

CVFPB ENFORCEMENT PROGRAM



ENFORCEMENT AUTHORITY DELEGATION PILOT PROGRAM

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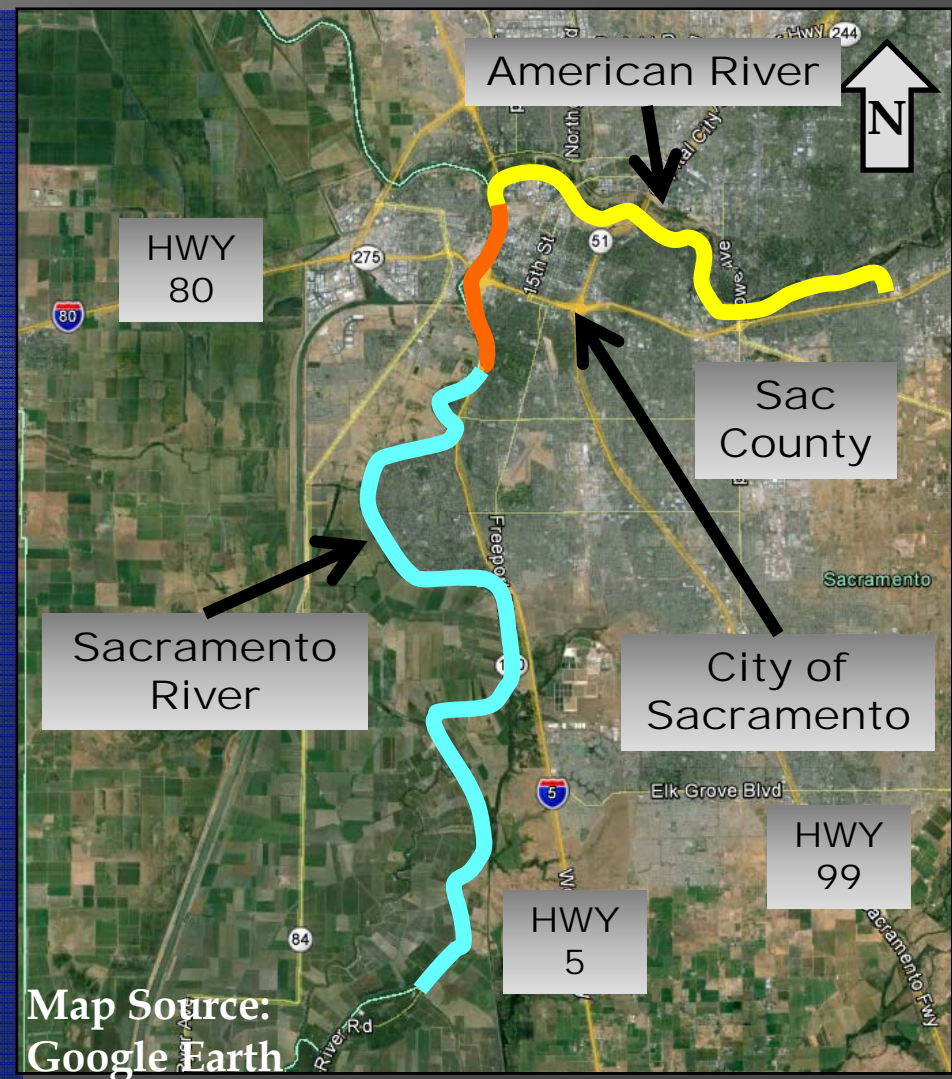
MARCH 28, 2014

ENFORCEMENT AUTHORITY DELEGATION



Enforcement Pilot Program Location and LMAs

- Description:
 - Sacramento County
 - Partially in the City of Sacramento urban areas, also includes non-urban
- LMAs:
 - American River Flood Control District
 - City of Sacramento Department of Utilities
 - DWR Maintenance Area 9



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Enforcement Pilot Program: Why this area?

- Contains non-urban and urban settings with well-documented encroachments.
- Diverse range of LMAs, including a local government, a DWR maintained area, and a flood control-focused agency.
- Inspected by USACE as one hydraulically separate levee system: “MA 09 - City of Sacramento – American River Left Bank.”
 - All three LMAs and CVFPB staff previously collaborated on the System-Wide Improvement Framework Letter of Intent (transmitted by CVFPB to USACE in Fall of 2013).
- The levees and LMA offices are all located within 30 miles of the CVFPB staff office, facilitating ease of access to the field sites and in-person meetings.

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Enforcement Pilot Program Timeline: February – September 2014

- February:
 - Presented delegation information to ARFCD Board.
 - Sent delegation packets with draft documents to all Pilot Program LMAs.
- March:
 - Delegation agreements signed for 2 of the LMAs.
 - Developed and designed training workshop program.
- April – September:
 - Hold training workshops with LMAs.
 - Pilot Program duration.
- October (tentative): begin offering Delegation Authority to other LMAs.

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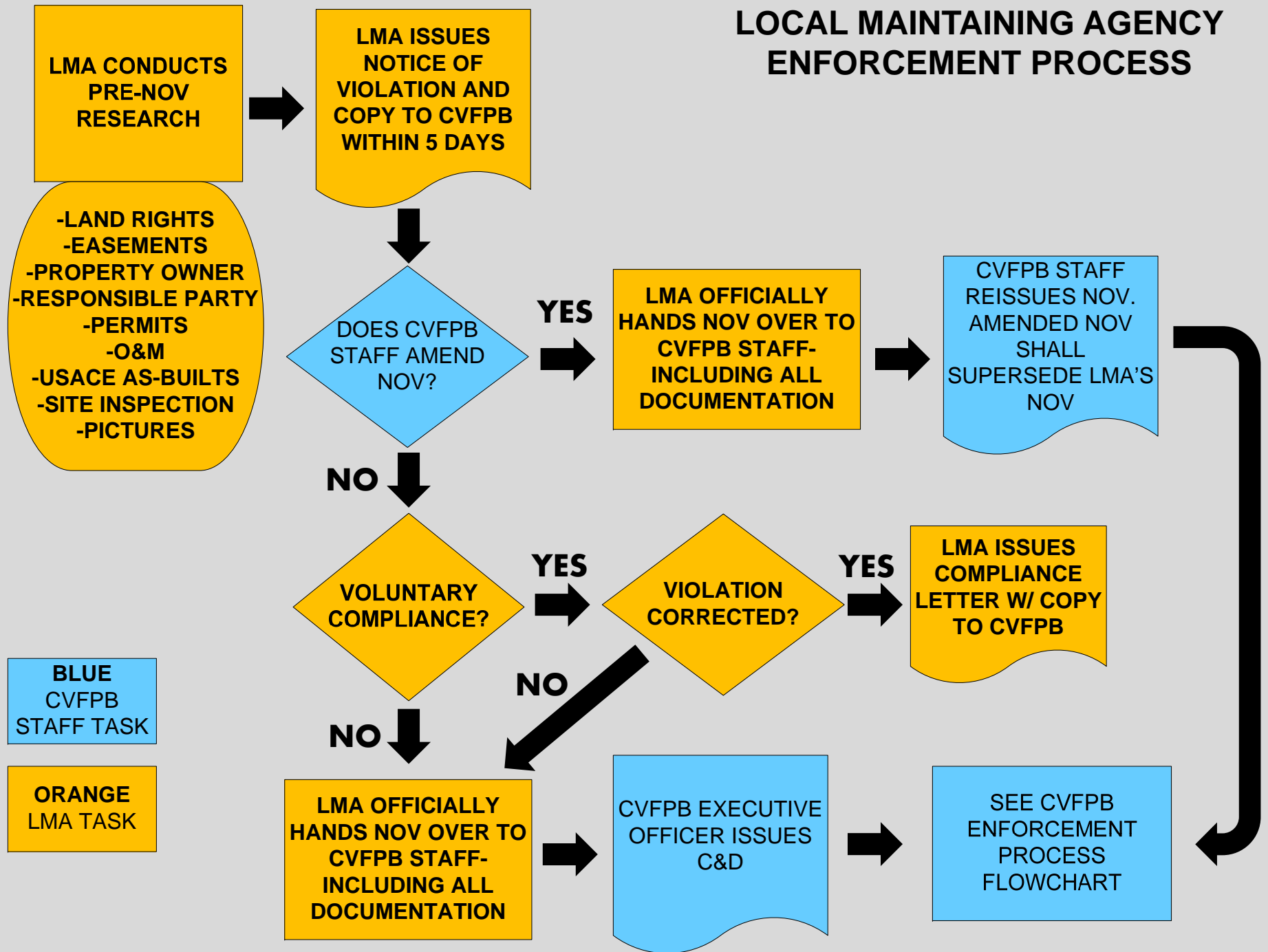


Enforcement Pilot Program: LMA Responsibilities

- NOVs useful when resolving encroachment issues at earlier stages is not effective.
- CVFPB Enforcement staff will provide LMA with NOV template and NOV Checklist.
 - State and local permits
 - Historical context – presence in O&M, USACE As-built drawings, DWR Levee Logs
 - Encroachment owner, landowner
 - Site visit, initial contact, document encroachment with photographs
- LMA participation is voluntary; CVFPB may revoke, or LMA may relinquish the authority via 10-day written notice.
- CVFPB Enforcement staff will provide NOV training for participating LMAs.



LOCAL MAINTAINING AGENCY ENFORCEMENT PROCESS



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Enforcement Challenges – Jon Tice