

# **CENTRAL VALLEY FLOOD PROTECTION BOARD EXECUTIVE OFFICER'S REPORT**

**September 27, 2019**



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

### **Environmental Services Section**

- **State Agency Committee Meetings and Coordination**
  - **Department of Water Resources / Delta Stewardship Council /Central Valley Flood Protection Board Memorandum of Understanding Implementation Working Group**
    - Staff is continuing to meet monthly for Working Group discussions including the Delta Stewardship Council (DSC) rulemaking for amending the policy for prioritizing state investments in Delta levees and risk reduction for Delta levee improvement projects. The DSC proposed regulation public comment period for their Notice of Proposed Rulemaking ended on August 19, 2019. The DSC received comments from the public and the CVFPB and responses are being prepared. CVFPB comments identify conflicting definitions affecting levee maintenance and the CVFPB's delta levee investment authority. The working group is continuing to discuss the next steps necessary to increase CVFPB consensus and involvement on issues related to the state investments in Delta levee improvement projects. Representatives from Local Maintaining Agencies (LMA) attended the August 30, 2019 CVFPB meeting and provided comments on the proposed DSC regulations and expressed their concern regarding the revised definitions and project prioritizations for the Delta Levee Subventions and Special Projects Programs. The DSC and CVFPB are considering how to increase CVFPB consensus and involvement including working with two CVFPB members and two key Delta stakeholders on issues related to the state investments in Delta levee improvement projects.
- **Encroachment Permitting Assistance**
  - **Pre-Application Meetings**

Staff continues to assist the U.S. Army Corps of Engineers (USACE) and encroachment permit applicants by conducting pre-application meetings to discuss the permitting approval process pursuant to the Board's regulations

under California Code of Regulations, Title 23, Division 1, and USACE regulations under Title 33, USC Section 408. A pre-application or permit status meeting was conducted for the following projects:

- Caltrans - American River Bridge Bike Lane Project: Staff met with Caltrans staff on September 3, 2019 to discuss the proposed project for a 14-foot bike lane on the east side of the American River Bridge. Staff explained the encroachment permit process and answered questions on the USACE's Categorical Permission process. The applicant is proceeding to complete an encroachment permit application and the supporting documentation for the proposed work.
- Friedman and Bass - Revetment Replacement Project: Staff met with the applicant's consultants on August 23, 2019 to discuss the proposed project for a residential home along the bank of the American River that includes non-permitted gunite stream bank protection that is failing due to erosion. The proposed work includes removing the existing gunite bank protection and replacing it with rock-slope protection. Board staff provided an overview of the encroachment permit application review process, design and regulatory requirements. Staff are requiring non-permitted existing encroachments to be included in the applicant's permit application and project design plans including landscaping and irrigation system. The applicant anticipates that the Board will require an encroachment permit for the proposed work in lieu of a maintenance authorization.
- City of Stockton - Holman Road Bridge Project: Staff met with the City of Stockton representatives on August 20, 2019 to discuss the Holman Road Bridge construction project at the crossing of Bear Creek. The applicant will be updating their environmental documents that were completed 15 years ago based on bridge design and environmental changes within the project site. Staff provided an overview of the USACE Section 408 review process, the CVFPB encroachment permit application review process and required encroachment permit application fee.

#### **Land Management Section – Sacramento-San Joaquin Drainage District (SSJDD)**

- **Property Management**

- **Temporary Entry Permits (TEP)**

- Sacramento Area Flood Control Agency (SAFCA) Bryte Landfill Remediation Project, Yolo County - Board staff assisted SAFCA with the preparation of a Temporary Entry Permit that will allow access to define the limits of waste

material, the removal of existing land fill, and backfilling with clean material.

- **Leases**

- Asta Construction: Staff are in the preliminary stage of preparing a bid package that requires an updated lease appraisal. Staff are completing the review of the updated lease appraisal with the DWR real estate staff. The original appraisal was completed on September 19, 2018.
- DWR and Board staff attended an on-site meeting with Larry Groteguth to discuss leasing SSJDD property for cattle grazing, in Butte County, near Chico, along the Sacramento River. The parcel has not been leased for years; therefore, a new lease is being considered.

- **Licenses**

- Staff attended a meeting with Jon Barry Lemenager - property owner, to discuss an unpermitted pipe and repair of existing leaks. Staff discussed the encroachment permit requirements and the need for a License Agreement for the existing pipe. The project location is in Sutter County along the Wadsworth Canal.

- **Projects**

- **Acquisitions**

- The Board approved to adopt Resolutions of Necessities, authorizing the use of eminent domain to acquire property within the Lower Elkhorn Basin Levee Setback Project at the August 30, 2019 Board meeting. Staff plans on bringing three additional Resolutions of Necessities for consideration in September 2019.