

MINUTES

MEETING OF THE RECLAMATION BOARD

February 18, 2005

A regular meeting of The Reclamation Board was held on February 18, 2005 beginning at 8:30 a.m. in the Resources Building Auditorium, First Floor, 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
Floyd Weaver, Member
Jeff Mount, Member

The following members of the staff were present:

Peter Rabbon, General Manager
Stephen Bradley, Chief Engineer
Scott Morgan, Counsel
Susan RyCroft, Staff Assistant

Department of Water Resources staff present:

Les Harder
Richard Marshall
Mike Mirmazaheri
Mike Petersen
Ricardo Pineda
Robert Crane
Sterling Sorenson
Jeff Fong

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

Mr. Kent McClain, Yuba County Administrator, Three Rivers Levee Improvement Authority (TRLIA)
Mr. Thomas Foley, Concerned Citizens for Responsible Growth
Dr. Dale Smith, Concerned Citizens for Responsible Growth
Mr. Don Schrader, Yuba County Board of Supervisors
Ms. Eileen Gallagher, Stone & Blomberg
Mr. Tom Johnson, Field and Rolak
Mr. James Gomes, EDS
Mr. Ken Garner, EDS
Mr. Ken Myers, HDR

Mr. Tom Soto, Soto Land Company
Mr. Eustace Douglas Jr., Landowner
Mr John Hess, U.S. Army Corps of Engineers (Corps)
Mr. Seth Merevitz, McDonough, Holland & Allen
Ms. Angelique Huttonhill, Landowner
Mr. Douglas Udell
Mr. Mark Traver, Meritage Homes
Mr. Steve Sutton, Miller Holdings
Mr. Larry Petersen, Mathew Homes
Ms. Roberta Clinders, EDAW
Ms. Linda Finley-Miller, Corps
Mr. Ron Muller, Corps
Mr. Ric Reinhardt, MBK Engineers
Mr. Eric Nagy, Corps
Mr. James Baker, Corps
Mr. Henri Molder, Corps
Ms. Teri Lee, Corps
Mr. Butch Hodgkins, SAFCA
Mr. Scott Shapiro, TRLIA
Mr. Brian Spilman, Lake Management
Mr. Randy Collins, R&B
Mr. Al Franzoia, Matthews Homes
Ms. Kristina Davis, Ryland Homes
Mr. Chad Kiltz, Ryland Homes
Ms. Frances Knight, Forecast Homes
Mr. Frank Guidi, Forecast Homes
Mr. Curt Aikens, Yuba County Water Agency
Ms. Courtney McAlister, Forecast Homes
Mr. James Gomes, Economic & Planning Systems
Mr. Richard Webb, TRLIA
Mr. Tom Johnsen
Mr. Dave Dolter
Ms. Pat Beecham, Yuba County OES
Mr. Derek Spalding
Mr. Jeff Penstein, Homes by Towne
Mr. William Turpie, Granite Bay Development Company
Mr. John Carroll, Corps
Mr. Ronald Stork, Friends of the River
Ms. Mary Jane Griego, Yuba County Board of Supervisors
Mr. Randy Margo, Yuba County

1. ROLL CALL

President Betsy Marchand brought the meeting to order at 8:30 am. All Board members were in attendance except for Gloria Moralez.

Immediately following Roll Call the Board entered into a closed session.

**2. CLOSED SESSION - Discuss the status of pending litigation
(Government Code section 11126 (e)(B)(i))**

The Board reconvened into open session.

3.* APPROVAL OF MINUTES – December 17, 2004 and January 21, 2005

Upon motion by Mr. Cusenza, seconded by Mr. Weaver, and unanimously carried, the Board approved the minutes for December 17, 2004 with corrections on page 2 (typo) and January 21, 2005 as presented.

4.* APPROVAL OF AGENDA

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

5. PUBLIC COMMENTS

Mr. Eustace Douglas, Jr., landowner, presented concerns he had regarding a Public Records Act request.

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

Dr. 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

7.* CONSENT CALENDAR

- A. Upper Sacramento Levee Reconstruction Project (*Gary Lemon*)
Completed Flood Control Project

Consider acceptance of completed work from the U.S. Army Corps of Engineers at Site D of the Sacramento River Flood Control Project, California, Upper Sacramento Area, Phase V, from Levee Mile (LM) 26.9 to LM 27.4 in the Sacramento River West Side Levee District (SRWSLD) and transfer operation and maintenance responsibility for the completed work to SRWSLD.

- B. Easement Deed – Sacramento Regional County Sanitation District
(*Jeff Fong*)

Consider granting a tunnel easement to the Sacramento Regional County Sanitation District for the northern crossing of the Sacramento River for the Lower Northwest Interceptor Project in the City of West Sacramento, Yolo County.

Upon motion by Mr. Edgar, seconded by Mr. Mount, and unanimously carried, the Board approved the Consent Calendar as presented.

REQUESTED ACTIONS

8.* PROJECT OR STUDY ACTIVITIES

- A. Corps briefing on Yuba County Flood Issues (*NOT AN ACTION ITEM*)

Mr. Ron Muller, Corps' Sacramento District, provided a briefing on Yuba County flood issues. (NOTE: This is not an action item, it is a briefing only.) The Board also heard testimony from Mr. John Hess, Corps; Ms. Linda Finley-Miller, Corps; Mr. Eric Nagy, Corps; and Mr. Ron Muller, Corps.

- B. Yuba River Basin Project (*Robert Crane*)

Consider approval of Resolution No. 05-02 to:

Submit a letter from The Reclamation Board to the U.S. Army Corps of Engineers in support of Yuba County Water Agency's request of the

federal government to grant credit for work that will be provided by YCWA in anticipation of the Yuba River Basin Project.

Mr. Robert Crane, DWR Project Engineer, provided the status of the Yuba River Basin Project and requested approval of Resolution No. 05-02. The Board also heard testimony from Mr. Curt Aikens, Yuba County Water Agency and Mr. Jim Baker, Corps.

Upon motion by Mr. Edgar, seconded by Mr. Cusenza, and unanimously carried, the Board approved Yuba County Water Agency's request for Section 104 credit and Resolution No. 05-02 as presented.

9.* PROPERTY MANAGEMENT

None.

There were no Property Management items.

10.* APPLICATIONS

- A. Application No. 17782, Three Rivers Levee Improvement Authority, Yuba County (Steve Bradley) (continued from January 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. Bill Edgar, Secretary for the Board, provided a status report from the Subcommittee meetings held in January and February 2005 which included outlining the issues. Testimony was also heard from Mr. Scott Shapiro, TRLIA; Mr. Kent McClain, TRLIA; Mr. Curt Aikens, Yuba County Water Agency; Ms. Eileen Gallagher, Stone & Blomberg; Mr. Peter Rabbon, General Manager for the Board; Dr. Les Harder, Chief of the Division of Flood Management; Mr. Ricardo Pineda, Chief of the Floodplain Management Branch; Mr. Scott Morgan, Staff Counsel; Mr. Ronald Stork, Friends of the River; Mr. Tom Foley, Concerned Citizens for Responsible Growth; and Dr. Dale Smith, Concerned Citizens for Responsible Growth.

Upon motion by Mr. Edgar, seconded by Mr. Weaver, the Board approved the basic business points set forth in the proposal submitted by TRLIA as the basic concept of the agreement. It will be referred back to staff for final resolution of the details and staff will be directed to develop the final documents, based upon the recommended business terms. In addition,

Mr. Scott Morgan, Staff Counsel, will work out language that is satisfactory to comply with Condition 15 regarding "indemnification". This item will be brought back to the Board at the March 18, 2005 Board meeting for final approval.

Ayes = 4

Noes = 2

B. Application No. 17862, Eustace A. Douglas, Yolo County
(Mike Mirmazaheri)

Consider denial of Application No. 17862 to build a 1,300 square feet residence and install a chain link fence on the crown and landside slope of the levee on the west bank of the Sacramento River.

Mr. Mike Mirmazaheri, Chief of the Floodway Protection Section, provided a status report on Application No. 17862. Testimony was also heard from Mr. Mike Petersen, DWR and Mr. Eustace Douglas Jr., landowner.

11.* ENFORCEMENTS

None.

There were no Enforcement Items.

INFORMATIONAL BRIEFINGS

12. CALAVERAS ENCROACHMENT REMOVAL PLAN (Mike Mirmazaheri)

Mr. Mike Mirmazaheri, Chief of the Floodway Protection Section, provided a briefing, including background information on the above item. Mr. Mirmazaheri also provided the encroachment removal plan for Butte Creek that was approved July 18, 2003. The Board also heard testimony from Mr. Ricardo Pineda, Chief of the Floodplain Management Branch.

BOARD REPORTS

13. REPORT OF ACTIVITIES OF THE GENERAL MANAGER

Mr. Rabbon reported on a number of upcoming issues and meetings:

1) Reclamation Board Permit Brochure – the brochure is finalized and have been distributed to various entities; 2) "Expect the Expected" Workshop – Board member Jeff Mount will be speaker on March 4, 2005 in Chico;

3) Sacramento River Conservation Area Forum – work is being done on Colusa Basin (sub-reach study) to look at some of the flood flows, the splits and possibly do some two-dimensional modeling; 4) White Paper – hearing to be held on Tuesday, February 15 and Board member Jeff Mount will be on the panel as a UC Davis Professor. Also, working on a tentative workshop for the White Paper between Reclamation Board and DWR; 5) AB 1983 Workshop – CCVFCA has requested a workshop to help educate the public regarding this bill. The roll of the Board and impacts of the potential legislation; and 6) Land Use and Flood Management Activities Workshop – staff will look into this and bring back a recommendation to the Board in March.

14. BOARD COMMENTS AND COMMITTEE REPORTS

President Marchand reported there is a study on the Colusa Basin drain which was instituted by the Northern California Water Association and the Urban Water Users Association. Additionally, Ms. Marchand is requesting DWR to provide the status of this issue at a future meeting.

Vice President Cusenza attended a tour of McDonald Island hosted by the Subventions Committee.

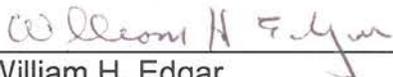
Member Bundy showed a video of the Arboga flood in 1997. Mr. Bundy also reported on studies being conducted at the M&T/Llano Seco Ranches pumping plant to recommend a solution to continue the provision of water for the two ranches and the State and federal wildlife refuges on the Llano Seco Ranch that is threatened by a gravel bar at the pump intakes. Additionally, he mentioned that Cal-Trans had installed spur dikes at the Butte City Bridge in Glenn County.

15. ADJOURN

Upon motion by Mr. Edgar, seconded by Mr. Cusenza, and unanimously carried, the meeting was adjourned at 4:05 p.m.

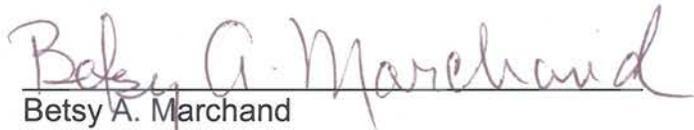
Reclamation Board Meeting
February 18, 2005

Dated: April 15, 2005



William H. Edgar
Secretary

The foregoing minutes were approved:



Betsy A. Marchand
President