

# CENTRAL VALLEY FLOOD PROTECTION BOARD EXECUTIVE OFFICER'S REPORT July 28, 2017



---

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

- **2017 Central Valley Flood Protection Plan Update – Supplemental Program Environmental Impact Report**
  - DWR, as the lead agency under CEQA, has continued to consult with Native American tribes on the Supplemental Program Environmental Impact Report (Supplemental Program EIR). DWR has made revisions to the Supplemental Program EIR based on tribal consultations as well as public comments. Board staff has coordinated with DWR on the review of DWR's draft comment responses as well as the Administrative Draft of the Final Supplemental Program EIR, the CEQA Findings of Fact, the Statement of Overriding Considerations, and the Mitigation Monitoring and Reporting Plan. Board staff has started drafting the Board's Responsible Agency Findings for August 25<sup>th</sup> Board meeting, when the Board will consider adoption of the 2017 CVFPP Update, the Supplemental Program EIR and other documents.
  
- **Lower Elkhorn Basin Levee Setback Project**
  - Board Staff is reviewing and providing comments on the second Administrative Draft of the Environmental Impact Statement/Environmental Impact Report. Board review and comments will be provided to DWR by June 16, 2017. In addition, DWR plans to submit a third administrative draft for review in the future. Board staff is participating in the Project Delivery Team meetings for early and ongoing coordination for design and environmental planning activities. Board staff will continue to provide updates on the activities surrounding the project planning activities.
  
- **USACE Coordination**
  - Board staff is assisting the USACE Flood Protection and Navigation Section with a Programmatic Environmental Assessment (EA) pursuant to the National Environmental Policy Act to address environmental effects of various types of alteration actions proposed as categorical permissions. Categorical permissions will simplify the Section 408 review process for potential alterations at the District level and would neither individually, nor cumulatively, cause more than minor impacts to the environment or the engineering integrity of the USACE project.
  
  - Board staff has drafted, with input from USACE staff, USACE Transmittal Guidance for Board Permitting and Environmental Services Section staff. Once finalized, this

guidance will assist Board staff in providing more informative project descriptions in the USACE transmittal package and allowing for a more efficient USACE 408 review and approval.

- **Western Pacific Interceptor Canal Culvert Replacement Project**

- Board staff conducted a site visit on June 29<sup>th</sup> at the Western Pacific Interceptor Canal culvert replacement project (Project) site to survey vegetation communities for the Lake and Streambed Alteration Agreement Permit. Board staff continues to work on the permit applications and finalize the Initial Study/Mitigated Negative Declaration. It has been determined that giant garter snake mitigation credits can be purchased through Westervelt Ecological Services at the Sutter Conservation Bank. Staff intends to bring the Final IS/MND to the September 22<sup>nd</sup> Board Meeting for Board to consider certification of the Final IS/MND and approval of the Project. If the Board approves the project, staff will be able to secure necessary permits prior to the 2018 construction season.

**RIGHT-OF-WAY AND REAL ESTATE SUPPORT**  
**Status Report and Work Activities**  
**\*\*Indicates new activity this month**

- **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 fielding lessee calls regarding a variety of property issues.
  - Work is ongoing with the State Lands Commission (SLC) to create a system whereby the scope of work of the interagency agreement between the CVFPB and the SLC to administer the SSJDD oil and gas leases is maximized to the benefit of the CVFPB and Board Staff.
  - 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 CVFPB approved permits.*
  - **Work is ongoing to acquire flood control levee easements or licenses as a special condition of the following Permits:**
    - No. 18303-3 for WSAFCA, West Sacramento, CA.
    - No. 18257 for Atlas Tract RD-2126, Stockton, CA.
    - Nos. 17858-97 for Mossdale Marina, Lathrop, CA.
    - No. 19109 DLM Partners Chowchilla Canal Bypass
    - No. 15178-1 Marysville WWTP
    - No. 14455 License Renewal for gas line in Sutter Bypass for CRC.

- **No. 14389-1 Oakstone Investments/The Rivers Comm. Assoc.**
  - **\*\*Working with five grantors on nine easements on forty-three parcels to finalize flood control levee and slope control easements as a special condition of Permit No. 14389-1 for the Rivers Development (formerly Lighthouse Marina), West Sacramento, CA. Seven of the nine easements were fully executed and recorded this month.**
- **Right of Way and Real Estate Support Activities**
  - Work is ongoing to provide real estate support services in conjunction with the geodetic branch for all CVFPB Staff 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 the 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 in for an existing water line the City recently acquired. The City is working to provide the necessary legal description documents for staff's review.
- Geodetic Branch staff is preparing legal descriptions on flowage easements that will be acquired from the USACE for the Three Amigos project in Stanislaus County by quitclaim deeds.
- Working with Board Staff, USBR Staff & USFWS Staff to provide access on to an SSJDD Parcel for the Sutter National Wildlife Refuge Lift Station Project.
- Coordinating with Caltrans, DWR Geodetic Branch Staff, and Board Permitting Staff on two Caltrans 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 Permitting Staff to acquire the necessary Permits.
- Working with PG&E to provide a Temporary Entry Permit to PG&E for access to an SSJDD parcel in San Joaquin County for the purpose of PG&E making an emergency repair on a transmission line on an adjacent parcel.
- Working with DWR Legal and DWR field staff on SSJDD parcels in Fairfield

regarding maintenance issues.

- Worked with DWR DOE real estate staff and Board Permitting staff to provide research on previously obtained Board Permits on 2017 Storm Damage DWR Emergency Rehabilitation Project parcels.
- Working with the Madera County Sheriff's office on a complaint regarding possible illegal activity on a Madera County parcel that may be an SSJDD parcel. Research is underway to determine exact location of activity and whether or not the parcel is an SSJDD parcel.
- Providing research to DWR DOE real estate staff on a PG&E utility pole in the Sacramento Bypass that may need to be relocated for work to be done as part of the 2017 Storm Damage DWR Emergency Rehabilitation Project.
- Working with the Sutter Mutual Water Company (SMWC) on an assessment invoice by providing SMWC proof that the SCO's office has already paid the invoice on behalf of the CVFPB.
- Working with Yolo County on several assessment invoices by providing the county proof that the SCO's office has already paid the invoices on behalf of the CVFPB.