

# MINUTES

## MEETING OF THE RECLAMATION BOARD

**December 17, 2004**

A regular meeting of The Reclamation Board was held on December 17, 2004 beginning at 9:00 a.m. in the Resources Building Auditorium, 1416 Ninth Street, Sacramento, California.

The following members of the Board were present:

Betsy Marchand, President  
Tony Cusenza, Vice President  
Bill Edgar, Secretary  
Burt Bundy, Member  
Jeff Mount, Member  
Floyd Weaver, Member

The following members of the staff were present:

Peter Rabbon, General Manager  
Stephen Bradley, Chief Engineer  
Scott Morgan, Counsel  
Lori Buford, Staff Assistant

Department of Water Resources staff present:

Les Harder  
Richard Marshall  
Jeff Fong  
Scott Martin  
Don Strickland  
Tracy Hinojosa  
Gary Lemon  
Dave Lane

Also present (according to sign-in sheet and cards):

Mr. Kent McCain, Yuba Co. Administrator, Three Rivers Levee Improvement Authority (TRLIA)  
Mr. Thomas Foley, Homeowner  
Mr. Erwin Hayer, Rio Linda/Elverta CPAC and Chambers  
Mr. Randy Margo, TRLIA  
Ms. Amy Akins, HDR  
Mr. Scott Shapiro, TRLIA  
Mr. Mark Traver, Mortgage Homes

Mr. Richard Webb, RD 784, TRLIA  
Mr. Tom Soto, Soto Land Consultants  
Mr. David Ford, Ford Construction Engineers  
Mr. Mark Charleton, U.S. Army Corps of Engineers (Corps)  
Mr. Gary Hester, Ford Construction Engineers  
Ms. Teri Lee, Corps  
Mr. Ric Reinhardt, MBK Engineers  
Mr. Sean Rawson, BIA  
Ms. Mary Keller, Sutter County  
Mr. Ken Myers, HDR  
Mr. James Baker, Corps  
Ms. Diane Foles, RD 1001  
Mr. Randy Collins, Reynen & Bardis  
Ms. Dorale Spalding, DR Morton  
Mr. Ronald Stork, Friends of the River  
Mr. Don Schrader, Yuba County Supervisor  
Mr. Dan Logue, Yuba County Supervisor  
Ms. Mary Jane Griego, Yuba County Board of Supervisors  
Mr. Joe Countryman, MBK Engineers  
Mr. Gary Nuss, CH2M Hill, Natomas Water Agency  
Mr. Randy Margo, TRLIA  
Mr. Alan Waltner, Empire Land, LLC

**1. ROLL CALL**

*President Betsy Marchand brought the meeting to order at 9:00 am. All Board members were in attendance except for Gloria Morales.*

**2.\* APPROVAL OF MINUTES – November 19, 2004**

*Upon motion by Mr. Edgar, seconded by Mr. Bundy, the Board approved the minutes for November 19, 2004 with six votes. President Marchand abstained since she was not at that meeting. .*

**3.\* APPROVAL OF AGENDA**

*Upon motion by Mr. Cusenza, seconded by Mr. Mount, and unanimously carried, the Board approved the agenda as presented.*

**4. PUBLIC COMMENTS**

*There were no Public Comments.*

**5. REPORT OF ACTIVITIES OF THE DEPARTMENT OF WATER RESOURCES (Mr. Les Harder)**

*Mr. Les Harder, Chief of the Division of Flood Management, presented the Department of Water Resources report activities. (The report is attached hereto and made a part of these minutes.)*

**CONSENT**

**6.\* CONSENT CALENDAR**

*None.*

*There were no Consent Items.*

**REQUESTED ACTIONS**

**7.\* PROJECT OR STUDY AGREEMENTS**

*None.*

*There were no Project or Study Agreement Items.*

**8.\* APPLICATIONS**

Application No. 17782, Three Rivers Levee Improvement Authority, Yuba County (Steve Bradley) (continued from November meeting)

Consider approval of Application No. 17782 to raise and strengthen right bank levees along the Western Pacific Interceptor Canal and Bear River and to construct a backup levee to the lower Bear River below Highway 70.

*Mr. Steve Bradley, Chief Engineer for the Board, presented this item to the Board. This application is for improvements along the Bear River and Western Pacific Interceptor Canal. The Board also heard testimony from Mr. Mark Charlton, Corps; Mr. Kent McClain, TRLIA; Mr. Don Schrader, Yuba County Administrator; Ms. Mary Jane Griego, Yuba County Board of Supervisors; Mr. Joe Countryman, MBK Engineers; Mr. Tom Foley, Concerned Citizens for Responsible Growth; and Mr. Ron Stork, Friends of the River.*

***Upon motion by Mr. Bundy, to approve Application No. 17782 with staff recommendation that the permit be issued subject to a condition that the issue of increased human habitation in the floodplain be addressed as described in Special Condition 13 of the draft permit. Upon motion by Ms. Marchand, to approve Application No. 17782 and develop an "Ad Hoc Committee" (between Board, Board staff and locals) to resolve issues of Condition 13 of the draft prmit.***

**Yes**

**Burt Bundy  
Tony Cusenza  
Floyd Weaver  
Jeff Mount**

**No**

**Bill Edgar  
Betsy Marchand**

***Mr. Rabbon requested direction from the Board of how to proceed. Upon motion from Mr. Bundy, seconded by Mr. Mount, and unanimously carried, the Board approved to form an "Ad Hoc Committee" (noticed meetings) made up of staff from both the Board and Yuba County Three Rivers Authority.***

**9.\* ENFORCEMENTS**

None.

*There were no Enforcement Items.*

**10.\* COVENANTS (Mr. Steve Bradley)**

Consider approval of Resolution No. 04-22 requiring that a covenant running with the land be obtained for all property located within an adopted plan of flood control as a condition of Board approval of a new, revised, or modified encroachment permit.

***Upon motion by Mr. Cusenza, seconded by Mr. Mount, and unanimously carried the Board approved Resolution No. 04-22. This Resolution approved requiring a covenant for property located in the floodway.***

## **INFORMATIONAL BRIEFINGS**

### **11. Status Report on City of Tehama Flood Damage Reduction Project (Mr. Gary Lemon)**

*Mr. Gary Lemon, DWR, in conjunction with Mr. Stan Wahl, Corps' Project Manager, provided a briefing on the status of the Tehama Project, which is a Section 104 Project.*

## **BOARD REPORTS**

### **12. REPORT OF ACTIVITIES OF THE GENERAL MANAGER (Pete Rabbon)**

*Mr. Rabbon reported on a number of upcoming issues and meetings: 1) AB 1983 - Central California Flood Control Association has asked that we hold workshops; 2) Directory of Flood Control Officials - has been updated and distributed to mailing list; 3) DWR Brochure - request the Board's feedback; 4) Sacramento Area Flood Control Agency - media event to be held regarding the ability to buy flood insurance in some areas of Sacramento at a reduced rate; 5) White Paper from Downey Brand - "Proposal for Revisions to California Central Valley Flood Control System", their particular paper recommends expanding the authority of the Board; 6) River Islands Project - work is continuing between applicant and the Board. The Board recently received a letter from the Corps (from their headquarters) notifying us that Stewart Tract requires an EIS for their permit; 6) Woodland Study - project has been suspended due to further funds (\$440,000) being needed. Letter has been sent to the locals stating the State does not have any further money and if they want to pursue the study, the locals will have to provide the funding; and 7) Kaweah Project - we are having some appraisal difficulties. However, we have cooperatively agreed among the locals, State and Corps to have a third appraiser become involved;*

### **13. BOARD COMMENTS AND COMMITTEE REPORTS**

*There were no Board Comments and Committee reports.*

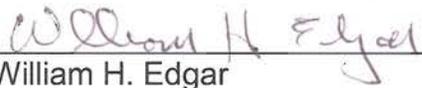
**14. ADJOURN**

*There upon the California Reclamation Board meeting adjourned at 12:05 p.m.*

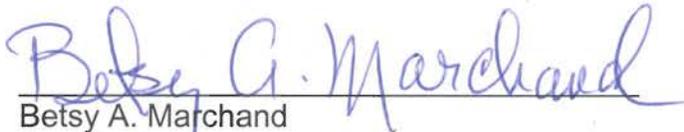
**15. DELTA LEVEE SUBCOMMITTEE MEETING, ROOM 131**

*The Delta Levee Subcommittee adjourned to room 133 to continue meeting on the Delta Levee subventions Program.*

Dated: February 18, 2005

  
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William H. Edgar  
Secretary

The foregoing minutes were approved:

  
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Betsy A. Marchand  
President