

# CENTRAL VALLEY FLOOD PROTECTION BOARD

## EXECUTIVE OFFICER'S REPORT

November 20, 2015

---



### OPERATIONS BRANCH

#### Status Report and Work Activities

#### **LMA Coordination**

Staff arranged a meeting October 20, 2015 between members of the California Central Valley Flood Control Association, the U.S. Army Corps of Engineers (USACE), and CVFPB staff, to discuss the USACE's inspection program and how the levee maintainers can be more successful remaining eligible for PL 84-99 Rehabilitation assistance. Various inspection items were discussed as well as the USACE's System Wide Improvement Framework program.

#### **LMA Letters of Intent for System Wide Improvement Framework Plans**

- . Reclamation District 2035's Letter of Intent is on the November 2015 agenda.

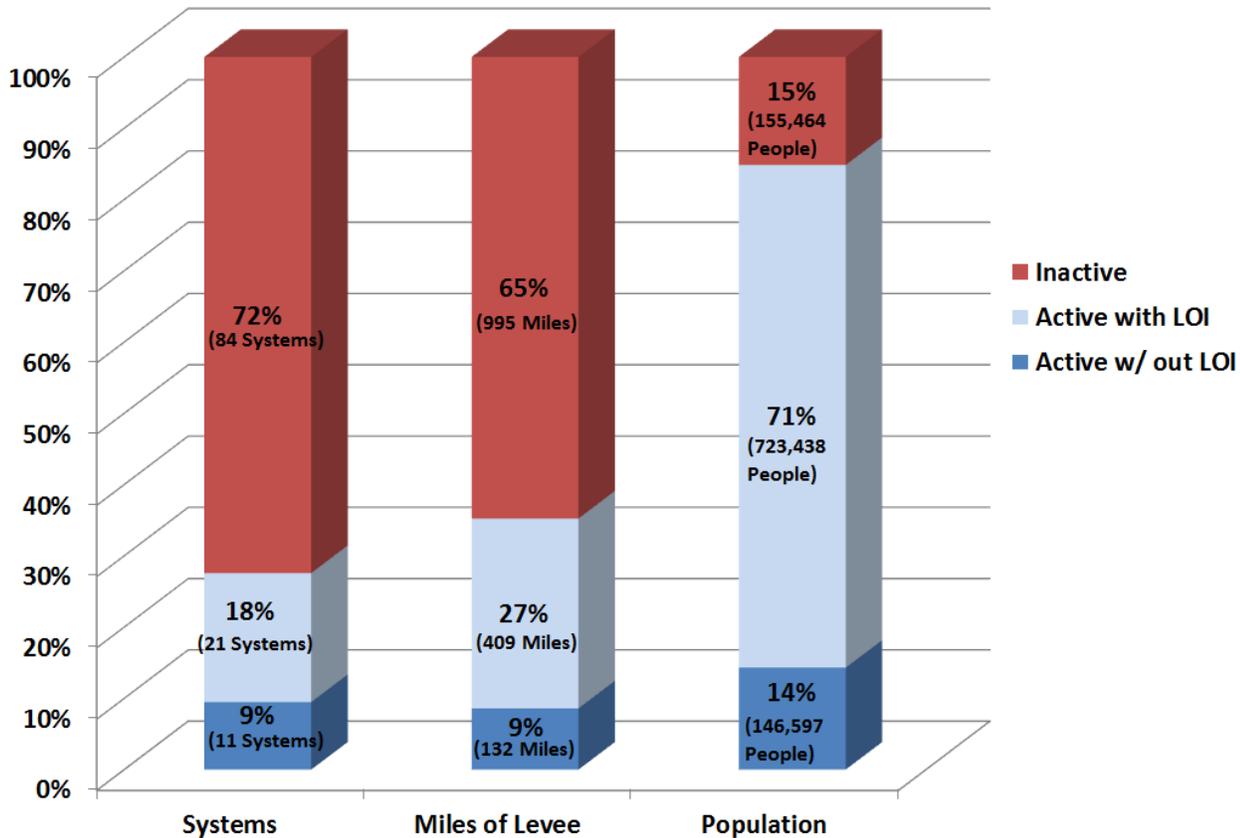
#### **CVFPB Enforcement Program**

- Two encroachments entered into the database
- Currently reviewing two Notices of Violation
- One compliance letter issued for a boat dock

#### **PL 84-99 levee system status as of November 20, 2015**

- Systems: (72% Inactive, 9% Active w/ out LOI, 18% Active w/ LOI)
- Mileage: (65% Inactive, 9% Active w/ out LOI, 27% Active w/ LOI)
- Population: (15% Inactive, 14% Active w/ out LOI, 71% Active w/ LOI)

## Public Law 84-99 Status as of October 23, 2015



### Permitting Section

Board staff continues to participate in coordination meetings with staff from USACE, USFWS, CDFW, and DWR to discuss the possibility of programmatic consultation that would streamline the permitting process for minor projects. It is estimated that the permitting review process for minor work within an Adopted Plan of Flood Control could be reduced significantly with the programmatic consultation standards in-place. The programmatic consultation will apply to specific endangered species and would be used for proposed projects needing 408 approvals or to cover levee maintenance work. Programmatic consultation standards are currently being developed for the Sacramento Basin. If successful, programmatic consultation standards could also be developed for the San Joaquin Basin.

All template letters used in the permitting process have been updated to better clarify the permitting process and to remove “encroachment” from “encroachment permit”. Additional clarifying language has also been added to inform applicants of the USACE review process.

Biweekly conference calls with the Corps continue. All backlogged applications are discussed to ensure the permitting process is not being delayed unnecessarily.

The following three (3) tables provide status information about applications that are being processed. Table 1 provides a status breakdown of **all** permit applications from 2013, 2014, and 2015 through November 2<sup>nd</sup>. Table 2 provides a breakdown of applications approved by the Board but waiting for the USACE decision letter prior to issuance. Table 3 provides a status breakdown for all 2015 Executive Officer Delegated Permits through October:

Table 1: Application Status Breakdown of **all** permits

	2013	2014	2015	Totals
<b>Total New Applications Received</b>	162	129	120	<b>411</b>
<b>Issued Permits to Date</b>	128	77	27	<b>232</b>
<b>Incomplete Applications Returned to Applicant</b>	7	8	13	<b>28</b>
<b>Application Withdrawn by Applicant</b>	5	8	3	<b>16</b>
<b>No Permit Required</b>	8	7	5	<b>20</b>
<b>Permit Denial</b>	2	1	0	<b>3</b>
<b>Under Enforcement</b>	2	4	1	<b>7</b>
<b>Future Scheduled Applications</b>	1	3	35	<b>39</b>
<b>Reviewing for Completeness</b>	3	6	26	<b>35</b>
<b>Approved by Board but Need USACE Letter</b>	6	15	10	<b>31</b>

Table 2: Conditionally Approved Applications

<b>Approved by Board but Need USACE Letter</b>	
Letter Routing	5
Additional information requested from applicant	4
In review at USACE	11
Regulatory issues/review	10
Major 408	1
<b>Total</b>	<b>31</b>

Table 3: Executive Officer Delegated Permit Status

Month	Posted	Issued	With Enforcement	With Applicant	With USACE
January	7	2	2	1	2
February	2	1	0	1	0
March	1	1	0	0	0
April	1	1	0	0	0
May	4	1	1	0	2
June	2	1	0	0	1
July	8	3	0	1	4
August	6	0	0	1	5
September	2	1	0	1	0
October	2	2	0	0	0
Totals	35	13	3	5	14

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.

## RIGHT-OF-WAY AND REAL ESTATE SUPPORT TO BOARD Status Report and Work Activities

- **Real Property Conveyances:** *real estate transactions resulting from Board 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. 18305 for Capitol Station 65, LLC, Sacramento, CA.
  - Work is ongoing to provide a flood control levee easement to Montna Farms, Sutter Bypass Area.
- **Right of Way and Real Estate Support Activities**
  - Providing real estate support services in conjunction with the geodetic branch for the Board Enforcement Section in the form of verifying existing SSJDD flood control property rights and providing exhibits for the following enforcement activities:
    - AT&T Cherokee Canal.
    - Mellin Levee Waterside Fence
    - North Fork Feather River Flood Control Channel
    - Deer Creek Periodic Inspection
  - Providing real estate support services in conjunction with the geodetic branch for the Board Permitting Section in the form of verifying existing SSJDD flood control property

rights and providing an exhibit for the City of Marysville Wastewater Pump Station and Force Main Project.

- In the process of preparing a detailed cost estimate for Board Staff for Real Estate and Geodetic Services to relinquish flood control rights of about 6-7 miles of levee to the fee owner, USFWS, for the Three Amigos project in Stanislaus County.

- **Other Miscellaneous Activities**

- Right of Way Agent oversees a significant volume of mail weekly from various municipalities and agencies in the form of notices to SSJDD as a parcel owner in various locations including but not limited to notices regarding:
  - Vegetation abatement and other maintenance activities
  - Assessments
  - Water allocation and or curtailment notices
  - Environmental Notices
- Agent verifies SSJDD possessory interest as to each notice and either responds to notice and/or forwards mail with possessory interest verification to appropriate Board staff.