

# CENTRAL VALLEY FLOOD PROTECTION BOARD EXECUTIVE OFFICER'S REPORT

June 24, 2016



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## OPERATIONS BRANCH Status Report and Work Activities

### **Enforcement Section**

#### **Local Maintaining Agency (LMA) Coordination**

- 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. Staff is working with USACE and the LMAs to finalize the SWIFs.
- Staff was notified that the DWR Inspection Section will be sending a list of drainage pipes that are the responsibility of the LMA to LMAs for their review and comment. The identified pipes will be rated as part of the normal spring and fall inspection starting in the spring of 2017.
- In late May 2016, USACE held Levee Screening National Rollup meeting for the levees of RD 2060 – Hastings Tract in Solano County, and Deer Creek levees in Tehama County. The National Rollup meeting is where a panel of subject-matter experts analyzes levee segment risk, and makes recommendations for Levee Safety Action Classification (LSAC) ratings. These ratings are considered draft until reviewed by the Levee Senior Oversight Group and then publicly released at a later date.
- The USACE Levee Screening program is preparing to release its first round of official LSAC (levee segment risk assessment) ratings. The USACE will present these ratings to the Board at future Board meetings; the schedule is to be determined.
  - 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.

#### **CVFPB Enforcement Program**

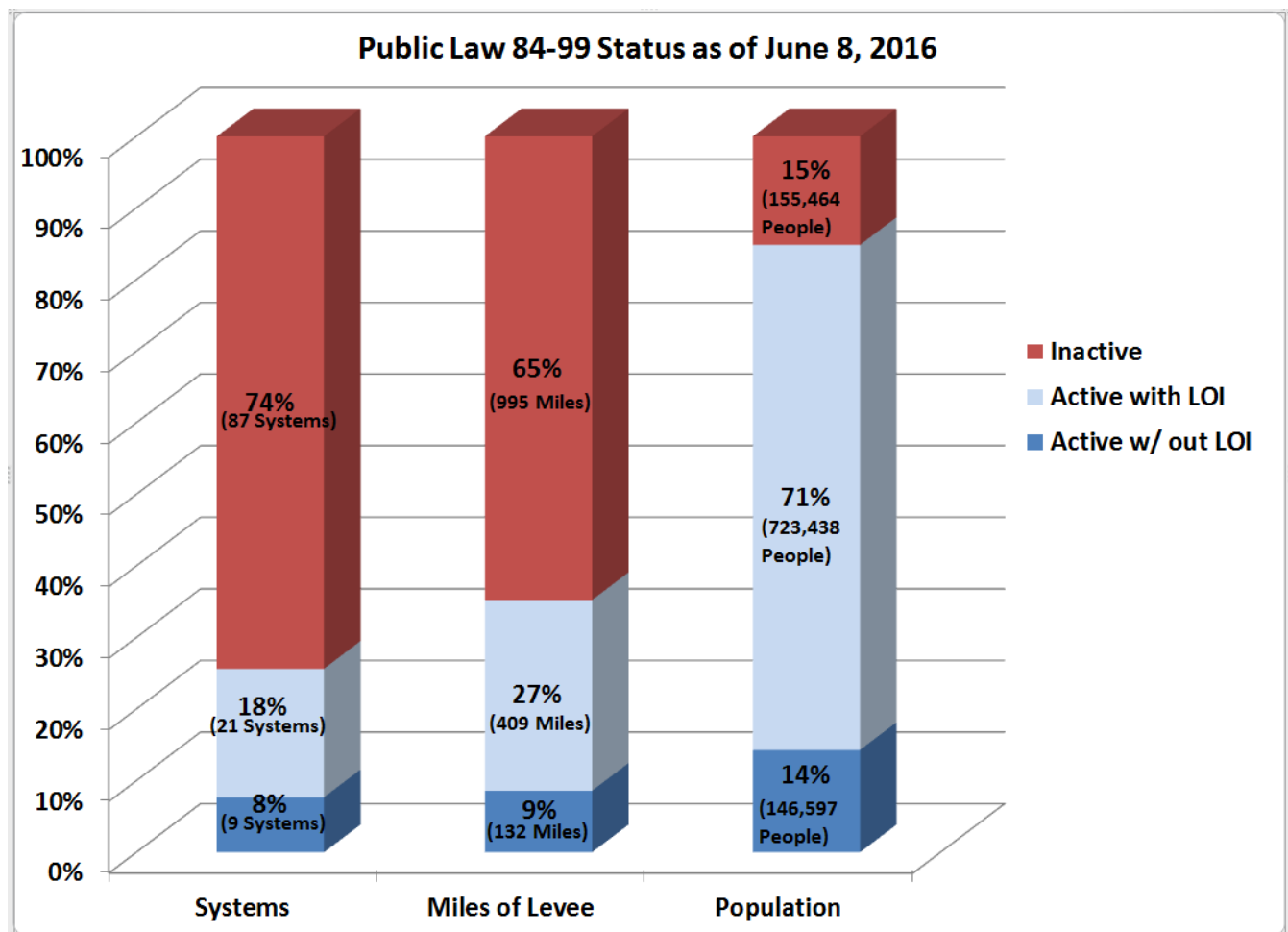
- Approximately 11,400 out of an approximate 12,000 encroachments identified by the USACE as “unacceptable” encroachments have been entered into the enforcement database.
- Staff is preparing to send out three informal fact-finding letters to landowners to address encroachment issues, five Notices of Violations to landowners with encroachments that pose an immediate threat to levee integrity, one Cease and Desist order, and is reviewing compliance on five cases where encroachment

owners have agreed to cooperate with staff requests or letters, and address their encroachment issues.

- Staff continues to assist and provide support to LMAs in the Enforcement Authority Delegation program as they use their delegated authority to address encroachments in their jurisdictions.

#### PL 84-99 levee system status as of June 8, 2016

- Systems: (74% Inactive, 8% Active w/ out LOI, 18% Active w/ LOI)
  - Staff was notified by USACE by April 22, 2016 letter (attached) that the non-federal and non-Project West Sacramento South Cross Levee in Solano County hydraulically separates the levee system formerly known as the West Sacramento – SacYolo South levee system. The new levee systems are called: the West Sacramento levee system, and the SacYolo South levee system. As a result, the total number of CVFPB-sponsored levee systems is now 117, up from the previous 116. The total population and levee mileage have not changed, since the levee is non-Project, and both systems are currently ineligible for PL 84-99. USACE staff will be speaking about the West Sacramento South Cross Levee at the June 24, 2016 Board Meeting.
- Mileage: (65% Inactive, 9% Active w/ out LOI, 27% Active w/ LOI)
- Population: (15% Inactive, 14% Active w/ out LOI, 71% Active w/ LOI)



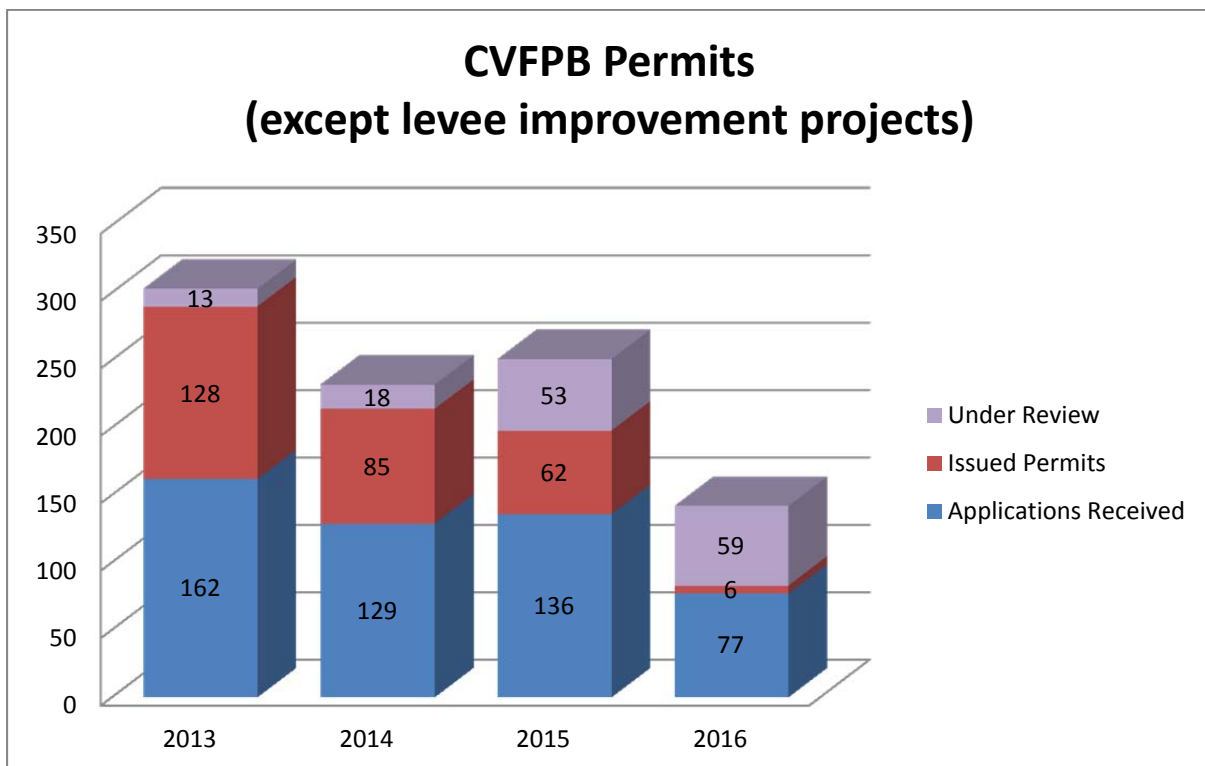
## Permitting Section

Staff is attending 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 enforcement updates. DWR inspectors bring on-the-ground insight and recommendations to the discussion. A brief overview of some of the items discussed at this meeting is presented below:

1. USACE Standard Operating Procedure (SOP) documents that define USACE review criteria for encroachments are being revised to incorporate comments received from DWR and Board staff. It is anticipated that the final SOP's will be released this July.
2. Staff will be coordinating with DWR's Flood Projects Office (FPO) as they prepare to launch their Deferred Maintenance Project. FPO is anticipating receiving a \$100 Million general fund allotment that has a 2 year commitment and 1 year to liquidate requirement. FPO will focus on repairing/replacing gravity drainage pipes that pass through project levees.

Biweekly conference calls with the USACE Sacramento District Flood Protection and Navigation 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. Board staff is working closely with the new USACE environmental staff in an effort to streamline reviews and better facilitate the flow of information. The USACE Regulatory Division is working to fill the cultural resource positions that will ultimately help shorten application review times.

The following graph depicts the number of applications that have been received and issued by the Permitting Section since January 1, 2013 as of June 14, 2016. The numbers are reflective of 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 June 14, 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 May 2016. The numbers in this table are reflective of when the applications were posted to the Board's website.

Table 1: Application Status Breakdown of All Permit Applications

|   | 2013 | 2014 | 2015 | 2016 | Total |
|---|------|------|------|------|-------|
| <b>Total New Applications Received</b>                      | 162  | 129  | 136  | 77   | 504   |
| <b>Issued Permits</b>                                       | 128  | 85   | 62   | 6    | 281   |
| <b>Incomplete Applications Returned to Applicant</b>        | 1    | 4    | 1    | 5    | 11    |
| <b>Application Withdrawn by Applicant</b>                   | 3    | 9    | 7    | 1    | 20    |
| <b>No Response by Applicant<br/>Administratively Closed</b> | 7    | 4    | 3    | 0    | 14    |
| <b>No Permit Required</b>                                   | 10   | 8    | 9    | 6    | 33    |
| <b>Permit Denial</b>  | 0    | 2    | 0    | 0    | 2     |
| <b>Under Enforcement</b>                                    | 3    | 3    | 1    | 0    | 7     |
| <b>Future Scheduled Applications</b>                        | 3    | 7    | 38   | 29   | 77    |
| <b>Reviewing for Completeness</b>                           | 4    | 2    | 5    | 30   | 41    |
| <b>Approved by Board but Need<br/>USACE Letter</b>          | 3    | 5    | 10   | 0    | 18    |

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      | 1      | 0                | 0              | 1          |
| July         | 8      | 6      | 0                | 1              | 1          |
| 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      | 5      | 0                | 0              | 2          |
| February     | 1      | 1      | 0                | 0              | 0          |
| March        | 8      | 7      | 0                | 0              | 1          |
| April        | 3      | 2      | 0                | 0              | 1          |
| May          | 8      | 3      | 0                | 0              | 5          |
| Totals       | 66     | 43     | 2                | 4              | 17         |

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.

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

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

- **SSJDD Leases**: Work is ongoing to evaluate the lease files to facilitate a comprehensive analysis of leased SSJDD properties.
- **Real Property Conveyances**: *real estate transactions resulting from CVFPB approved permits.*
  - Work is ongoing to acquire flood control levee easements as a special condition of the following Permits:
    - Nos. 17858-97 for Mossdale Marina, Lathrop, CA.
    - No. 18257 for Atlas Tract RD-2126, Stockton, CA.
    - No. 14389-1 for the Rivers Development, West Sacramento, CA.
- **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 with DWR's Geodetic Branch to develop the CVFPB interactive database using Accela Software. DWR's Geodetic Branch is working on the initial Accela software "build" with input from CVFPB staff.
  - Work is ongoing on various temporary entry permits and Public Record Act requests as needed.
  - Worked with CVFPB Staff and DFM Sutter Maintenance Yard Staff to remove trespassers from SSJDD property on Sacramento River Mile 190L.