

MINUTES
MEETING OF THE CENTRAL VALLEY FLOOD PROTECTION BOARD
October 23, 2015

NOTE: THE BOARD WILL CONSIDER TIMED ITEMS AS CLOSE AS POSSIBLE TO THE LISTED TIME, BUT NOT BEFORE THE TIME SPECIFIED. UNTIMED ITEMS MAY BE HEARD IN ANY ORDER. THESE MINUTES ARE PRESENTED IN AGENDA ORDER, BUT ITEMS WERE NOT NECESSARILY HEARD IN THAT ORDER.

A regular meeting of the Central Valley Flood Protection Board was held on October 23, 2015, beginning at 9:08 a.m. in The Resources Building Auditorium, 1416 Ninth Street, Sacramento, California.

Board Members present:

Mr. William H. (Bill) Edgar, President
Ms. Emma Suarez, Vice President
Ms. Jane Dolan, Secretary
Mr. Clyde Macdonald
Mr. Tim Ramirez
Mr. Mike Villines

Board member absent:

Mr. Joe Countryman

Board staff present:

Ms. Leslie Gallagher, Executive Officer
Mr. Eric Butler, Chief, Planning and Environmental Branch
Ms. Mitra Emami, Chief, Operations Branch
Mr. Michael Wright, Chief, Enforcement Section
Ms. Amber Woertink, Board Analyst
Ms. Nicole Rinke, Board Counsel

Department of Water Resources (DWR) staff present:

Ms. Sara Denzler, Environmental Scientist
Ms. Sandy Maxwell, Senior Engineer
Mr. Mike Mierzwa, Chief, Flood Planning Office
Mr. Eric Tsai, Staff Engineer

Also Present:

Mr. Gilbert Cosio, MBK Engineers
Ms. Alicia Kirchner, United States Army Corps of Engineers
Ms. Rhiannon Kucharski, United States Army Corps of Engineers

1. ROLL CALL

Ms. Amber Woertink, Board Analyst, called the roll and a quorum was achieved.

2. APPROVAL OF MINUTES – August 28, 2015 Board Meeting

Upon motion by Secretary Dolan, seconded by Board Member Macdonald, the Board unanimously approved the August 28, 2015 Meeting Minutes.

3. APPROVAL OF AGENDA

President Edgar remarked that Item 4B on the Consent Calendar is to be removed from the agenda and will be re-scheduled at some future meeting.

Upon motion by Secretary Dolan, seconded by Board Member Macdonald, the Board unanimously approved the Agenda with this change noted above.

4. CONSENT

A. Permit No. 19041, Stanislaus County

Consider approval of Permit No. 19041 to replace the Santa Fe Avenue Bridge over the Tuolumne River; work includes a roadway north and south of the bridge.

Upon motion by Secretary Dolan, seconded by Board Member Macdonald, the Board unanimously approved Item 4A.

B. Cease and Desist Order issued to James Silveria, Enforcement Action No. 2014-790

Approve a Cease and Desist Order for Enforcement Action No. 2014-790 issued to Mr. James Silveria. The Cease and Desist Order requires the removal of various noncompliant encroachments placed on the levee or within the Sacramento-San Joaquin Drainage District flood protection easements adjacent to the San Joaquin River at 1672 W Bowman Road, French Camp, California.

(This item was been removed from the Agenda.)

5. PUBLIC COMMENTS - None

6. BOARD STAFF INFORMATIONAL ITEMS

A. Chief Engineer's Report

A written report was distributed. There were no questions about the Report.

B. Proposed 2016 meeting dates

The proposed 2016 Board Calendar was introduced and will be formally adopted in November or December.

7. DWR INFORMATIONAL ITEMS

A. Summary of the Central Valley Flood Protection Plan (CVFPP): Draft Conservation Strategy public comments

Ms. Sara Denzler, DWR Environmental Scientist, summarized the Draft Conservation Strategy October 9 Workshop and answered Board Member questions. About 400 public comments were received from approximately 15 entities that ranged from federal, State, and local agencies, environmental, agricultural, and flood management organizations, and other interested parties. Some comments were specific technical suggestions, while others focused more on policy, integration of the Conservation Strategy into the 2017 Central Valley Flood Protection Plan or flood project implementation. The comments are now posted on the DWR website water.ca.gov/conservationstrategy.

B. Out-brief from USACE scoping charrette for the Sacramento River General Reevaluation Report

Mr. Eric Tsai, DWR Staff Engineer, and Ms. Rhiannon Kucharski, United States Army Corps of Engineers (USACE), provided the briefing and answered Board Member questions. The report, which is in its beginning stage, is a partnership of the Board, USACE and DWR. It is a system-wide study looking at a system scale planning area, instead of focusing on an individual localized reach. It is multi-purpose looking at both flood risk management and ecosystem restoration opportunities. And unlike Central Valley Integrated Flood Management Study, which is a reconnaissance watershed study, this is at a feasibility study level of analysis. So this will lead to development of a Chief's Report in

which federal interest will be determined and an authorized project can be approved by the U.S. Congress for construction.

8. REQUESTED ACTION

A. 2015-16 Delta Levee Maintenance Subventions Program

Consider approval of the DWR-recommended funding allocation plan under the Delta Levee Maintenance Subventions Program for FY 2015-16.

Ms. Sandy Maxwell, DWR Senior Engineer, gave the presentation and concluded with the staff recommendation of \$12 million for Fiscal Year 15-16 and authorization to begin working on the work agreements. She stated that the guidelines for this program will be reviewed for revision. She also answered Board Member questions.

Mr. Gilbert Cosio, MBK Engineers, encouraged the Board to approve the program recommendations for this year and the efforts to review and improve the Program.

Upon motion by Vice President Suarez, seconded by Board Member Villines, the Board unanimously approved the staff recommendation.

9. DISCUSSION WITH POSSIBLE ACTION – None

10. BOARD COMMENTS AND COMMITTEE UPDATES

Vice President Suarez congratulated everyone involved in the Knights Landing Outfall Gates event and project as a fine example of “when there is a will, there is a way.”

President Edgar remarked that both he and Board Member MacDonald had attended the recent Pocket-Greenhaven public meeting that was organized by the City of Sacramento that was a discussion of the levee, fences and encroachments.

11. UPCOMING MEETING AGENDA(S) AND TOPICS FOR THE BOARD

Board Members discussed proposed items for the November 2015 meeting.

12. CLOSED SESSION - None

- A. To discuss litigation (Hardesty et. al. v. Sacramento Metropolitan Air Quality Management District et. al; United States District Court, Eastern District of California - Sacramento Division Case No. 2:10-cv-02414-GEB-JFM) pursuant to Govt. Code section 11126(e)(1).**

B. To discuss litigation (Central Valley Flood Protection Board v. Lino Catabran, Sacramento Superior Court Case No. 34-2013-142003) pursuant to Govt. Code section 11126(e)(1).

C. Pursuant to the authority of Government Code section 11126, subdivisions (e)(1), (e)(2)(B)(i), and (e)(2)(C)(i), the Board will meet in Closed Session to consider potential litigation involving the Board.

13. CLOSED SESSION REPORT - *None*

14. ADJOURN-REGULAR BOARD MEETING

The Board unanimously adjourned the Open Session at 10:27 a.m.

Dated: _____

The foregoing Minutes were approved:

Jane Dolan
Secretary

William H. Edgar
President