

**MINUTES**  
**MEETING OF THE CENTRAL VALLEY FLOOD PROTECTION BOARD**  
**January 29, 2010**

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. MINUTES ARE PRESENTED IN AGENDA ORDER, THOUGH ITEMS WERE NOT NECESSARILY HEARD IN THAT ORDER.

A regular meeting (Open Session) of the Central Valley Flood Protection Board was held on January 29, 2010, beginning at 8:41 a.m. at The Resources Building, 1416 Ninth Street, Auditorium, Sacramento, California.

**The following Members of the Board were present:**

Mr. Benjamin Carter, President  
Mr. Butch Hodgkins, Vice President  
Ms. Teri Rie  
Ms. Emma Suarez

**The following members of the Board staff were present:**

Mr. Jay Punia, Executive Officer  
Mr. Len Marino, Chief Engineer  
Mr. Eric Butler, Senior Engineer  
Mr. Dan Fua, Supervising Engineer  
Ms. Lorraine Pendlebury, Staff Analyst  
Ms. Deborah M. Smith, Legal Counsel  
Mr. Curt Taras, Senior Engineer

**Department of Water Resources (DWR) staff present:**

Mr. Gary Bardini, Chief, Division of Flood Management  
Mr. Stephen Bradley, Chief, Statewide Flood Planning Office  
Mr. Darryl Brown, Senior Engineer  
Mr. Robert Charney, Senior Engineer  
Ms. Nancy Finch, Senior Staff Counsel  
Mr. Paul Marshall, Staff Engineer  
Mr. Chris Scobba, Staff Engineer  
Mr. Keith Swanson, Chief, Flood Maintenance Office  
Mr. Ward Tabor, Assistant Chief Counsel  
Mr. Dan Whisman, Chief, Levee Repair and Floodplain Management Office  
Mr. David Williams, Senior Engineer

**Also Present:**

Mr. Stein Buer, Sacramento Area Flood Control Agency (SAFCA)  
Ms. Annalena Bronson  
Mr. John Carlin, River Partners  
Mr. Jim Day, Reclamation District (RD) 1000  
Mr. Darren Goodman  
Mr. Ryan Larson, United States Army Corps of Engineers (Corps)  
Mr. Dave Means, Wildlife Conservation Board  
Mr. Scott Parker, Corps  
Mr. Matt Teague, California State Parks  
Mr. Jeffrey Twitchell, Levee District 1  
Ms. Nancy Ullrey, Delta Conservancy Board

**1. ROLL CALL**

Executive Officer Punia called the roll. President Carter noted that the quorum for the Board is four members; thus, a quorum is present.

**2. APPROVAL OF MINUTES – November 19, 2009 Board Meeting**

*Upon motion by Member Rie, seconded by Vice President Hodgkins, the Board unanimously approved the November 19, 2009 Board Meeting Minutes.*

**3. APPROVAL OF AGENDA**

Executive Officer Punia stated the staff recommendation that Items 7A, 7D, and 7E be postponed; and that Item 7B be removed from the Consent Calendar and moved to Hearings under Item 8.

*Upon motion by Vice President Hodgkins, seconded by Member Rie, the Board unanimously approved the staff recommendation (see sentence above).*

**4. PUBLIC COMMENT**

Mr. Matt Teague, Department of Parks and Recreation, Northern Buttes District Office, Lake Oroville, presented two examples of permit processing inefficiencies currently taking place. He then answered Board Member questions. Flood Board Chief Engineer Len Marino stated that he would phone Mr. Teague in the near future to see if the two examples presented can get prioritized for a forthcoming Board meeting, possibly the March meeting.

Mr. Darren Goodman spoke in reference to Permit Application Number 18341. He expressed his frustration regarding the fact that he first submitted his application in 2007. Subsequently, he was notified that a hydraulic analysis would be required, which he

submitted towards the end of 2008 -- yet no action has been taken on the permit to date. Thus far, it has cost him \$51,000 of his own money to keep the project going.

Chief Engineer Marino clarified that the original application had been revised. Board staff withdrew the hydraulic analysis submitted by the Goodmans (which was incomprehensible to Board staff and confusing to the Corps) and substituted it with a flow-chart analysis, which Board staff believes is the way to hopefully get the application expedited.

Mr. Ryan Larson, the Corps, further clarified that the application is for a house in the floodway, and the Corps has an engineering regulation and an executive order that encourages them to minimize development in the floodplain. Thus, they are taking great care in crafting their response letter to the Board, to ensure that that does not become an issue in the future.

## **5. REPORT OF ACTIVITIES OF THE DEPARTMENT OF WATER RESOURCES**

Mr. Gary Bardini, DWR Division of Flood Management Chief, reported the following:

- Emergency response activities – 95 of 107 Local Maintaining Agencies (LMA) have responded to the Framework Document Status Report requirement for the Corps.
- On December 31, 2009 the second annual report on LMAs was submitted; this was done under the Project Integrity Group.
- Water conditions as of the end of December 2009 -- precipitation at about 85% of average; runoff at 40% of average; reservoir storage at 75% of average. Unimpaired runoff inflow is still about half of what it would normally be at the end of December. Water supply overall is about 77% of average.
- In the overall flood control system, there is some water in the system but no areas of major concern.
- Operations and Maintenance -- DWR is advertising a construction contract for the rehabilitation repair at the Sutter Bypass facility planned for February and March.
- Environmental Initiatives – staff is pursuing the development of vegetation restoration and long-term maintenance at the Abbott Lake Unit.
- Levee repair work – the construction of the RD 4043 sites has been suspended due to wet weather. It will resume after the flood season. Alternative designs for RD 404 and RD 2065 are being considered to conform with the Corps' policy regarding enforcement of the Engineering Technical Letter.

- Flood Risk Management, Floodplain – the best available maps have been completed in the areas within the Los Angeles Corps District, outside of the Central Valley.
- A grant for just under a half million dollars was received in support of the Natural Flood Insurance Program, through FEMA.
- The Floodplain Delineation Program has now done approximately 20,000 miles of flood awareness maps.
- The DWR Building Code Proposal was approved by the Building Standards Commission.
- Floodplain Management has been integrated into the 2009 California Water Plan.
- A Findings and Recommendations Report was presented to the Alluvial Flood Task Force for final approval.
- The Folsom Dam Modifications contract for execution of the spillway is on schedule for completion in 2010. The Mayhew Drain construction of the concrete closure structure and the drain outlet to the American is complete.
- The Mid-Valley Reconstruction Project request for federal funding for Fiscal Year 10-11 was not appropriated.
- The Marysville Ring Levee Improvement construction contract for Phase 1 repair is expected to be awarded prior to the 2010 construction season.
- The amendment to increase the state funding for RD 2103 (Wheatland) has been approved, and all authorized construction contracts are complete.
- The Levee District 1 setback levee at Star Bend – most of the major construction is completed. Construction of the relief well on the landside toe continues.
- The 100-year seepage area project in RD 17 – the federal cost-share agreement to resolve the seepage issues and the 100-year have been approved by DWR.
- Three Rivers Agreement – the waterside flattening of the Yuba southern slope is complete; the project basis for design is complete; and 60 percent drawings are complete due in February.
- Urban levee evaluations are about 70% complete, in terms of getting the evaluation drilling done. On the non-urban, about 15% are complete.

- Central Valley Flood Protection Planning work – the draft of the State Plan of Flood Control descriptive document has been sent out. Also, the Regional Conditions Summary Report is about 95% complete.
- Coordination with the Corps and integration with the federal side on how to proceed with a broad statewide flood improvement program continues.
- On January 25<sup>th</sup> a report was submitted to the Corps on the Flood Improvement Framework.

### **Central Valley Flood Management Planning Program Monthly Update**

Mr. Steve Bradley, DWR Statewide Flood Planning Office Chief, updated the Board:

- Three meetings with local government have occurred since the last Board meeting – with Solano County Board of Supervisors, Yuba County Board of Supervisors and the staff of the City of Sacramento.
- There have been eight presentations to various Native American groups and local organizations and two more are scheduled for February and April.
- Mr. Gary Bardini, DWR Division of Flood Management Chief, will be making a presentation today (1-29-10) to California Legislature key staff.
- The State Plan of Flood Control is about 95% complete and will be available for public comment shortly. It is projected to be completed by June 2010.
- The Flood Control System Status Report is about 45% complete and is scheduled for completion by the end of this year.
- The Central Valley Flood Protection Plan is about 15% complete overall. Four interim documents will be produced as part of the plan: 1. Regional Conditions Summary and Report, about 95% complete; 2. Managed Action Report; 3. Evaluations Methods; and 4. Management Solutions.
- A valley-wide forum on progress of the planning program, focusing on the Regional Conditions Reports, is tentatively scheduled for mid-March.
- A recap of 2009: Thirty-five Regional Conditions Work Groups were held and about 20 topic work groups (convened for specific topics) met. Five regional forums were conducted, as well as 16 presentations to local governments. In addition, numerous presentations and meetings with local organizations occurred.

Vice President Hodgkins noted that there are some important facilities that, by definition, are not part of the State Plan of Flood Control. He recommended that Board members

consider what should be done with that and to discuss it with DWR during the next Committee meeting. Also, a fair amount of time has been lost -- when there was no money to do the work -- and at some point we may need to consider asking the Legislature to allow this report to come forward at a later date than 2012.

President Carter reminded the public that the State Plan of Flood Control is a descriptive document that is made available publicly in the 30-day public comment period. He invited the public to come before the Board during the February Board Meeting and make comments. There will be a presentation and everyone is encouraged to participate.

## **6. REPORT OF ACTIVITIES OF THE EXECUTIVE OFFICER**

Executive Officer Punia reported on the following items:

- The semi-annual progress report that is based upon the Framework Document was submitted to the Corps last week. Progress is being made in improving flood protection system-wide and it is hoped the Corps will accept this and continue the temporary extension for participating in the Public Law 84-99 Rehabilitation Program.
- As mentioned previously, DWR has been invited to brief the Board on the State Plan of Flood Control descriptive document in February.
- Because of the insertion of an incorrect amendment in the original document, Board staff will ask President Carter to sign a corrected version of the Sutter County Local Feasibility Cost-Share Agreement that the Board approved at the November 2009 Board Meeting.
- There is already a State requirement that we need to reduce the overall budget by 5%. In addition to the 5% reduction, there may need to be a 15% salary reduction for State employees.
- Mr. Steve Hall, renowned water policy participant, retired ACWA Executive Officer, and former Board Member and Board Vice President who served on the Board from 1983-1994, passed away on January 19, 2010. The Board has expressed its condolences and appreciation for his services on his blog.
- Board staff has reviewed and provided comments on the proposed U.S. Fish and Wildlife Service Safe Harbor Agreement (included in the Board Member packet).
- Staff is working with DWR on the Sutter Bypass, to provide a task order -- under an existing contract to a consultant -- to develop a two-dimensional RMA2 model. U.S. Fish and Wildlife is also willing to help cost share in the modeling effort.

- Staff person Ms. Nancy Moricz has passed the Professional Engineering Examination.
- Senior Engineer Curt Taras has been promoted to Supervising Engineer. Also, he has assumed the duties of Branch Chief of the newly-established Encroachment and Enforcement Branch.

Chief Engineer Marino and Senior Engineer Eric Butler provided details on the 167 permit applications that are currently in various stages of the application process.

### **Recognition of Service**

President Carter recognized Ms. Annalena Bronson for her 27-plus years of service to the State, to DWR, and to the Board. He read a resolution to that effect into the record, a copy of which will be provided to Ms. Bronson.

Ms. Bronson expressed her appreciation for the privilege of working for DWR and the Board, and for being able to see the evolution of flood protection in the State.

## **7. CONSENT CALENDAR**

### **A. Permit No. 17519-Rev., Pamela Wittpen - *Postponed***

**Consider approval of Permit No. 17519-Rev. to reinstall existing boat dock with new sections, supported by pilings within the left (east) bank channel of the Sacramento River. (Sacramento County)**

### **B. Permit No. 18204, Three Rivers Levee Improvement Authority - *moved to Hearings, Item 8 (see below)***

**Consider approval of Permit No. 18204 to authorize existing detention basin and drainage channels on the landside slope of the left (south) bank levee of the Yuba River. (Yuba County)**

### **C. Permit No. 18289, Michael McRae**

**Consider approval of Permit No. 18289 to place rock riprap along the left (east) bank levee of the Sacramento River. (Sacramento County)**

### **D. Permit No. 18341, Darren Goodman - *Postponed***

**Consider approval of Permit No. 18341 to construct a residence on the right (north) bank overflow area (Area C) of Yuba River. (Yuba County)**

E. Permit No. 18459, Reclamation District 2103 - Postponed

Consider approval of Permit No. 18459 to place rock riprap on the waterside bank of two erosion sites at RM 11.6, and RM 10.0, and place engineered fill on the landside slope of Site 3, RM 11.5 on the right (north) bank levee of the Bear River. (Yuba County)

F. Permit No. 18510, Keith Hobert

Consider approval of Permit No. 18510 to authorize rock riprap and a floating boat dock attached to a gangway attached to a landing on the right (west) bank (Long Island) of the Sacramento River. (Sacramento County)

G. Permit No. 18513, John Coehlo

Consider approval of Permit No. 18513 to authorize removal and replacement of an irrigation pipe through the left (north) bank levee of Barker Slough. (Solano County)

H. Permit No. 18559, US Department of Energy, Western Area Power Administration

Consider approval of Permit No. 18559 to install one transmission line support pole within the Feather River Floodway. (Sutter County)

As mentioned previously, Items 7A, 7D, and 7E have been postponed to a future meeting.

*Upon motion by Member Rie, seconded by Vice President Hodgkins, the Board unanimously approved Consent Calendar Items 7C, 7F, 7G, and 7H.*

8. HEARING AND DECISIONS

Permit No. 18204, Three Rivers Levee Improvement Authority - moved from Consent Calendar Item 7B (see above) - Postponed

Consider approval of Permit No. 18204 to authorize existing detention basin and drainage channels on the landside slope of the left (south) bank levee of the Yuba River. (Yuba County)

9. BOARD SPONSORED PROJECTS AND STUDY AGREEMENTS

A. FOLSOM DAM JOINT FEDERAL PROJECT (JFP) AGREEMENT AMENDMENT

The Board will be asked to consider and approve Resolution 10-01 to:

- 1. Approve Amendment Number 2 to the existing Folsom Dam Modifications Project Cooperation Agreement (PCA) with the US Army Corps of Engineers and SAFCA to allow SAFCA to use existing credits to partially meet their financial obligations under the project.**
- 2. Delegate authority to the Executive Officer of the Board to execute Amendment Number 2 to the PCA.**

Mr. Robert Charney, Flood Projects Office, DWR Division of Flood Management, provided the presentation. He noted that the Bureau of Reclamation is reporting to DWR that they are on schedule and on track for the excavation of the spillway. Also, the Corps reports that everything is on schedule for procurement of the control structure.

He concluded by asking the Board to approve the resolution and amendment and to delegate authority to the Executive Officer to execute that approval when appropriate.

*Upon motion by Member Suarez, seconded by Vice President Hodgkins, the Board unanimously approved Resolution 10-01, approved Amendment Number 2, and delegated authority to the Executive Officer for executing the Amendment.*

**B. YUBA RIVER BASIN, MARYSVILLE RING LEVEE - PROJECT PARTNERSHIP AGREEMENTS**

**The Board will be asked to consider and approve Resolution 10-03 to:**

**Consider approval of a Local Project Partnership Agreement (LPPA) and a federal Project Partnership Agreement (PPA) for the Marysville Ring Levee (a separable element of the authorized Yuba River Basin, California Project), and delegate authority to the Board President to execute final agreements.**

Board Staff Engineer Chris Scobba reviewed the history of the projects and agreements and concluded by requesting that the Board find the LPPA between the Board and the Marysville Levee District for the Yuba River Basin, California, Marysville Ring Levee Project to be acceptable in the form attached hereto.

Further, that the PPA among the Board, the Marysville Levee District and the Corps for the Yuba River Basin, California Marysville Ring Levee Project Agreement be found acceptable in the form attached hereto, with the intention to approve the agreement in substantially this form after the CEQA process is completed. He stated that the agreements will be brought back before the Board, in conjunction with the CEQA findings for both, for approval at the March Board Meeting.

Senior Staff Counsel Nancy Finch noted that today the Board is being asked to provide an endorsement of the project as it is today.

President Carter wondered if the Board could drop both of these and simply state that it is the Board's intention to serve as the non-federal sponsor for the Marysville Ring Levee and consider entering into the agreement when the appropriate CEQA documentations are available.

Mr. Scott Parker, the Corps, said that would be acceptable. However, their intent is to have a statement of acceptability of the language, as it is in the current draft PPA, so that the Corps can accelerate the review process. Thus, when CEQA is completed and the FONSI is signed, and when the Engineering Report is completed, the Corps is in a position to sign the agreement and quickly move on to construction. The accelerated times are important because of funding that is being held for this purpose; funding that is available under the condition that it be awarded this year.

After further discussion, the Board voted.

*Upon **motion** by Vice President Hodgkins, seconded by Member Suarez, the Board unanimously approved Resolution 10-03, with the following changes:*

- the fourth Whereas, which relates to the requirements of DWR and flood protection, is to be deleted;*
- the current language for Items One and Two under "Resolved" are to be replaced with the following language: 1. "Intends to serve as one of the non-federal sponsors for the Ring Levee Project," and*
- 2. "Finds the language included in the draft agreement, with respect to the 103 deferral, to be acceptable."*

**C. NATOMAS LEVEE IMPROVEMENT PROJECT (NLIP), RD-1000/SACRAMENTO AREA FLOOD CONTROL AGENCY (SAFCA), OMRR&R AGREEMENT EXECUTION BETWEEN CENTRAL VALLEY FLOOD PROTECTION BOARD AND RD-1000/SAFCA**

**The Board is being asked to consider approval and execution of the RD-1000/SAFCA OMRRR Agreement for the Natomas Levee Improvement Project (NLIP) between the Central Valley Flood Protection Board and RD-1000/SAFCA.**

Mr. Darryl Brown, DWR Early Implementation Section Chief, presented the execution of the OMRR&R and answered Board Member questions.

Mr. Stein Buer, SAFCA Executive Director, stated their recommendation that the Board approve the Agreement, which he described as both urgent and important.

*Upon **motion** by Vice President Hodgkins, seconded by Member Suarez, the Board unanimously approved the execution of the OMRR&R Agreement for the NLIP between the Board and RD 1000/SAFCA.*

## INFORMATIONAL BRIEFINGS

### **10. 2009 WATER LEGISLATION: OVERVIEW OF CENTRAL VALLEY FLOOD PROTECTION BOARD'S ROLES/ RESPONSIBILITIES**

Board Legal Counsel Deborah Smith provided the overview, which included a summary of new water legislation passed late last year and how it applies to the Board. She focused on Senate Bill (SB) 1, which will become effective February 4, 2010. SB 1 creates two brand new agencies in the State -- the Delta Stewardship Council and the Sacramento-San Joaquin Delta Conservancy. It also revises the existing Delta Protection Commission.

### **11. OVERVIEW OF THE BAY DELTA CONSERVATION PLAN (BDCP) AND THE DELTA HABITAT CONSERVATION AND CONVEYANCE PROGRAM (DHCCP)**

DWR Staff Engineer Paul Marshall provided the overview and answered Board Member questions. He also explained the interface between DWR and the Board in regards to the BDCP and DHCCP.

### **12. DWR'S APPROACH FOR DEVELOPING HYDRAULIC MODELS FOR THE CENTRAL VALLEY FLOOD CONTROL PROJECTS**

DWR Levee Repair and Floodplain Management Office Chief Dan Whisman gave the presentation, which provided a brief overview of hydrology and hydraulic studies, and of the Central Valley Floodplain Evaluation Delineation Program. He emphasized the scope and schedule for the development of hydraulic models and some of the methodologies employed.

Mr. Whisman answered Board Member questions. The group also discussed the importance of determining and using the best tools available to better understand the impacts these projects have on the system as a whole.

### **13. OVERVIEW AND STATUS OF ABBOTT LAKE RIPARIAN HABITAT RESTORATION (FEATHER RIVER) PERMIT APPLICATION**

Board Senior Engineer Dave Williams, Levee Improvement Section Chief, provided the overview and answered Board Member questions. The project is to plant approximately 23,000 native riparian plants on 169 acres of overflow land within the Abbott Lake Unit of the Feather River.

DWR Flood Maintenance Office Chief Keith Swanson provided an update on the progress of the MOU associated with the project.

Mr. Jeff Twitchell, LD1 District Engineer, discussed some of the letters written by LD1 that express their concerns with the application. He reiterated that if a permit is granted, the District would ask that it be contingent upon a long-term O&M plan and that a management plan be developed.

Mr. Dave Means, Wildlife Conservation Board, stated that there is an opportunity here for all the people involved in the project to come before the Flood Board and reach a plan on how this project area should be developed, managed and maintained. He also elaborated on initial discussions he has had with the Department of Fish and Game on the project.

### **REQUESTED ACTIONS**

#### **14. NOMINATION OF A LIAISON ADVISOR TO THE SACRAMENTO-SAN JOAQUIN DELTA CONSERVANCY BOARD**

Ms. Nancy Ullrey, staffperson for the newly-formed Sacramento-San Joaquin Delta Conservancy Board, shared her perspective on the Conservancy Board and its' responsibilities and makeup. The Board will initially consist of 23 members.

President Carter discussed his thoughts regarding how the Flood Board should interface with the Conservancy Board, the Delta Stewardship Council, and the Delta Protection Commission, given their mutual interests and inter-relatedness. He nominated Flood Board Member Emma Suarez to be the liaison on the Delta Conservancy Board, with Flood Board Member Teri Rie as her alternate; and further, that both work together in consultation with the Delta Stewardship Council and the Delta Protection Commission.

*Upon **motion** by President Carter, seconded by Vice President Hodgkins, the Board unanimously voted to designate Emma Suarez as the lead for the Delta Conservancy Board and Teri Rie as her alternate; and also, that those two individuals work with both the Delta Stewardship Council and the Delta Protection Commission in their efforts to develop the overall plans for the Delta.*

### **BOARD REPORTS**

#### **15. BOARD COMMENTS AND TASK LEADER REPORTS**

Member Suarez requested that the Board schedule a policy discussion at the next Board Meeting regarding the permitting delegation that has been authorized for the General Manager by the new legislation.

Vice President Hodgkins stated that he continues to work with DWR on putting together the new cost-sharing guidelines, particularly as that relates to disadvantaged communities.

He recently attended a meeting of the Sacramento River Conservation Area Forum, which is a collaborative nonprofit that tries to help communication and discussion between environmental restoration efforts and property owners along the Sacramento River.

He and Board Member Brown attended the Sacramento River Watershed Program's meeting on the status of the watershed on the Sacramento River. Mr. Brown expressed serious concerns to him about the safe harbor agreement that is coming forward out of the Sacramento River Conservation Area Forum, in that it doesn't provide protection for property owners in the event that, after they enter into a safe harbor agreement, a new species is listed and that species has habitat on their property. Vice President Hodgkins concurred with those concerns.

Board Member Rie stated that she has been reviewing DWR's new levee standards. She suggested that -- perhaps in the March or April Board Meeting -- DWR be invited to come in and talk to the Board about what they are putting together. Executive Officer Punia stated they would definitely invite DWR to brief the Board on this. President Carter added that, to the extent that the standards being developed impact Board regulations, and the technical descriptions of levees and how they're maintained, then the Board absolutely does have a role in the development of the new standards.

President Carter disclosed an ex parte communication he had with Mr. Al Montna, who he ran into recently while attending the Little Hoover Commission Water Governance Advisory Committee meeting. Mr. Montna discussed his pending permit application in the Sutter Bypass.

He had a teleconference with Colonel Chapman of the Corps regarding two main subjects: first, permit backlog and the challenges that backlog presents; and second, the Corps' draft guidance on levee vegetation.

He, along with Executive Officer Punia and Board Member Suarez, had a discussion with David Sandino that explored potential legal counsel options for the Board. They discussed the possible parameters of the Board's legal representation and the costs associated with Board litigation. (A discussion then ensued about the pros and cons of the various options available.)

He participated in the Water Governance Advisory Committee for the Little Hoover Commission, as a farmer. The Committee was mostly concerned about how to improve water transfers in the state.

## **16. FUTURE AGENDA**

Member Suarez reiterated her request that the Board schedule a policy discussion at the next Board Meeting regarding the permitting delegation that has been authorized for the General Manager by the new legislation. The discussion will include how best to provide guidance to Board staff on delegation. President Carter stated that the discussion would be agendized under Requested Actions.

Consent Calendar Items 7A, 7D, and 7E will be added.

Also under Requested Actions will be the potential approval of the schedule for the Central Valley Floodplain Evaluation Delineation Program.

**17. CLOSED SESSION**

**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.**

After returning to Open Session, President Carter reported that no decisions were made during Closed Session.

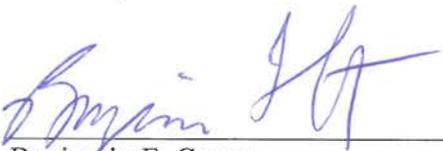
**18. ADJOURN**

President Carter adjourned the Open Session at 5:44 p.m.

Dated: 26 MARCH 2010

The foregoing Minutes were approved:

  
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Maureen Doherty  
Secretary

  
\_\_\_\_\_  
Benjamin F. Carter  
President