

CENTRAL VALLEY FLOOD PROTECTION BOARD EXECUTIVE OFFICER'S REPORT



June 25, 2021

ENVIRONMENTAL SERVICES AND LAND MANAGEMENT BRANCH Status Report and Work Activities

Environmental Services Section

1.0 Delta Levee Habitat Advisory Committee Meeting

- Staff attended the monthly Delta Levee Habitat Advisory Committee meeting held on June 4, 2021, via online conferencing. The Delta Stewardship Council (DSC) staff reported that at the August 2021 meeting, DSC staff will be providing an informational briefing on the draft regulatory language for the Delta Plan Risk Reduction Policy 1, which includes prioritizing delta levee investments within the Delta. DSC staff are anticipating a directive to formally initiate the rulemaking process with the Office of Administrative Law (OAL) pursuant to the Administrative Procedure Act. Delta Reclamation Districts' (RDs) comments on the draft regulatory language are anticipated to be submitted to DSC staff during the interim and prior to the DSC August 2021 meeting.
- The Department of Water Resources (DWR) Subventions staff provided an overview of the Governor's FY 2021/2022 Budget May Revision including \$237 million that would fund the Subvention program for three years, however legislative approval and Governor's signing of the FY 2021/2022 Budget is pending. DWR Subvention staff are continuing to receive and review Delta RD's 5 – year plans that will be utilized for future program planning & funding needs.
- The Delta Conservancy staff reported that during July/August 2021, applicants can begin to submit their grant applications for the Ecosystem Restoration and Water Quality (Cycle 5) Grant Program.
- Delta Emergency Operations (DEO) staff reported that due to drought conditions, DWR anticipates having the salinity barrier at the West False River completed by June 30, 2021. DEO Staff completed a tabletop exercise for a large-scale Delta catastrophic emergency response by local, State and federal agencies and will be completing a follow-up by the end of summer.
- The California Department of Fish and Wildlife (CDFW) reported that the invasive pest - nutria are continuing to be trapped. There have been 20 nutria trapped within the last 2 months on private property near the San Joaquin River National Wildlife Refuge, Stanislaus County.

2.0 DWR/DSC/Board Memorandum of Understanding (MOU) Implementation Working Group

- Staff continue to meet on the 1st and 3rd Thursdays of each month via online conferencing. The Working Group discussed the DSC's draft regulations for prioritizing delta levee investments within the Delta. The draft regulations for Delta investment priorities and DWR reporting are under internal review by DSC staff and in the coming months, DSC staff plans to solicit early stakeholder feedback on proposed regulatory language from Delta RDs. At the August DSC monthly meeting, DSC staff will be requesting to initiate the formal rulemaking process with the OAL pursuant to the Administrative Procedures Act.
- DSC staff reported that the Delta Adapts Vulnerability Assessment is being finalized as part of the Delta Adapts Strategy. DSC staff are planning to conduct robust outreach efforts to the Delta stakeholders including agricultural, environmental, and other public interests. DWR staff reported that the United States Army Corp of Engineers' (USACE) Delta Flood Frequency study may receive additional federal funds that would complete the study including the baseline hydrology under current conditions without climate change.

3.0 2022 Central Valley Flood Protection Plan (CVFPP)

Staff met with DWR via a virtual meeting on Tuesday, June 15, 2021. The meeting was a "kick-off" meeting with the core CVFPP Tribal team before formal consultation meetings begin to discuss roles and responsibilities, the staff communication plan, and records and files management.

4.0 USACE/Board Sponsored Flood Risk Reduction Projects

Staff met with DWR's Flood Protection Office (FPO) environmental staff on May 26 and June 9, 2021 to discuss the status of Board Sponsored projects. In addition, the following actions were taken:

American River Watershed Common Features, Water Resources Development Act of 2016 Project

- *American River Contract 2* – The purpose of the project is to construct an approximately 7,800-foot-long bank stabilization project. The action also consists of: (1) the creation of three off-site habitat restoration sites for mitigation (Arden Pond and two areas at Rossmoor Bar); (2) associated staging areas, stockpile sites, and haul routes; and (3) reconstruction of the Campus Commons Golf Course.

Staff reviewed the Draft Supplemental Environmental Impact Statement / Environmental Impact Report (EIS/EIR) and provided comments on May 27, 2021. In addition, staff coordinated with FPO environmental staff on the completion of the Notice of Availability (NOA) and the Notice of Completion (NOC) for the Draft

Supplemental EIS/EIR. The NOC was filed with the State Clearinghouse (SCH) by DWR on June 3, 2021. Public circulation of the draft Supplemental EIS/EIR is from June 4, 2021 through July 19, 2021. The NOA can be found on the Board's website at: <http://cvfpb.ca.gov/public-notices/>.

- *Sacramento River East Levee Contract 3* – The purpose of the project is to improve approximately 10,580 cumulative feet of levees along the Sacramento River's east levee in Sacramento by installing a series of cutoff walls.

Staff reviewed the Draft Supplemental EIR/Environmental Assessment (EA) and provided comments on June 2, 2021. In addition, staff coordinated with FPO environmental staff on the completion of the NOA and the NOC for the Draft Supplemental EIR/EA. Public circulation of the draft EIS/EIR will be from June 18, 2021 through August 1, 2021. DWR will file the NOC with the SCH on behalf of the Board.

- *Sacramento River East Levee Contract 3 and Contract 4: Geotechnical Soil Sampling* – The purpose of the project is to understand the geomorphic characteristics of the project sites, and characterizing soil for potential presence of contamination to inform project design.

Staff coordinated with FPO environmental staff on the completion of a Notice of Exemption (NOE) for the geotechnical work. The NOE was filed with the SCH on June 11, 2021.

Joint Federal Project, Folsom Dam Safety and Flood Damage Reduction

- *Folsom Dam Raise Project* – The purpose of the addendum is to analyze the geotechnical work performed to inform the design for the Left-Wing and Right-Wing Dams of Folsom Lake.

Staff coordinated with FPO environmental staff on the preparation of an addendum to the 2017 Supplemental EIS/EIR for the Folsom Dam Raise Project. The Addendum is currently being revised based on staff input.

5.0 Encroachment Permitting Assistance: Pre-Application Meetings

Staff participated in one pre-application meeting during this reporting period. A summary of the meeting is provided below.

- On June 3, 2021, staff attended a pre-application meeting with the applicant Dillon & Murphy Engineering to discuss the permitting requirements to construct a road and install underground utilities along the north bank landside levee of Mosher Slough. According to the applicant there would be no work on the levee or within the waterside of the levee along Mosher Slough. The applicant is working through the CEQA lead agency, the City of Stockton, that is planning to initiate and adopt an Initial Study/Mitigated Negative Declaration (IS/MND) during the first six months of

2022. Staff provided an overview of the encroachment permitting process and the need for applicant to submit a complete encroachment permit application including the City of Stockton's adopted IS/MND and a copy of the City of Stockton's Notice of Determination filed with the SCH in compliance with the CEQA.

6.0 Special Projects/Miscellaneous

- Staff filed four CEQA notices with the SCH for encroachment permit projects.
- Staff made one no project finding under CEQA for encroachment permit projects.
- Staff commented on five CEQA documents as a Responsible Agency.
- Staff filed two CEQA notices for Board sponsored projects.

Land Management Section Sacramento and San Joaquin Drainage District (SSJDD)

- **2018 Storm Damage DWR Emergency Rehabilitation (SDDER) – 2020/2021**

DWR Real Estate staff executed a Temporary Entry Permit from a private property owner within Sacramento County to allow staging and laying down of materials and such other incidental purposes as may be required for Site Nos. 46 and 47.

- **American River Watershed Common Features, Water Resources Development Act of 2016 Project - Sacramento River East Levee Contract 4 (Utility Potholing)**

Pursuant to the USACE Lands, Easements, Rights-Of-Way, Relocation, and Disposals Take Letter, DWR Real Estate staff executed a Certification Package to USACE certifying existing Sacramento and San Joaquin Drainage District rights for the Sacramento River East Levee Contract 4 (Utility Potholing) Project in Sacramento County.

- **American River Common Features, Water Resources Development Act of 2016 Project – Sacramento River East Levee Contract 3 (Predrilling Project)**

DWR Real Estate staff executed a certification package to USACE certifying existing Sacramento and San Joaquin Drainage District rights for the Sacramento River East Levee Contract 3 Predrilling Project in Sacramento County.

- **American River Common Features, Water Resources Development Act of 2016 Project, American River North Reach 1 - Magpie Creek (Cultural Surveying)**

DWR Real Estate staff executed a certification package to the USACE certifying existing Sacramento and San Joaquin Drainage District rights for the Magpie Creek (Cultural Surveying) Project in Sacramento County.