

# CENTRAL VALLEY FLOOD PROTECTION BOARD EXECUTIVE OFFICER'S REPORT

May 28, 2021



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## 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 meeting held on May 7, 2021, via online conferencing. Staff from the Department of Parks and Recreation, Division of Boating and Waterways (DBW) provided an overview of their control efforts for aquatic invasive plants and Quagga and Zebra mussels (collectively called dreissenid mussels) that clog waterways in the Sacramento-San Joaquin Delta and create hazardous conditions for navigation and recreation. The program has been in effect since 1987 and targets invasive aquatic vegetation, including but not limited to floating aquatics such as water hyacinth and submersed aquatic vegetation such as Eurasian watermilfoil. The program covers the Sacramento-San Joaquin Delta and reservoirs and lakes, with limited annual funding totaling \$10.9 million. Under the current drought and warm water conditions being experienced this year, DBW staff anticipate that this year will be challenging, as clear warm water conditions are conducive to prolific plant growth for both floating and submersed aquatic vegetation. The funding for control efforts remain insufficient and limited. DBW continues to support control and monitoring efforts with a limited staff of 48. As a result, staff continue to leverage resources for the ongoing effort to control invasive vegetation in the Delta.
- Delta Stewardship Council (DSC) staff announced that there will be an informational briefing at the DSC's May 21, 2021 meeting on the preliminary rulemaking activities for the draft regulations that prioritize delta levee investments and next steps for initiating the formal rulemaking process with the Office of Administrative Law (OAL). DSC staff are in the process of revising the Delta Vulnerability Assessment in response to comments received. Outreach to Delta stakeholders is being planned for this summer to receive comments on the Delta Adaptation Framework that identifies issues according to Delta regions and sub-regions.
- The Delta Conservancy reported that there will be a solicitation for the Proposition 1 Ecosystem Restoration and Water Quality Grant Program that will start August 1, 2021. Proposals will be due by the end of November 2021.
- Delta Emergency Operations, including the Department of Water Resources (DWR) and CA Office of Emergency Services, will be selecting a date near the end of May

2021 for conducting a table-top exercise for coordinating local, State and federal emergency response under catastrophic Delta conditions.

- DWR Delta Subvention staff announced that Delta Reclamation Districts should submit invoices and payment requests prior to the end of June 30, 2021 to avoid delayed reimbursements due to the ending of the fiscal year accounting close-out process. DWR will be moving staff offices, including the Delta Levee and Subventions Programs, to the new Resources Building located downtown in Sacramento at 7th/8th and O/P Streets.
- California Department of Fish & Wildlife (CDFW) staff reported that emergency work on the repair of a sink-hole located on Bradford Island is continuing to be coordinated with the District engineer. Nutria have been trapped by the U.S. Fish & Wildlife Service on private property near the San Joaquin National Wildlife Refuge, Stanislaus County. The monitoring of Nutria is continuing within the south Delta and extending up to the north Delta near Sherman Island.

## **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. As noted above, DSC staff will be providing an informational briefing at the DSC's May 21, 2021 meeting on the preliminary rulemaking activities, comments received from Delta reclamation district representatives and next steps for initiating the formal rulemaking process with OAL. The DSC staff has received comments on the Delta vulnerability assessment and are updating the assessment in response. DWR staff are working on an agreement with the United States Army Corps of Engineers (USACE) to provide additional funds for the completion of the Delta Flood Frequency study.

## **3.0 Ecosystem Investment Partners (EIP) – Lookout Slough Project**

Staff attended the monthly coordination meeting for the proposed Lookout Slough Project on May 13, 2021, via online conferencing. Based on the schedule for anticipated issuance of the USACE's Letter of Permission, staff expects the proposed project to be heard at this month's (May 28, 2021) Board Meeting.

## **4.0 2022 Central Valley Flood Protection Plan (CVFPP)**

### Meeting with DWR and the Mooretown Rancheria of Maidu Indians

Staff and DWR hosted an online meeting with the Mooretown Rancheria of Maidu Indians on Thursday, April 15, 2021. The purpose of the meeting was to give participants of the Mooretown Rancheria of Maidu Indians an overview of the CVFPP, present the consultation history, and provide information regarding the 2022 Plan Update and the

California Environmental Quality Act (CEQA) process. The Tribal participants stated they are focused on issues of concern tied to the Oroville Dam and their territorial region (Oroville/Yuba County areas). Per the Tribes' request, Staff and DWR will be providing a list of current projects under construction in the Oroville/Yuba County areas. In addition, the Mooretown Rancheria of Maidu Indians intends to be involved in the Plan Update's consultation process.

### Milestones

- DWR sent out Assembly Bill (AB) 52 consultation notices on Wednesday, April 28, 2021. Consultation notices were sent to 12 AB 52 Tribes and 44 non-AB 52 Tribes (Tribes that would consult under DWR's Tribal Engagement Policy and the California Natural Resource Agency's Tribal Consultation Policy), for a total of 56 notices to Tribes.
- The CVFPP Tribal Engagement webpage is officially live! There are a few broken links/pending items that still need to be posted, but the website is live and 98% complete. The Tribes were all given the website address below in the consultation letters.

<https://water.ca.gov/Programs/Flood-Management/Flood-Planning-and-Studies/Central-Valley-Flood-Protection-Plan/Central-Valley-Flood-Protection-Plan-Tribal-Engagement>

## **5.0 USACE/Board Sponsored Flood Risk Reduction Projects**

Staff met with DWR's Flood Protection Office (FPO) environmental staff on April 28 and May 12, 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 1 Project* – Staff coordinated with FPO environmental staff on completion of the Board Package for certification of the Supplemental Environmental Assessment/Environmental Impact Report for the American River Contract 1 Project. The project, to be implemented by the USACE, involves the installation of approximately 5,500 linear feet of bank protection along the American River. Board members will review the package for certification and consider approval at the May 28, 2021 Board meeting.
- *Sacramento River East Levee Contract 4 (SREL C4) Topography and Utility Surveys* – Staff coordinated with FPO environmental staff on the completion of the CEQA notice and supporting document for the SREL C4 Topography and Utility Surveys. Topographic surveys will be conducted to determine location of all flood protection features, and utility locations will be marked using hand tools or air and hydro vacuum excavation throughout the SREL C4 Project area. The Notice of Exemption was filed with the State Clearinghouse (SCH) on May 14, 2021.

Yuba River Basin, California Project – Marysville Ring Levee

- *Marysville Ring Levee Phases 2B, 2C, 4B, and 4C Borings* – Staff coordinated with FPO environmental staff on the completion of the CEQA notice and supporting document for the Marysville Ring Levee Phases 2B, 2C, 4B, and 4C borings. The borings will support project planning and engineering design for Phases 2B, 2C, 4B, and 4C of the project. The Notice of Exemption was filed with the SCH on May 7, 2021.

**6.0 Encroachment Permitting Assistance: Pre-Application Meetings**

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

- On April 14, 2021, staff attended a pre-application meeting with RFE Engineering, Dutton Architects, and RD 1000 to discuss the proposed construction of a single family dwelling and accessory structures located along the waterside of the Sacramento River levee at 3083 Garden Highway in Sacramento, California. Staff advised on compliance with federal and state permitting requirements pursuant to California Code of Regulations, Title 23, (Title 23) Section 133 – Supplemental Standard for Control of Residential Encroachments in RD 1000 including installation of bank revetment along an alcove that was originally carved out over 50 years ago for the docking of a houseboat.
- On April 30, 2021, staff attended a pre-application meeting with staff from Carollo and the City of Sacramento (City) to discuss the City's raw water conveyance pipeline levee crossing for the Sacramento River Water Treatment Plant Expansion Project located near Matsui Park. The proposed project involves the removal/abandonment of the old treatment plant and pipeline crossing. Staff advised on compliance with federal and State permitting requirements pursuant to Title 23, in addition to the upcoming Title 23 changes.
- On May 6, 2021, staff attended a pre-application for the Howsley Road Bridge Replacement Project with representatives from TYLIN, Sutter County, North Star, WRECO, and Wood Rodgers. The proposed project involves constructing a new bridge just south of the existing bridge. The group discussed the best pathway forward as borings are currently needed to finish the 100% design of the project. The applicant will likely file a minor alterations request for the borings following by an encroachment permit application for the bridge replacement component.
- On May 6, 2021, staff attended a pre-application meeting with consultants from KSN, Inc. to discuss the environmental permitting requirements for the construction of an agricultural pipe that would discharge drainage into the San Joaquin River within Merced County.
- On May 12, 2021, staff attended a pre-application meeting for the Southern California Gas Company (SCG) Line 103 Bridge and Pipeline Project. The purpose

of the project is to remove and relocate a portion of SCG natural gas Pipeline 103 from a pipe bridge that does not meet current seismic standards and relocate the line to a new pipe bridge approximately 100 feet to the south (centerline of existing bridge to centerline of proposed bridge).

## **7.0 Special Projects/Miscellaneous**

- Staff filed four CEQA notices with the SCH for encroachment permit projects.
- Staff commented on two 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)**

### **1.0 Property Management**

- DWR's Division of Environmental Services' staff completed an Environmental Evaluation (EE) for SSJDD Parcel No. 00937 in Sutter County on May 7, 2021. The EE is part of the approval process which will allow the Board to enter into a lease agreement with the holdover tenant. The new lease met the requirements of the Department of General Services for sole sourcing.
- DWR Real Estate staff executed a Temporary Permit for Entry onto State-Owned Land (Permit) to DWR to allow access to SSJDD Parcel No. 00024 for the Yolo Bypass Telemetry Receivers Project to maintain telemetry receivers that log the passage of fish in this area and to collect data, and for such other incidental purposes as may be required.
- DWR Real Estate staff executed a Temporary Permit for Entry onto State-Owned Land (Permit) to DWR to allow access to SSJDD Parcel No. 00024 in Yolo County. The Permit is for the Fremont Weir State Wildlife Game Area for the purpose of accessing, placing, and moving game cameras for habitat surveys; checking footage; and such other incidental purposes as may be required at multiple locations along the wetlands for nutria sightings.
- DWR Real Estate and Board staff processed an Oil and Gas Lease First Amendment (Amendment) for a "burden" reduction rate between the Central Valley Flood Protection Board and Caballero Operations, LLC (Lessee). The Amendment is for the existing Oil and Gas Lease No. 630 (Lease).
- DWR Real Estate staff provided a courtesy notice letter on behalf of the Board to the property owner, Thompson Trust, for planned channel vegetation management activities. DWR staff, on behalf of the Board, plan to perform the maintenance activities along the Sacramento Bypass and Yolo Bypass under easement deed

SSJDD Parcel no. 0006, which is located on Assessor's Parcel Number 042-270-017 in Yolo County. The purpose of these activities is to remove vegetation that blocks the water flow when the weirs are opened during high water events.