

CENTRAL VALLEY FLOOD PROTECTION BOARD EXECUTIVE OFFICER'S REPORT

May 24, 2019



OPERATIONS BRANCH Status Report and Work Activities

Enforcement Section

1. CVFPB Enforcement Program

Staff continues to process encroachment cases by Notices to Comply (NTC) or Notices of Violation (NOV). Status (since last month's report):

- Case being investigated for appropriate action: 71
- NTC/NOV being drafted for management review: 4
- NTC/NOV currently under management review: 1
- NTC/NOV mailed to landowner/responsible party: 4
- Working with landowner/responsible party to resolve encroachment issue (new and continued cases): 48
- Based on enforcement case, permit applications received: 3
- Cease & Desist Order being prepared: 3
- Cease & Desist Order mailed/ CVFPB meeting scheduled: 0
- Notice to Proceed issued: 5
- Enforcement cases closed: 52 (14 duplicates administratively closed)

2. Local Maintaining Agency Coordination

Staff continues to coordinate with Local Maintaining Agencies (LMA) as more elect to participate in U.S. Army Corps of Engineers (USACE) System-Wide Improvement Framework (SWIF) program to regain eligibility for the federal Public Law (PL) 84-99 Program. A Letter of Intent (LOI) prepared by the LMA precedes the SWIF reports. Because USACE evaluates federal levees by system, it is possible for multiple LMAs to participate in the SWIF program together if their levees are part of the same system.

- **SWIF reports**
 - No new updates for this month.
- **LOI reports**
 - No new updates for this month.

3. PL 84-99 Rehabilitation Assistance Status

LMAs that are active in the PL 84-99 Program may request repair of flood risk reduction projects that were damaged due to flooding between January and March 2017. Rehabilitation assistance is being provided by USACE only when work is economically justifiable, the damage was sustained during the 2017 flood events, and the estimated cost of repairs is over \$15,000.

- There are 25 scheduled PL84-99 repair sites for 2019 and 2020:
 - 12 are scheduled for the second quarter
 - 3 are scheduled for the fourth quarter
 - Remaining sites are scheduled for 2020
- Staff continues to participate in weekly PL 84-99 coordination calls with USACE and the Department of Water Resources (DWR).
- The USACE Sacramento District has conducted several pre-construction meetings. There is currently 1 site under repair in the Calaveras River. In May, 2 sites are scheduled for repair: 1 site for Cache Creek and 1 site for the Yolo Bypass.

4. 2017 Storm Damage DWR Rehabilitation

DWR is prioritizing identified damage sites that have not been approved by USACE because the damage site(s) or the levee system does not meet USACE criteria. Staff is assisting with site inspections and priority review.

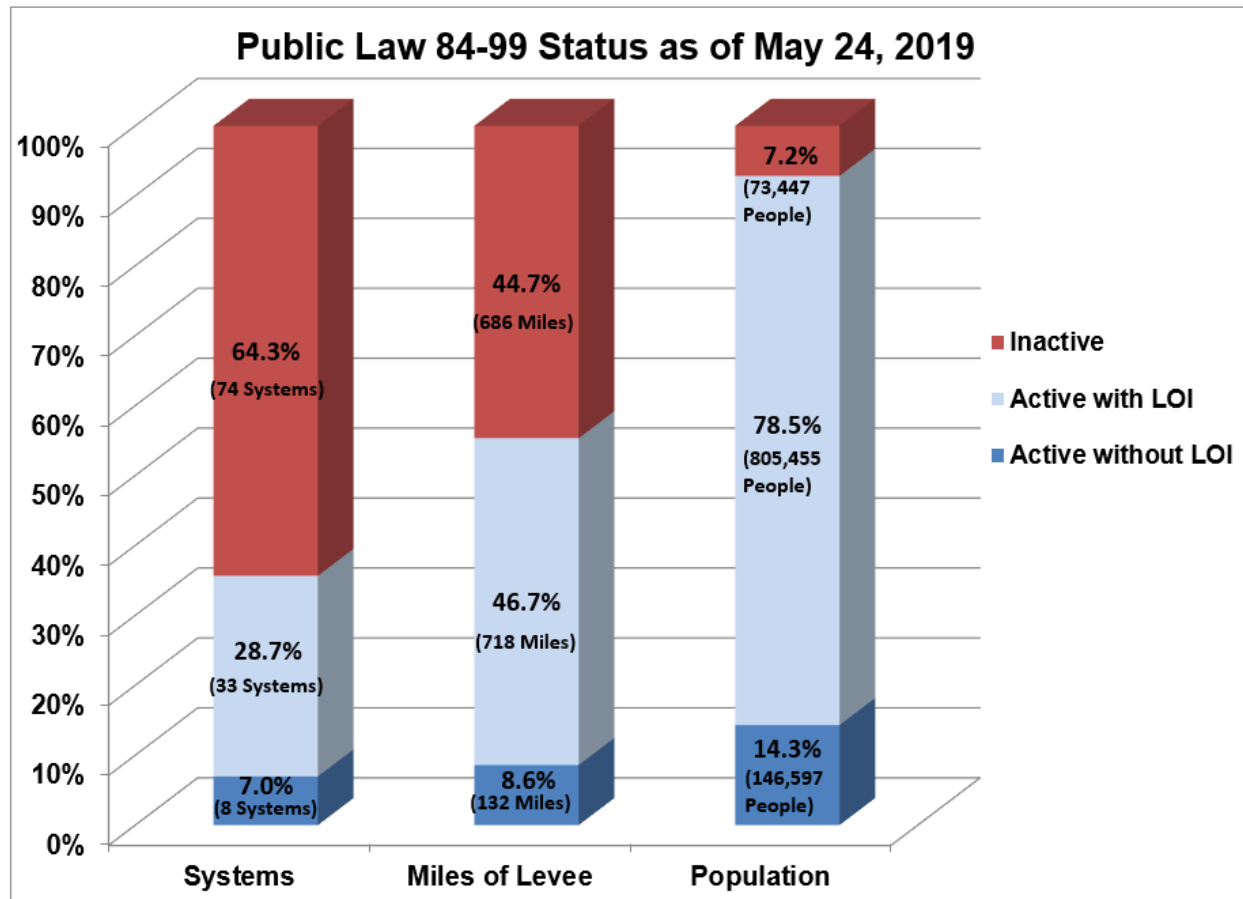
- In 2017 and 2018, DWR repaired the sites evaluated as “critical”. In 2019, DWR intends to repair 28 sites evaluated as “serious” sites.

5. PL 84-99 Levee System Status

The data and chart below represent the most updated information about PL 84-99 Program eligibility as of May 24, 2019:

- Systems: 64.3% Inactive, 7.0% Active w/ out Letter of Intent (LOI), 28.7% Active w/ LOI

- Levee Miles: 44.7% Inactive, 8.6% Active w/ out LOI, 46.7% Active w/ LOI
- Population: 7.2% Inactive, 14.3% Active w/ out LOI, 78.5% Active w/ LOI



6. Staff News

- Jenna Peterson passed the Professional Engineering exam to become a licensed Civil Engineer in the State of California. Congratulations, Jenna!

Permitting Section

1. Monthly USACE/DWR/CVFPB Coordination Meeting

- **Deferred Maintenance Project (DMP):** DWR has completed lining approximately 35 system feature drainage pipes within Putah Creek (ST0007) and Willow Slough (ST0012). The DMP is now focusing on Butte Creek (MA005). Currently 19 pipes have been identified for cleaning and evaluation. DWR anticipates being able to line three to five pipes per week, depending on water conditions.

2. Outreach/Pre-Application

- **Yolo County:** - A meeting was held with representatives from Yolo County to discuss the proposed placement of a pump station near the right (west) levee of the Yolo Bypass to alleviate flooding to County Road 32A that is caused by runoff from the I-80 Bridge.
- **West Sacramento:** - A meeting was held with project proponents of a proposed hotel/condo development in the Bridge District of West Sacramento.

3. Staff News

- Nothing to report this month.

4. Permitting Status Overview

The table below provides a general overview of the number of applications being reviewed by staff and where the applications are in the review process. The numbers in the table show the review activity that occurred during the month of April 2019. Including the 11 new applications received in April 2019, there are a total of 61 applications currently being reviewed by staff.

Table 1: Encroachment Permit Application Summary

Application Review Activity Summary	April 2019
Applications Received	11
Scheduled as an EO Delegated Permit	4
Scheduled for Consent Calendar	20
Scheduled as a Hearing	1
Incomplete Letters Sent	4
Applications Withdrawn	2
USACE Application Transmittals Sent	6
USACE 30-Day Incomplete Letters Received	3
USACE Permission Letters Received	4
Permits Conditionally Approved by CVFPB	0
Permits Issued	8

As noted in the table above there were 4 applications scheduled as Executive Officer (EO) delegated permits in April 2019. Information related to EO delegated permits is required to be posted on the CVFPB's website for 30 days prior to decision and permit issuance per CCR, Title 23, Division 1, Section 5. Staff completed the review of 8 EO delegated permits in April 2019, these projects were posted to CVFPB's website the second week of May 2019. Additional information about Executive Officer Delegated Permits can be viewed on the CVFPB website@: <http://cvfpb.ca.gov/permitting/delegated-permits/>

Inspection Section

1. Staff News

- Nothing to report this month.

2. Coordination

- Section Chief Preston Shopbell presented with Board and DWR staff at the Inspection Compliance Work Group meeting on May 8, 2019 regarding data generated and managed by the State of California and shared with our local and Federal partners. Topics discussed included goals, challenges, and recommendations to streamline data sharing between Local Maintaining Agencies, CVFPB, DWR, and USACE in support of PL84-99 inspections.
- On May 5, 2019, staff facilitated the monthly coordination meeting with USACE Levees and Channels (Section 408) and inspection staff, DWR-Flood Maintenance Office, and DWR-Inspections Section. Staff from the Flood Maintenance Assistance Program (FMAP) came to share the program details and provide an update on program funding.
- On May 9, 2018, the Inspection and Permitting Section chiefs met with the Utility Crossing Inspection Program (UCIP) staff to coordinate pipe inspections in the future. UCIP provides vital information to CVFPB Operations staff to help prioritize inspection and enforcement activities for drainage and pressure pipes that pose a risk to the flood control system.

3. Permit and Inspection Fee Implementation

- The final rulemaking package to update Title 23, Division 1 for Permit and Inspection Fees was approved by the Office of Administrative Law on April 29, 2019. The update to Title 23, Section 8 and new Appendix B showing the fee schedule for permit and inspection services will take effect on July 1, 2019. The approved regulations can be found on our website at <http://cvfpb.ca.gov/regulations/>.

4. Automatic Board Order Encroachment Reclassification Updates

- Staff completed quality control on encroachments listed on Automatic Board Orders (ABOs) within the geographical extents of the DMP on Putah Creek this month and completed the classification of encroachments on Willow Slough. The number of encroachments identified and classified increased from the previous month because it now includes encroachments from all ABOs in Willow Slough, not just the ABO's associated with DMP. Staff is planning to send letters to landowners and permittees of record this month.

See the attached progress table for details.

ABO Encroachment Reclassification Progress							
	Research		Outreach		Processing		
	Total Encroachments	Desk Study Complete	Letter Sent	Response Received	System Feature Confirmed	Permit Needed	Under Enforcement
Putah Creek	180	180	0	0	0	0	0
Undetermined	0	0	0	0	0	0	0
System Features	159	159	0	0	0		
Private Encroachments	21	21	0	0		0	0
Willow Slough	95	0	0	0	0	0	0
Undetermined	0	0	0	0	0	0	0
System Features	87	87	0	0	0		
Private Encroachments	8	8	0	0		0	0

Note: This list includes only ABOs within the extents of repairs initiated by the Deferred Maintenance Project on Putah Creek and Willow Slough.