

**CENTRAL VALLEY FLOOD
PROTECTION BOARD EXECUTIVE
OFFICER'S REPORT
August 30, 2019**



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

Environmental Services Section

- **State Agency Committee Meetings and Coordination**
- **DWR/DSC/CVFPB MOU Implementation Working Group**
 - Staff attended the August 14, 2019 Working Group meeting. The Delta Stewardship Council (DSC) reported that the public comment period for their Notice of Proposed Rulemaking ended on August 19, 2019. Comments may still be accepted in person at the hearing on August 22nd. The proposed regulations will amend the policy for prioritizing state investments in Delta levees and risk reduction for Delta levee improvement projects. The hearing will also include a discussion of public comments received and consider postponing the adoption of the proposed regulations. The DSC and DWR has expressed interest in how to increase CVFPB consensus and involvement in the working group, including working with CVFPB members on issues related to the state investments in Delta levee improvement projects and related DSC proposed regulations.
- **Delta Levee Investment Strategy**
 - Board staff attended a meeting with Delta Stewardship Council (DSC) staff to discuss proposed Delta Levee Investment Strategy regulation language, including DSC's levee maintenance and levee rehabilitation definition. Levee Maintaining Agencies (LMA) representatives in attendance provided alternative definitions and a history of the Delta Levee Subventions and Special Projects Programs.
- **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 meeting was conducted for the following projects:

- Butte City Bridge Replacement Project - Caltrans proposes to improve safety by replacing the Sacramento River bridge and viaduct with a bridge and viaduct. The new bridge would be approximately 4,389 feet long, with 12-foot lanes and standard 8-foot shoulders in both directions of travel. The replacement structure would be a typical slab-on-pile extension. Staff provided an overview of the encroachment permit application review process and required permit fees.
- Encroachment Permit Application No.: 19329 Generation Farms - Sutter Bypass Well Construction Project – The meeting was held on July 31, 2019 at the request of the applicant Mike Denny. The encroachment permit review status was discussed, including pending USACE consultations with the U.S. Fish and Wildlife Service and the State Historical Preservation Office.
- City of Manteca Stormwater Outfall Project - The proposed project would construct a new stormwater system that would discharge into the San Joaquin River near the existing wastewater treatment plant. The City of Manteca (City) is currently working with Reclamation District 17 for levee easements that will be included in the encroachment permit application submission. The encroachment permit application is anticipated to be submitted in 2020 after the City completes an environmental impact report in compliance with the California Environmental Quality Act (CEQA). Staff provided an overview of the encroachment permit application review process and required permit fees.
- Little Egbert Tract Restoration Project – The meeting was held at the JOC, Room 112, on July 30, 2019, at the request of Westervelt Ecological Services. The proposed project (approximately 3,500 acres) would create important habitat for sensitive fish and wildlife species while allowing increased flood conveyance at the Cache Slough-Lower Yolo Bypass confluence. The proposed project's purpose is to maximize habitat diversity, accommodate floods, and protect regional farmland. The applicant's tentative schedule shows permitting and environmental documentation to be finalized in the next three years. Board staff responded to questions regarding preliminary design considerations and proposed breach locations. Board Staff also provided an overview of the encroachment permit application review process and required permit fees.
- RD 817 Setback Levee Repair Project - The proposed project would construct a new setback levee (approximately 2,800 linear-feet) along the right (north) bank of the Bear River, in the City of Wheatland. This area was identified as a critical erosion site in 2013 by DWR and will be funded through DWR's Flood System Repair Program (FSRP). USACE staff discussed design and regulatory requirements, and Board staff provided an overview of the encroachment permit application review process.

- Turlock Irrigation District (TID) Harding and Nielson Fish Barrier Projects – The meeting was held at the JOC Annex, Room 175, on August 21, 2019, at the request of TID. The proposed project(s) would include installation of two fish barriers placed at two existing culvert drains in order to prevent fall run Chinook Salmon from entering TID's canal system via the Harding Drain Culverts and Neilson Drain Culverts. TID anticipates submitting their encroachment permit application to the CVFPB in November/December, with construction scheduled for Summer 2020. Board staff encouraged TID to submit their application sooner than later (in order to meet their construction schedule). An Initial Study/Mitigated Negative Declaration is currently out for public review. Board staff also responded to questions regarding Title 23 requirements, the environmental review process, and required permit fees.

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

1. Property Management

- Temporary Entry Permits (TEP)
 - CVFPB Property Management sent the U.S. Fish and Wildlife Service (USFWS) a Temporary Entry Permit that will allow the USFWS entry onto CVFPB property adjacent to the Sutter National Wildlife Refuge, to conduct Biological and Topographical Surveys. The term is for five years.
- Leases
 - Asta Construction: Discussion concerning the environmental Phase I review for this lease has begun with the appropriate DWR personnel. This is one of the preliminary steps to preparing a bid package.

2. Projects

- Acquisitions
 - The Board will consider approval to adopt Resolutions of Necessities, authorizing the use of eminent domain for the Lower Elkhorn Basin Levee Setback Project at the August 30, 2019 Board meeting.