all remaining project feature drainage pipes, approximately 2,600, through field and video inspections. Board staff is now reviewing the engineering design templates and project descriptions for the two phases of the project: Phase 1 – Levee Penetrations Pipe Inspections, and Phase 2 – Levee Penetration Pipe Remediation and will reconvene with DWR with suggested comments.

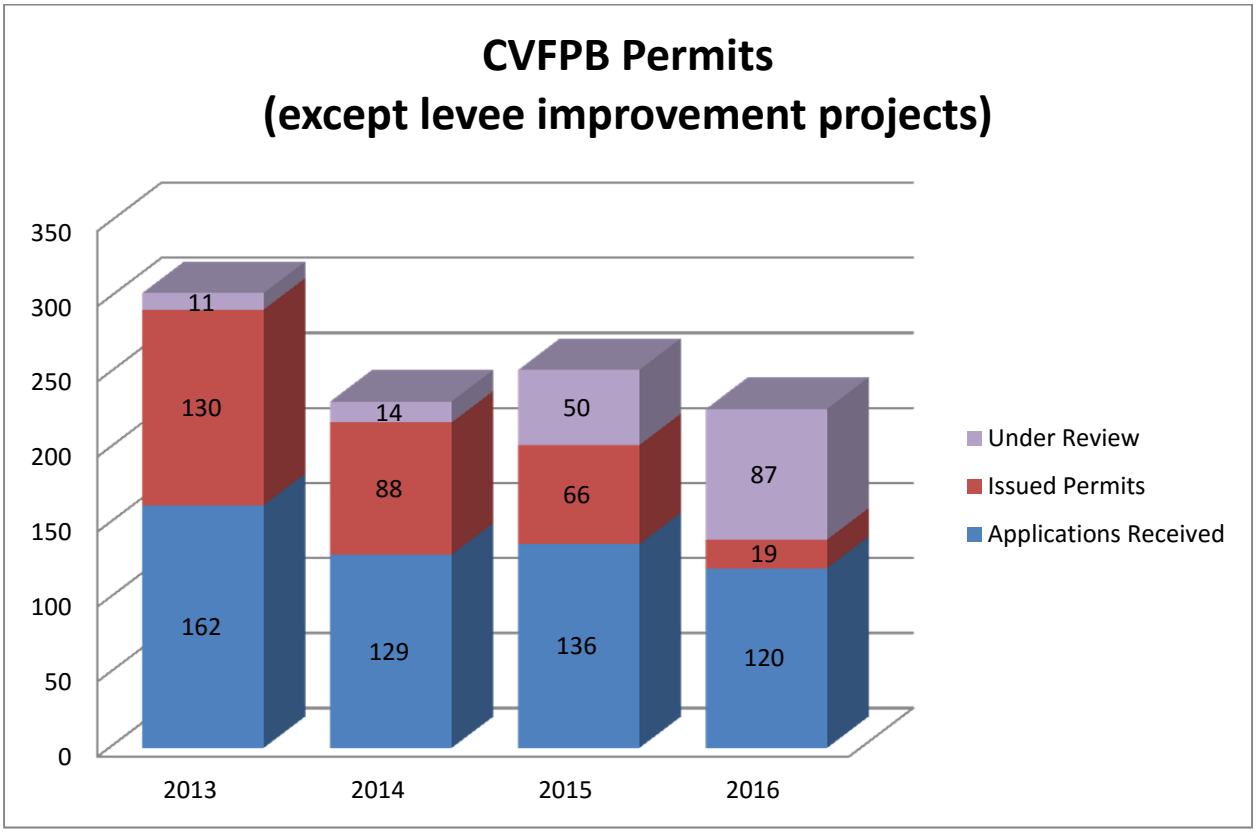
    2. USACE Operation and Maintenance (O&M) Manual updates are complete. Electronic files have been provided to DWR's Flood Maintenance Office. A formal transfer of the manuals to the Central Valley Flood Protection Board is in process. Any updates to O&M Manuals in the future will result in a new O&M Manual being issued by the USACE that will contain the updated information.

- Meetings with staff and DWR programmer David Parker are ongoing. The master data base upgrade that will ultimately link to data bases used by the Permitting Section, Enforcement Section, Levee Inspection Section, and USACE is being developed.

- Biweekly conference calls with the 408 Section continue. All applications under USACE review that have exceeded six months review time are discussed to ensure the reviews are progressing as quickly as possible. A one-on-one meeting was held in place of the conference call on September 14, 2016 to allow environmental personnel from both agencies to participate in the discussions.

- The Permitting Section is in the process of updating our Permit Application Review Procedural Manual to ensure that all applications are being processed and reviewed consistently.

The following graph depicts the number of applications that have been received and issued by the Permitting Section since January 1, 2013 as of September 13, 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 September 13, 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 August 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	120	547
Issued Permits	130	88	66	19	303
Incomplete Applications Returned to Applicant	1	1	1	4	7
Application Withdrawn by Applicant	3	10	7	4	24
No Response by Applicant Administratively Closed	7	6	3	0	16
No Permit Required	10	8	9	6	33
Permit Denial	0	2	0	0	2
Under Enforcement	3	3	1	0	7
Future Scheduled Applications	2	7	30	36	75
Reviewing for Completeness	4	1	5	48	58
Approved by Board but Need USACE Letter	2	3	14	3	22

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	2	0	1	3
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	2	0	0	8
July	7	0	0	0	7
August	2	2	0	0	0
Totals	85	52	2	3	28

Additional information about Executive Officer Delegated Permits can be viewed on the Board's website @: http://www.cvfpb.ca.gov/DelegatedPermitTab/index.cfm Spreadsheets for each month provide descriptive information about the proposed project and the CEQA findings.