

CENTRAL VALLEY FLOOD PROTECTION BOARD

EXECUTIVE OFFICER'S REPORT

July 28, 2023



ENVIRONMENTAL AND LAND MANAGEMENT DIVISION

Status Report and Work Activities

Environmental Services Section

1.0 Delta Levee Habitat Advisory Committee (DLHAC) Meeting

Staff attended the monthly DLHAC meeting held on July 7, 2023, via online conferencing. A summary of the meeting is provided below:

Delta Stewardship Council (DSC):

The Delta Levees Investment Strategy (DLIS) is still working its way through the rule-making process. The package is currently at the Office of Administrative Law (OAL). OAL requested additional clarifying changes to the language, so DSC staff have made those changes and have posted them to the DSC website for a 15-day public comment period. The key change was to the language regarding annual reporting requirements the Department of Water Resources (DWR) would be submitting to DSC. The change requires DWR to report on all discretionary State funding distributed or provided by DWR without specifically calling out operation, maintenance, repair, rehabilitation, replacement, and improvement projects. DSC staff hopes to bring the DLIS before their Council in July.

DSC staff is working to respond to comments from their Delta Adapts Stakeholder Workgroup meeting and incorporating them in the development of the Adaptation Strategy. DSC hopes to finalize the strategy report by the end of the year. A methodology and metrics report is available for review.

DSC is continuing to work with DWR to process the 2017 LiDar data to update the Levee Standard Mile Analysis. As previously reported, the 5-year assessments are consistent with what DWR would be analyzing, therefore the scale of analysis will be pared down. DWR will conduct an analysis on Reclamation District (RD) levees that did not submit a 5-year plan to DWR.

Department of Water Resources (DWR) Delta Emergency Operations:

DWR staff are closing out Delta Flood Emergency Response Grant Program – Round 1 agreements; Round 2 are 50% complete; Round 3 agreements are still being developed.

The Flood Operations Center is no longer activated. DWR staff is developing lessons learned on how to improve future activations.

DWR Delta Levees Program (DLP):

DWR staff are reviewing the full proposal submissions for the Special Flood Control Projects Project Solicitation Package. They estimate that the list of awardees will be determined by late Summer.

The Delta Ecosystem Enhancement (DEE) is working on filling a Senior Environmental Scientist position vacated by Randy Meager. DEE staff is continuing to work on advanced programmatic mitigation projects.

California Department of Fish and Wildlife:

CDFW and DWR met to discuss the new Project design for the Grizzly Slough Floodplain Project and how to incorporate a 30-acre mitigation site.

CDFW received notification for site specific Section 1600 at Medford Island for the placement of rip rap at multiple locations around the District. CDFW also consulted with Brannan-Andrus on a new site specific Section 1600 for the Sacramento River Erosion Project.

CDFW is working with the Suisun Resource Conservation District to perform nutria surveys on Grizzly Island, Joyce Island, and Sherman Island. To date ten individuals were caught on Grizzly Island and 18 on Sherman Island with no new detections.

District Engineers' Update:

Some RDs are waiting for river levels on the San Joaquin to recede to perform any levee maintenance work. Others are waiting for nesting bird season (typically August 31st) to conclude to perform any summer levee projects.

2.0 Delta Levee MOU Working Group

Staff attended the Delta Levees MOU Working Group meeting on June 19th. The meeting is summarized below.

DWR reaffirmed that until it received significant funding stream through an approved Bond measure for FY 24/25 and on, DWR will be submitting a Budget Change Proposal for funding annually.

Six concept proposals were invited to submit a full application for DWR's Project Solicitation Package for Multi-Benefit Projects (PSP). DWR will be evaluating the submissions and ranking the proposals. The new FY budget may have additional money; the PSP will be re-noticed with the correct funding information. Proposals were a

combination of Phase 1 projects which are for planning, design, and permitting expenses and Phase 2 projects for construction, mitigation, and close-out.

DSC staff indicated that the Delta Levees Investment Strategy regulations will go live in early July. Once they become available, the MOU Working Group will need to draft the Project Management Plan. DWR is currently drafting guidelines for its annual reporting to DSC. The initial report will include results from FY19/20 through FY22/23. DWR will submit the report by November 1st, with a presentation to DSC shortly afterwards.

DWR met with USACE to discuss the update to the '92 Special Study. USACE will be assessing the project's needs (i.e., workload and costs) in order for DWR to complete their Scope of Work with the funds available. DWR is discussing with USACE on how to redo the gage adjustment, since it was determined that the original methodology used may not have been correct. Once funding is allocated from DWR, the USACE will develop the modeling and water surface profiles.

DWR, with funding from DSC, is conducting a levee prism analysis based on the 2017 LiDar data. DWR will be using data from the Reclamation District's 5-year plans that are available. DWR hopes to have the analysis completed by the end of summer.

DSC held its Delta Adapts Stakeholder Workgroup meeting recently. DSC staff are in the process of QA/QC of its preliminary results for Delta benefits, if all the projects mentioned in the 2022 Central Valley Flood Protection Plan Update were implemented.

3.0 USACE/Board Sponsored Flood Risk Reduction Projects

Staff met with DWR's Flood Projects Branch (FPB) environmental staff by video conferencing on June 7, 2023 and June 26, 2023. In addition to the meetings, the following activities occurred during the reporting period:

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

- **American River Contract 4A** – The American River Contract 4A Project proposes to construct an armored berm approximately 100 feet wide on the water side of the levee near River Mile 2.0 and upstream of Jedediah Smith Memorial Bike Trail's undercrossing of the California State Route 160 bridges.

Board staff began coordinating with DWR FPB staff on a Notice of Exemption for Geotechnical, Environmental, Archeological, Topographic, and Utility Surveys for the American River Contract 4A project.

- **American River Contract 2** – The American River Contract 2 (ARC2) Project proposes installation of approximately 8,148 linear feet of levee erosion protection

along the American River. The ARC2 Project also includes the installation of riparian planting benches and in-stream woody material to provide on-site habitat mitigation for fish and wildlife species at three off-site mitigation sites including one mitigation site at William B. Pond Recreation Area, and two sites and Rossmoor Bar.

Board staff began coordinating with DWR FPB staff on an Addendum for the ARC2 Project. The purpose of the Addendum is to record and evaluate changes and potential environmental impacts related to using an additional staging area between Guy West Bridge and Howe Avenue.

4.0 Encroachment Permitting Assistance: Pre-Application Meetings

Staff attended eleven pre-application meetings during this reporting period. The meetings are summarized below.

- On June 14, 2023, staff attended a pre-application meeting for the Ellis Road Bridge Replacement over Simmerly Slough Project (PAM2023084) in Yuba County. The purpose of the project is to replace the existing hydraulically deficient bridge with either a single span bridge, pre-cast pre-stressed slab or a cast in place reinforced concrete slab. The new bridge will feature a soffit elevation of 1.6 feet above the 100-year Water Surface Elevation (WSE) and may require a request for a waiver or variance to Title 23 Section 128 standards for bridges. Board staff discussed the Title 23 standards applicable to the hydraulic and design details of project. Caltrans is preparing the Environmental Assessment/Initial Study, anticipated to be complete in the Fall of 2024. The applicant expects to submit an encroachment application in the Fall of 2023. Construction is anticipated for Spring or Summer of 2025.
- On June 14, 2023, staff attended a pre-application meeting for the Three Rivers Improvement Agency (TRLIA) 500-Year Climate Resiliency Project (PAM2023075). The Applicant proposes to mitigate flood risk and build resiliency to climate change into the levees that surround RD 784 from flooding from the Yuba River, Feather River, Bear River, and Western Pacific Interceptor Canal (WPIC) by increasing the level of protection to a minimum of 300-year (approximate) level for all of the urban portion of the RD 784 levees which protect approximately 46,000 residents. The project also benefits a number of repetitive loss structures identified by FEMA, as well as the disadvantaged communities of Linda and Olivehurst. Current design efforts are being performed under a DWR grant that is cost shared between TRLIA and Yuba Water Agency, and expires early summer 2024. The applicant has applied for a Building Resilient Infrastructure and Communities (BRIC) contract through the Federal Emergency Management Agency (FEMA), which would make them the federal lead agency. BRIC grant funding has a 36-month time horizon once granted; however, it is anticipated to be expanded to 48 months. USACE will provide the Section 408 permission risk assessment guidance and the applicant's consultant will consider this along with the revised manual on the design and construction of

leveesThe Applicant filed a Final Environmental Impact Report (EIR) with the State Clearinghouse for the project on May 4, 2022. Construction window is estimated to be one year with a target start date of Spring 2025.

- On June 14, 2023, staff attended a pre-application meeting for the Richland Communities (PAM2023091) in Yolo County. The purpose of this project is to authorize the build-out of 27 home lots that will be sold to a future home builder. The structural lots and various improvements have already been constructed under Board Permit Numbers 14389, 14389-A, and later revised permit ownership under Richland Communities by 14389-1. This meeting was to clarify what supporting documentation is required for the full encroachment permit application. Since the previous PAM with Richland Communities in 2022, an updated biological and cultural survey was completed. USACE 408 staff will be investigating the riparian area to confirm whether consultation for Valley Elderberry Longhorn Beetle is required; a Biological Assessment will be required for Section 7 Endangered Species Act compliance, depending on those survey results. USACE 408 staff recommended that the Cultural Resources Report encompass all 27 lots to streamline Section 106 consultation. Future homeowners will need to come back to the Board and USACE for an individual encroachment permit, if any improvements outside of the generic home plans Richland Communities have designed are planned.
- On June 14, 2023, staff attended a pre-application meeting with the Center for Land-Based Learning to discuss the Cache Creek Riparian Restoration (PAM2023092) in Yolo County. The purpose of this project is to remove invasive species through prescribed burns and herbicides, plant riparian vegetation species, and install an interpretive trail. No CEQA lead agency has been identified. Board staff suggested following up with the County. Board permitting staff recommended analyzing the hydraulic effect of the mature vegetation in the hydraulics analysis, as well as a long-term maintenance plan. USACE 408 staff recommended the applicant look at the USACE's Engineer Pamphlet 1110-2-18 to review the guidelines for vegetation planting and management at levees, floodwalls, embankment dams, and appurtenant structures.
- On June 21, 2023, staff attended a pre-application meeting with DWR to discuss the Colusa Bypass Sediment Removal and Storm Damage Erosion Repair (PAM2023095) Project in Colusa County. The purpose of this project is to remove sediment from the Colusa Bypass, place it in the designated spoil sites within the bypass, raise the bypass levees to as-built grade, restore wave wash protection for the waterside slope of the north bypass levee, and add a permanent fix to the erosion (through seepage) site by rebuilding the levee. An emergency repair was conducted by DWR Sutter Maintenance Yard after the January 2023 storm damage, but this project will address a more permanent remedy. It was noted in a previous meeting

on March 17, 2023 that the placement of the spoil would require a 408 permission. Currently this work is not eligible for PL84-99 funding due to its inactive status and all costs will be covered by DWR. USACE 408 staff recommended reviewing Engineer Manual 1110-2-1601 for the sizing of revetment. If borings are required, USACE 408 staff recommended that the scope of the cultural report for Section 106 compliance be discussed their dedicated 408 cultural staff. An IS/MND is planned for compliance with CEQA. This project is in its conceptual design phase; once 65% plans are complete, DWR will request an additional PAM.

- On July 5, 2023, staff attended a pre-application meeting for the PG&E L-172A L116 River Crossings Replacement Project (PAM 2023102). The project proposes replacement and subsequent decommissioning of the existing Line 172A and Line 116 pipeline crossings of the Sacramento River near the Highway 50 Bridge in Sacramento, California. Pipeline replacement would involve installation of two new 16-inch diameter utility transmission pipelines under federal levees on both sides of the Sacramento River using horizontal directional drilling (HDD) and trenching techniques. Replacement of Line 172 A will involve installing 1600 feet of pipeline using HDD, and 500 feet of pipeline by trenching. Replacement of Line 116 will involve 1200 feet of pipeline using HDD, and 500 feet of trenching. After installation of the replacement pipelines the existing pipeline crossings would be decommissioned. The California State Lands Commission will issue a lease amendment for the property and prepare the CEQA document as the Lead Agency. Construction is planned for 2025.
- On July 5, 2023, staff attended a pre-application meeting for the Scott Kinney, Septic Garden Highway Project (PAM2023101). The project proposes to construct a septic tank on the waterside of a Garden Highway property. The project includes a utility line approximately 2 to 3 inches wide into the landside and through the levee. Board engineering staff discussed the Title 23 standards applicable to the project. USACE 408 staff discussed the engineering details of the project and requested 1) Levee Cross sections of the levee prism. USACE 408 staff also encouraged the applicant to reach out to staff with the Water Surface Elevation and Ordinary High Water Mark at the project location, which would determine whether a regulatory 404 permit is required.
- On July 12, 2023, staff attended a second pre-application meeting for the Three Rivers Levee Improvement Authority (TRLIA) Goldfields Climate Resiliency Project. TRLIA submitted the Feather River Drilling Program Plan minor alteration request for 7 borings to the Board on May 23, 2023. Since the submittal, USACE has updated guidance (EM-1110-1-1807) for DIPPs (formerly DPPs). The group discussed any concerns with the package submittal as is it was prepared prior to the recent guidance. USACE staff confirmed that they are working towards developing a programmatic approval for the project. Applicant noted that they intend to begin the

preparation of the environmental and cultural review in advance. The group has elected to meet in person to discuss a programmatic agreement for a drilling program plan for the project. The applicant inquired as to whether construction encroachment permit package can be submitted as one package with a request that USACE reviews portions of the applications separately. USACE 408 staff recommended that the portion of the application (levee cutoff wall) that needs to go to Headquarters be submitted as its own application. This would reduce the overall review burden on some of the project elements and would streamline the process.

- On July 12, 2023, staff attended a pre-application meeting for a dwelling on a raised foundation for Val and Jack Phelps (PAM2023104). The Board Permitting Section Chief reviewed Title 23 requirements for building dwellings within Designated Floodways. Board environmental staff reviewed CEQA compliance and how to properly complete the 3615a Environmental Questionnaire portion of the encroachment application. Board permitting engineering staff discussed what should be included in the encroachment application, including all encroachments such as domestic well, utilities, pipelines, fences, and a hydraulic blockage calculation.
- On July 12, 2023, staff attended a pre-application meeting the Rancheria Road over Middle Creek Bridge Replacement Project (PAM2023099) in Lake County. The project proposes to rehabilitate the bridge by adding new supports within the channel. The replacement of the supports will have an effect on the Water Surface Elevation based on the preliminary hydraulic analysis conducted in May 2023 by HDR. The rehabilitated bridge will reduce backwater by 0.1 foot, and provide 1.5 feet freeboard, which exceeds Caltrans/FHWA standards, but does not meet Title 23 standards for 3 feet of freeboard. Board permitting staff discussed the waiver or variance request process that may occur, due to the project not meeting the freeboard standard in Title 23. Board staff noted that the bridge is associated with Board Permit No. 11465. USACE 408 staff requested a real estate report including a map showing ownership and the footprint of the APNs. Formal encroachment application package is expected be submitted in early 2024 and construction is anticipated to be completed within one summer season in 2025.
- On July 12, 2023, staff attended a pre-application meeting for the City of Redding's Trail Repair 2017 Storm Damage Project (PAM2012103). The project proposes to reconstruct existing trails and stream banks along the levee which were impacted by winter storm damage in 2017. The City of Redding identified 26 locations that require repair below the Shasta Lake Dam. Board staff asked about the timeline for construction and suggested that the project might be split into multiple projects to allow the maintenance work to proceed more quickly. The city also prepared a Mitigated Negative Declaration for the project, which will be submitted with the application or maintenance request.

5.0 CEQA Compliance

- Two Notices of Exemption (NOEs) and five Notices of Determination (NODs) were filed with the State Clearinghouse (SCH) for encroachment permit issuance.
- Two NOEs were filed with the SCH as the Lead Agency related to utility encroachments for Board Sponsored projects.
- One NOD was filed with the SCH as the Responsible Agency related to utility encroachments for Board Sponsored projects.
- Two no project finding was made related to a name change.
- One no project finding was made related to a project initiation no objection letter.
- One no project finding was made related to a Board administrative action.
- One no project finding was made for a project partnership agreement.

6.0 Tribal Engagement

- On July 13, 2023, Board staff attended the 56th Annual Native American Day Volunteer Committee Meeting. The purpose of this meeting was to coordinate with other agencies in preparing for the upcoming CA Native American Day which will tentatively take place in the Capitol Park on September 22, 2023. The meeting discussed the logistics involved in preparing for the event and provided staff with contact information for volunteering for the event. Staff also attended the monthly CNRA Tribal Liaison Meeting which included coordination with CNRA agencies for the CA Native American Day event, as well as updates from several of the CNRA Tribal Working Groups.

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

1.0 Flood Risk Reduction Projects

Marysville Ring Levee Project - Yuba River Basin California Project

- *Phase 3:* DWR Real Estate staff, on behalf of the Board, executed three (3) Agreements for Alteration of Owner's Facilities between the SSJDD and private landowners for the purpose of reimbursing the private landowners for costs associated with reinstalling fencing on their property in Yuba County.

2019 PL84-99 Emergency Levee Rehabilitation

- *Repair Sites 0561-03 and 0561-04:* DWR Real Estate Staff, on behalf of the Board, executed a Real Estate Certification Package to allow the U.S. Army Corps of Engineers' contractor to access and perform construction activities in Yolo County.

Lower San Joaquin River Levee Implementation Project

- *Site TS30L:* DWR Real Estate Staff, on behalf of the Board, executed a License Agreement between the SSJDD and Elmwood Partners, LP (Owner) for access to Owner's property for the purposes of vegetation removal in San Joaquin County.