

CENTRAL VALLEY FLOOD PROTECTION BOARD EXECUTIVE OFFICER'S REPORT June 25, 2021



OPERATIONS BRANCH Status Report and Work Activities

Enforcement Section

1. Board Enforcement Program

Staff continues to process encroachment cases by issuance of Notices to Comply (NTC), Notices of Violation (NOV) and Cease and Desist Orders. Status below represents the activities that occurred in the month of May 2021:

- Cases being investigated for appropriate action: 5
- NTC/NOV mailed to landowner/responsible party: 2
- Working with landowner/responsible party to resolve encroachment issue (new and continued cases): 29
- Based on enforcement case, permit applications received: 1
- Cease and Desist Order being prepared: 0
- Notice to Proceed issued: 0
- Enforcement cases closed: 2

2. Pipe Prioritization Program (P3)

No updates to report.

3. Local Maintaining Agency (LMA) Coordination

Staff continues to coordinate with LMAs as more elect to participate in 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 report. 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.

- **LOI Report**
 - On May 17, 2021, USACE officially approved the Wheatland and Grasshopper slough levee systems. These systems are now active under PL84-99. Board and USACE staff held a meeting with LMAs to discuss next steps in the SWIF process.
 - On May 19, 2021, USACE officially approved the Sac-Yolo North and RD 784 – Plumas Lakes Basin levee systems. These systems are now active under PL 84-99. Board and USACE staff held a meeting with LMAs to discuss next steps in the SWIF process.

- **SWIF Report**
 - No updates this month.

The following table is a summary of the SWIF and LOI status as of June 25, 2021.

ACTIVE PL 84-99 Levee Systems with Approved SWIF	INACTIVE PL 84-99 Levee Systems pending LOI USACE Approval	INACTIVE PL 84-99 Levee Systems with Draft LOI
RD 1001 (2 systems)	RD 10 - Honcut	American River Flood Control District
RD 1000		Madera County (4 systems)
MA9, City of Sac, American River		RD 150 – Merritt Island
Feather River Right Bank – Sutter Bypass		Sac Yolo South
Knights Landing, Yolo Bypass, Service Area 6		RD 349 – Sutter Island
Sac River West Bank		RD 501 – Ryer Island
Bear Creek and Mormon Slough (13 systems)		RD 1 – Union Island
Cache Creek – RD 2035		RD 524 – Robert’s Island
RD 70/1660 - Sutter Basin		Pierson Levee District
MA 5 – Butte Creek (2 systems)		Deer Creek (3 systems)
Putah Creek – Yolo Bypass		Elder Creek (3 systems)
Wadsworth Canal – Sutter Bypass		
MA 13 – Cherokee Canal (3 systems)		
RD 1500 and Tisdale Bypass		
West Sac (RD 537 and RD 900)		
RD 3 – Grand Island		
Wheatland and Grasshopper Slough (2 systems)		

ACTIVE PL 84-99 Levee Systems with Approved SWIF	INACTIVE PL 84-99 Levee Systems pending LOI USACE Approval	INACTIVE PL 84-99 Levee Systems with Draft LOI
RD 784 – Plumas Lakes Basin		
Sac-Yolo North		
36 Systems	1 Systems	18 systems

4. PL 84-99 Rehabilitation Assistance Status

2017 Flood Damage Repairs:

After completing repairs for seven (7) sites in 2020, there are six (6) sites remaining from the 2017 storm damage: four (4) sites are scheduled for repairs in 2021 and two (2) sites are scheduled for repairs in 2022.

Four Repair Sites Planned for 2021

- Four (4) sites are in the Sacramento River West Side Levee District (SRWSLD).
 - Two sites in the SRWSLD are under construction as of mid-April. One site involves the installation of a seepage berm and the other site is the construction of a setback levee.
 - Two additional sites in SRWSLD are expected to begin construction in July 2021.

Two Repair Sites Planned for 2022

- One (1) site located in RD 2064 is delayed to Spring of 2022 due to ongoing real estate acquisitions with the landowner. DWR Real Estate is expecting to complete acquisitions in July 2021.
- One (1) site is in RD 2035 is delayed to Summer of 2022 due to the complexity of the repair and the need to dewater and relocate a canal adjacent to the landside levee toe. RD 2035 was notified of this delay and a meeting was held to discuss the issues. Funding for this repair site will not be jeopardized due to the delay. USACE plans to restart the bidding process in July 2021.

The Phase II repair for a site in RD 2075 has been under construction since mid-April. This site is not counted as one of the remaining six (6) sites. The repair is going well with an anticipated completion date of September 2021.

Staff continues to participate in weekly PL 84-99 coordination calls with USACE, DWR, and LMA representatives.

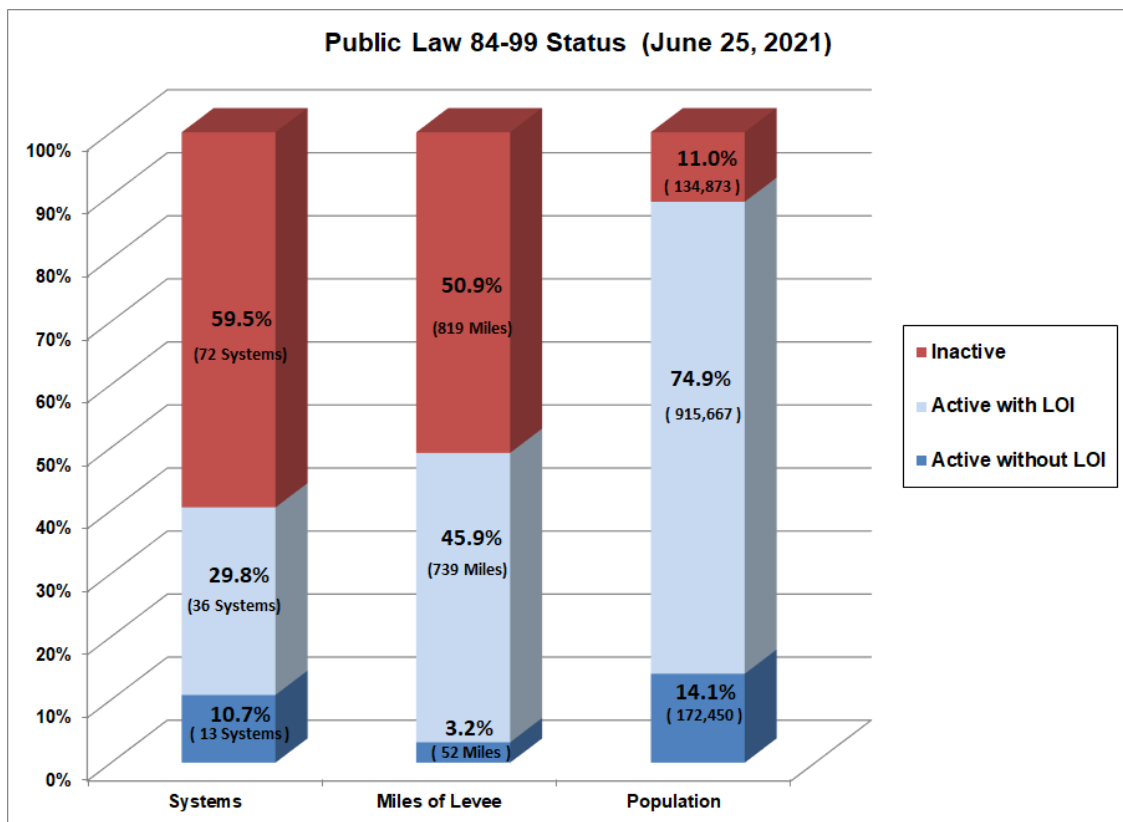
2019 Flood Damage Repairs

The Project Inspection Report was approved for Maintenance Area 3 repair site and USACE will proceed to complete the design.

5. PL 84-99 Levee System Status

The data and chart shown below include the most updated information about the PL 84-99 Status as of June 25, 2021:

- 72 systems are “inactive” including the 12 LSJLD systems. 18 of these have a draft LOI as noted on Page 3.
- 36 systems are “active with LOI”.
- 13 systems are “active without LOI”. Eight (8) systems are “active without LOI” because the systems have successfully passed USACE re-inspection.
 - The eight (8) systems include: three (3) in the American River Flood Control District, one (1) in the City of Marysville, (2) in Littlejohn Creek, (1) in the North Fork at Chester, and (1) in RD 1601 – Twitchell Island.
 - The remaining five systems are South Sacramento levee systems.



6. Staff News

- Staff continues to telework due to COVID-19. Enforcement actions and site visits continue to take place as needed and staff is following CDC Guidelines.

7. Progress update for Meyer Enforcement Case No. 2017-15464

No updates to report.

8. Task Order 20-47: Horseshoe Levee Hydraulic Modeling

Task Order deadline has been extended to December 31, 2021 to allow for completing all deliverables, including an informational briefing to the Board.

9. No Digging Signs Pilot Project

Board staff had conference call with two trustees from American River Flood Control District, to address their concerns on the project. Staff is looking into options to implement their recommendations.

10. Records Updates for Permit Database

Staff continues updating permit database records and retrieving files from archives.

11. Cease and Desist Order (CDO) Enforcement Case No. 2018-723 (Hatch)

No updates to report.

12. Reclamation District (RD) 1500 Emergency Contract, Donahue Area (Sutter County)

No updates to report.

Permitting Section

1. Staff News

- The Permitting Section will welcome a new hire to backfill an Engineer, Water Resources position, with the start date on 7/5/2021.
- Staff continue teleworking from home due to the COVID-19 pandemic with minimal impact to the Section.

2. Outreach/Pre-Application

- **Southern California Gas (SCG)**
Staff held a virtual meeting with SCG representatives to discuss the permitting requirements for a proposed pipeline bridge in the Outlet Canal within the Kern River Designated Floodway.
- **DWR/DOE Coordination Meeting**
Staff held a virtual meeting with DWR/DOE to discuss overall project review strategies, how the USACE Section 408 review process is conducted, and what material is required for Board staff to process DWR permits. Provided input on expected timelines for project milestones and schedule preparation.
- **San Joaquin County Flood Control and Water Conservation District**
Staff held a virtual meeting with San Joaquin County Flood Control managers to discuss floodplain activities and flood mapping within the county and specifically within North Littlejohn Creek or Weber Slough. Garnered support from constructive data sharing and applicant resources.

3. Encroachment Permit Applications

- 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 activities that occurred during the month of May 2021. There are approximately 167 applications that are currently considered to be in active status. This number includes all applications being managed/reviewed by staff in the Permitting Section, the Enforcement Section, and the Plan Implementation and Compliance Branch. Of these, 135 are currently under permitting staff oversight.

Table 1: Encroachment Permit Application Summary

Application Review Activity Summary	May 2021
Applications Received	7
Scheduled as an EO Delegated Permit	4
Scheduled for Consent Calendar	4
Scheduled as a Hearing	0
Incomplete Letters Sent	3
Applications Withdrawn	0
USACE Application Transmittals Sent	1
USACE 30-Day Incomplete Letters Received	0
USACE Permission Letters Received	3
Permits Conditionally Approved by Board	2
Permits Issued	8

As noted in the table above there was four (4) applications scheduled as Executive Officer (EO) delegated permits in May 2021. Information related to EO delegated permits is required to be posted on the Board's website for 30 days prior to decision and permit issuance per California Code of Regulations, Title 23 (Title 23), Waters, Division 1, Section 5. Staff completed the review of four (4) EO delegated permit in May 2021. These applications were posted to the Board's website the first week of May 2021.

Additional information about Executive Officer Delegated Permits can viewed on the Board's website at: <http://cvfpb.ca.gov/permitting/delegated-permits/>

4. Permit and Delegations Look Ahead

For the month of June, the Permitting Section is anticipating there will be three permits as consent items, one permit as hearing, and three permits as EO delegations.

Inspection Section

1. Staff News

- No changes in work protocols this month; staff continue to telework due to the coronavirus restrictions. Inspections continue as needed and physical distancing, face coverings, sanitizing equipment, and other mitigations continue to be used to help reduce the risk to staff and to limit the spread of the virus.

2. Inspection Program Updates

- Eight new projects were assigned to inspectors this month. Of those eight, two are repairs of existing permitted pipes; one is a verification of an existing facility; and the remaining five are permits for new construction.
- Staff reviewed and processed Time Variance Requests (TVRs) for two projects that continued construction into the flood season which began on November 1. One additional project that began this month along the San Joaquin River is also being considered for a time variance. All three projects are along streams in the San Joaquin basin, where the flood season continues until July 15.
- Staff continues to keep pace with required database updates to the encroachment permit database this month. Each staff is updating the electronic records of ten permits each month. This effort will help in rapid research and ensuring accurate records.
- The following table provides an overview of the progress made on final reporting of projects that have completed construction. Inspectors submit draft Construction Closeout Reports for review and approval by the Section Chief for final completion. Construction Closeout Reports are used to track if all permit conditions were met, and that associated databases, levee logs, and other records are updated appropriately with inspection reports, as-builts, and other pertinent project information. They also inform when the next routine inspections are due.

Construction Closeout Report Summary: May 11 – June 11

New Drafts Submitted	12
Awaiting Approval	20
Completed	0

- In preparation for upcoming USACE levee inspections, staff completed the compilation of levee system information for Feather River – Hamilton - northeast of Afterbay, Feather River – Nelson Bend West Levee, and Feather River right bank - Sutter Bypass east bank. The information such as pipe inspection data, encroachment permit information, and levee logs will aid USACE inspectors in the field for their development of system inspection

reports. These reports contribute to determining eligibility in the PL84-99 Rehabilitation Assistance program.

3. Coordination

- On May 18, 2021 the Inspection Section Chief hosted a Communication and De-Escalation training presented by Bridgette Dean, Director of the Department of Community Response at the City of Sacramento. Training included ways to approach and communicate with homeless individuals along rivers and levees, and how to stay safe and efficiently conduct inspections. The meeting was attended by Board staff, DWR staff, and Local Maintaining Agency representatives.
- On June 10, 2021, the Inspection Section Chief coordinated with CDEC Data Managers and Operations Branch managers for improvements to the Permit and Enforcement databases.
- On June 14, 2021, the Inspection Section Chief facilitated the monthly DWR / USACE / Board Coordination meeting.
- The Inspection Compliance Work Group meeting was postponed until July 14, 2021.

4. Permit and Inspection Fee Implementation

- From May 15, 2021 through June 11, 2021, twelve payments were received for permit review, two were received for construction inspection, and none were received for routine inspections. For program details and Frequently Asked Questions, see the Board's website at www.cvpfb.ca.gov/fees.

5. Automatic Board Order (ABO) Encroachment Reclassification Updates

- Staff is communicating with the landowner regarding this month's hearing regarding the revocation of ABO Permit 10248. Staff is also continuing to create supporting material for encroachments and system features along Willow Slough for upcoming outreach to landowners along that stream. Because of these efforts, there has been no change to the ABO Encroachment Reclassification Progress Summary table from the previous month.

ABO Encroachment Reclassification Progress Summary							
	Research		Outreach*		Processing*		
	Total Encroachments	Desk Study Complete	Letter Sent	Response Received	System Feature Confirmed	Permit Needed	Under Enforcement
Putah Creek	180	180	111	107	66	41	6
Undetermined	0	0	0	0	0	0	0
System Features	159	159	68	66	66		
Private Encroachments	21	21	43	41		41	6
Willow Slough	95	95	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.

*Items that were determined to not exist in the as-builts nor the field were not counted in the Outreach or Processing phase totals.