

CENTRAL VALLEY FLOOD PROTECTION BOARD

EXECUTIVE OFFICER'S REPORT

November 17, 2017



ENVIRONMENTAL SERVICES AND LAND MANAGEMENT BRANCH

Status Report and Work Activities

- **USACE Coordination**
 - The U.S. Army Corps of Engineers (USACE) categorical permission effort will simplify the Section 408 review process for minor alterations reviewed and approved at the District level. The USACE Sacramento District released the Public Notice for the Categorical Permission for Section 408 Requests on September 18, 2017. The comment period ended on October 18, 2017. The USACE is anticipating that the categorical permission process will be effective early 2018. USACE and Central Valley Flood Protection Board (Board) staff will update the Board at future meeting on the results of public review.

- **2017 Central Valley Flood Protection Plan Conservation Strategy Implementation Advisory Committee**
 - The first meeting of the Advisory Committee post 2017 Central Valley Flood Protection Plan (CVFPP) adoption will be on December 13, at 2:00 at the Joint Operations Center. Topics will include methods to improve permitting efficiencies, funding for the permitting of multi-benefit projects, multi-benefit operations and maintenance of current State Plan of Flood Control channel and bypasses, and the development of processes to track ecosystem and flood benefits and progress relative to the 2017 CVFPP goals.

- **Lower Elkhorn Basin Levee Setback Project - Yolo and Sacramento Bypasses**
 - Board staff received the third Administrative Draft of the Environmental Impact Statement/Environmental Impact Report (EIS/EIR) from DWR. Agency comments are due to the California Department of Water Resources (DWR) by December 11, 2017. Board staff are continuing to participate in the Project Delivery Team meetings for early and ongoing coordination for design and environmental planning activities.

- **USACE Public Law (PL) 84-99 Rehabilitation Assistance**
 - Ongoing work continues for emergency levee repairs throughout the Central Valley under the USACE Public Law (PL) 84-99 program.
 - USACE identified 16 damage sites active in the PL 84-99 Program for repair this year. The estimated cost is about \$14M. Construction has commenced on most sites and is nearing completion on several sites. Final construction inspections were held on two sites on November 3, 2017.

- Board staff continues to provide CEQA compliance and real estate services support for Sacramento-San Joaquin Drainage District properties in the form of granting property access to construction, inspection, and environmental/cultural monitoring staff.
- Staff is waiting for USACE to complete the draft Project Information Reports (PIR) for the San Joaquin and Delta basin sites, which are expected in November or December.
- **Yolo Bypass Core Biological Opinion (BiOp) Planning**
 - Board staff continues to participate in the Yolo Bypass Core BiOp Planning effort. The U.S. Bureau of Reclamation (USBR) is the lead agency in accordance with NEPA and DWR is the CEQA lead agency for the preparation of the Yolo Bypass Salmonid Habitat Restoration and Fish Passage Draft EIS/EIR. Board staff are continuing to work with DWR and USBR to identify issues related to permitting and consistency with the CVFPP. A Draft EIS/EIR will be released in November 2017 for public comment. A Final EIS/EIR is expected to be released in October 2018.
- **Feather River Habitat Conservation Plan (HCP) EIS/EIR**
 - A draft HCP EIS/EIR is expected to be available on December 1, 2017 for internal agency review. Board staff will continue to work with DWR staff, attend future meetings, and review the Draft HCP EIS/EIR.
- **Western Pacific Interceptor Canal (WPIC) Culvert Replacement Project - WPIC**
 - Board staff is currently working with GEI Consultants to finalize project plans that will be consistent with Title 23 revisions. The Final Initial Study/Mitigated Negative Declaration (IS/MND) will be updated once the revised plans and project description are completed. Staff will present the IS/MND for Board adoption pursuant to CEQA at a future Board Meeting. Staff are working to secure the necessary permits for project construction planned for the 2018 construction season.
- **Marysville Ring Levee Project - Yuba River**
 - DWR and the USACE are planning to release a supplemental environmental document for the next phases of the project. Board staff are coordinating with the DWR Flood Projects Office staff to conduct a public outreach meeting in Marysville when the supplemental environmental document is released for public review.
- **Hallwood Side Channel and Floodplain Restoration Project - Yuba River**
 - On October 17, 2017, Board staff attended a meeting in Yuba City held by the U.S. Fish and Wildlife Service (USFWS) on the proposed project to restore juvenile rearing fish habitat for salmon and steelhead located within the Yuba River below Daguerre Point Dam. The meeting was attended by Congressman John Garamendi and several project proponents. Board staff are continuing to provide ongoing coordination with the USFWS regarding the encroachment permit application for this project. The

USFWS and their consultants will provide an informational briefing to the Board at the November 17, 2017 meeting.

- **Delta Levees and Habitat Advisory Committee Meeting (DLHAC)**

- Board staff attended the November 3, 2017, DLHAC meeting held at the JOC. Delta Stewardship Council (DSC) staff announced that the Draft Delta Plan Amendments Programmatic Environmental Impact Report (EIR) has been released for a public review. Public comments are due by December 18, 2017.
- The Delta Protection Commission (DPC) staff reported that the subcommittee on the Delta Flood Risk Management Assessment District Feasibility Study will reconvene in early December 2017. The subcommittee will present their findings and comments at the January 2018 DPC meeting.

- **Delta Stewardship Council**

- Board staff attended the first meeting of the Delta Plan Ecosystem Amendment Advisory Committee on November 9th. This Advisory Committee seeks to assist the Delta Stewardship Council in the development of the proposed amendment to Chapter 4 of the Delta Plan. The charge of the committee members is to assist in evaluating the amendment process objectives, approach, and progress. The plan for the four committee meetings includes the following:

November 2017: Introduction to Ecosystem Amendment and Charter

Winter 2018: Technical content

Spring 2018: Review of draft performance measures; draft proposed amendment sections

Summer 2018: Review revised draft proposed amendment

RIGHT-OF-WAY AND REAL ESTATE SUPPORT

Status Report and Work Activities

- **Personnel**
 - Senior Right of Way Property Management Specialist Thomas O'Neil has left the Board to pursue other opportunities at the California Department of Transportation. Senior Right of Way Agent Marie Buric is currently on loan from the DWR Real Estate Branch to assist with Board activities until a more permanent hire is made.

- **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 Board and the SLC to administer the SSJDD oil and gas leases is maximized to the benefit of the Board.
 - 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 Board approved permits.*
 - Work is ongoing to acquire flood control levee easements or licenses as a special condition of the following Permits:
 - No. 18313 for West Sacramento Area Flood Control Agency (WSAFCA), West Sacramento, CA
 - No. 18257 for Atlas Tract Reclamation District (RD) 2126, Stockton, CA
 - No. 17858 for Mossdale Marina, Lathrop, CA
 - No. 15178-1 Marysville Wastewater Treatment Plant (WWTP) easement

- No. 14455 License Renewal for gas line in Sutter Bypass.

- **Right of Way and Real Estate Support Activities**

- Work is ongoing to provide real estate support services in conjunction with the DWR Geodetic Branch for the Board 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 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 and for an existing water line the City recently acquired. The City is working to provide the necessary legal description documents for staff's review.
- Board staff is working with USBR and USFWS staff to provide access to an SSJDD Parcel for the Sutter National Wildlife Refuge Lift Station Project.
- Board staff is coordinating with California Department of Transportation (Caltrans) and DWR Geodetic Branch Staff on two Caltrans highway (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 staff to acquire the necessary permits. Staff is also working with Caltrans staff to provide them temporary access during construction pending the permanent acquisition of an easement of flood control rights.
- Staff is working with Western Area Power Administration (WAPA) and Sacramento Municipal Utility District (SMUD) to provide access to approximately a dozen SSJDD parcels in Sutter County to perform studies for an environmental review for the purposes of creating an EIR/EIS for options to install a new transmission line across these parcels. The studies are estimated to take three (3) years to complete.
- Staff provided SSJDD property rights information to DWR's Public Affairs Office and Sutter Maintenance Yard's Superintendent for private citizen inquiry regarding SSJDD parcels adjacent to California Department of Fish and

Wildlife's (CDFW) Nelson Slough Wildlife Area.

- Staff is working with the Madera County Sheriff to resolve trespassing issues on SSJDD parcels in Madera County along the Fresno River.
- Staff sent written interrogatories to the City of Lathrop regarding a Parcel Map of a proposed Richland Communities commerce center adjacent to SSJDD property and the San Joaquin River.