

MINUTES
CENTRAL VALLEY FLOOD PROTECTION PLAN
PUBLIC OUTREACH HEARINGS
April 5, 2012

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 Public Hearing of the Central Valley Flood Protection Board was held on April 5, 2012 beginning at 9:00 a.m. in the Auditorium of the Resources Building, 1416 Capitol Mall, Sacramento, California.

DWR hosted an informational poster/question session for the Draft Program Environmental Impact Report (DPEIR) from 12:00-12:45 p.m.

The following members of the Board were present:

Mr. Bill Edgar, President
Ms. Jane Dolan, Secretary
Mr. Joe Countryman
Mr. Clyde MacDonald
Mr. Tim Ramirez
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, Supervising Engineer
Mr. Ali Porbaha, Senior Engineer
Ms. Nancy Moricz, Staff Engineer
Mr. James Herota, Staff Environmental Scientist
Ms. Lorraine Pendlebury, Staff Analyst

Department of Water Resources staff present:

Mr. Mark Cowin, Director
Mr. Gary Bardini, Deputy Director
Mr. Jeremy Arrich, Chief, Central Valley Flood Planning Office
Ms. Mary Hadden, Staff Environmental Scientist
Mr. Paul Marshall, Assistant Chief, Division of Flood Management

Also present:

Mr. Jack Baber, Reclamation District 1004
Mr. John Cain, American Rivers
Mr. Rick Johnson, Sacramento Area Flood Control Agency
Mr. Patrick Porgans
Ms. Susan Schohr
Mr. David Stalling, Trout Unlimited California
Ms. Susan Tatayon, The Nature Conservancy
Ms. Melinda Terry, California Central Valley Flood Control Association

1. ROLL CALL

President Edgar welcomed everyone to the first public outreach hearing on the Central Valley Flood Protection Plan (CVFPP).

He noted as an aside that this was the first time the new Board had met together.

Executive Officer Punia reported that all Board Members were present except Mr. Villines.

2. APPROVAL OF AGENDA

President Edgar outlined the day's agenda for everyone.

He noted that for Item 5, **Focus Point Discussions on CVFPP and Supporting Documents**, nine focus areas had been identified based upon the input and information that the Board had received thus far. He invited those making public comment to address the issues listed with the focus areas.

He also noted that the Board was trying to separate the comments on the CVFPP from the comments on the PEIR, because there were certain legal requirements that had to be met with regard to the PEIR.

Upon motion by Board Member Suarez, seconded by Secretary Dolan, the Board unanimously approved the agenda as published.

3. BRIEF OVERVIEW – THE CENTRAL VALLEY FLOOD PROTECTION PLAN

DWR Director: Mark Cowin

Mark Cowin, DWR Director, greeted the Board and thanked the new members for agreeing to take on their new roles. He remarked that there was much work to be done in the coming months.

Mr. Cowin stated that one of the strengths of the CVFPP was its philosophy of integrated flood management, which means open consideration of the interconnectedness of all the actions we take – from the peaks of the watershed to outflow to the ocean.

DWR Deputy Director: Gary Bardini

Gary Bardini, DWR Deputy Director, welcomed the new Board Members to the team.

He stated that having an overall system management plan is what the CVFPP represents in the context of integrated water management and integrated flood management. He recognized that this is an important period in history: although budgets in both federal and state governments are austere, the actual risks in the communities in the Central Valley are at an all-time high. We're trying to address this situation in the plan.

Central Valley Flood Protection Board President: Bill Edgar

President Edgar provided some opening comments as well. He gave a brief background on the development of the plan so far, beginning with the passage of legislation in 2008 requiring DWR to prepare a broad plan of flood control improvements to the State Plan of Flood Control facilities. The Central Valley Flood Protection Board (CVFPB) was to review and adopt the plan after receiving public input.

President Edgar stressed that the plan is a conceptual framework to put in place so that we can move toward implementation planning. It is not a catalogue of specific projects that will begin next week – it's a long process. The plan will require additional regional planning with necessary input from all the stakeholders. There are many feasibility studies, engineering studies, and economic analyses that must be done before any projects can proceed.

Once the plan is in place, we will proceed to do these implementation studies and provide them to the Army Corps of Engineers as they conduct their integrated water management study. This will happen in 2017, coinciding with the required five-year update of the CVFPP. This is very important, because we want the Corps to share in the cost.

President Edgar emphasized that we need to think about what happens after the June adoption of the CVFPP. We don't want to abandon this important framework, but to continue the process so we can get to actual systemwide improvements.

Chief of the DWR Central Valley Flood Planning Office: Jeremy Arrich

Mr. Arrich acknowledged the work of DWR staff and the consulting teams in developing the CVFPP. He congratulated the new Board members on their appointments and looked forward to working with them on the plan. Mr. Arrich acknowledged the collaboration of partners and the stakeholders, as well as the Board.

He provided an overview of the plan, as summarized below.

- The flood management system for the Central Valley needs a major overhaul. Flood risks in the Central Valley are among the highest in the nation, putting the people of California and their economic livelihoods at unacceptable risk.
 - The State Plan of Flood Control was not built to do the job we expect of it today. Much of it is over 100 years old and was constructed in a piecemeal fashion.
 - It suffers from a lack of stable funding and problems like deferred maintenance, changes in regulations and societal priorities, and imprudent development in deep floodplains that leaves almost a million people at risk.

- In the future, federal resources in both staff and funding are likely to diminish. At the same time, increasing federal regulations present additional implementation challenges.
- In response to these realities, the State Legislature enacted unprecedented flood risk management legislation in 2007, including the Central Valley Flood Protection Act of 2008. The Act set a clear directive for an integrated systemwide approach, and provided detailed guidance for DWR to follow.
- The CVFPP describes the State's vision for a sustainable flood management system in the Central Valley. It provides for a high degree of public safety, promotes long-term economic stability, and supports compatible efforts to restore riverine and floodplain ecosystems.
- DWR staff believe that the State Systemwide Investment Approach (SSIA) is a responsible and balanced investment approach to achieve this vision. It prioritizes limited public funds and invests them responsibly.

The features of the SSIA are summarized below.

- As public safety is the State's highest priority, the SSIA establishes minimum flood protection targets.
 - For urban areas protected by the State Plan of Flood Control, DWR proposes to help cities and counties achieve at least 200-year flood protection.
 - DWR proposes managing rural flood risks to a combination of physical improvements and nonstructural actions to support small communities and sustainable rural-agricultural enterprises, without promoting development within State Plan of Flood Control floodplains.
 - Many small communities would receive 100-year flood protection through improvements in adjacent urban areas or through system improvements.
 - State investment in rural-agricultural areas focuses on improving overall flood risk management and promoting rural-agricultural economies.
- DWR's evaluation concluded that the expansion and extension of the bypass systems and continued improvements in reservoir operations are the most effective ways to reduce flood stages throughout the system.

This also provides opportunities for ecosystem restoration and environmental enhancement of the flood management system that contribute to mitigation for proposed structural improvements, as well as mitigation for operations and maintenance (O&M) of flood management facilities.
- Even with physical improvements to the flood management system, flood risks will always remain in the Central Valley. Therefore, the SSIA also includes investments in residual risk management, such as emergency preparedness, as well as response and support for flood insurance reform.

- With the SSIA, DWR recognizes the importance of maintenance in protecting State investments. DWR proposes actions to improve efficiency, including encouraging the consolidation of O&M responsibilities on a regional basis and streamlining the permitting process.
- The SSIA cost is between \$14 and \$17 billion.
- The SSIA reduces the potential for loss of life by 50% and reduces annual flood damages by 67%.
- It boosts construction-related jobs by 6500 and economic output by over \$100 million annually.
- It provides 200-year or greater flood protection to 100% of the citizens in urban areas protected by the State Plan of Flood Control, and 100-year or greater flood protection to 90% of small community and rural-agricultural citizens.
- It provides up to 10,000 acres of additional habitat within the flood management system.
- The SSIA and its program EIR do not in and of themselves permit any specific physical improvement actions to move forward. The SSIA does not provide detailed project descriptions or funding assurances.

Future steps are as follows.

- DWR is already proactively investing available funds through early implementation projects, critical repairs, and other actions consistent with the SSIA.
- Per legislative requirements, after the CVFPP is adopted by the Board, DWR will develop a financing plan.
- Additional regional planning and state-led feasibility studies will be conducted to refine the SSIA, including physical elements such as the size and configuration of the proposed bypass expansion and new bypasses.
- Through the legally mandated five-year update process, we can continue to enhance both the vision and the supporting information as we move forward with implementation.

4. STAFF TECHNICAL ASSESSMENT

A. Technical Review Briefing

Staff will report to the Board on their review and observations on the Central Valley Flood Protection Plan, documents incorporated by reference, and technical attachments.

Eric Butler, CVFPB Chief of the Projects and Environmental Branch, presented a technical review of the plan and its attached documents. He was assisted by Nancy Moricz, Staff Engineer in the CVFPB Projects Section.

Mr. Butler noted that in this presentation, the information was of a descriptive nature; it did not delve too deeply into the purpose of every document in the interest of saving time.

The full presentation is available on the CVFPB website: www.cvfpb.ca.gov

5. FOCUS POINT DISCUSSIONS ON CVFPP AND SUPPORTING DOCUMENTS

A. Statement of Plan Vision

Issue: Is the proposed Plan in need of a vision statement which helps set goals and guide priorities? If yes, what should the vision statement say?

B. Multi-Benefit Projects

Issue: Does the proposed Plan adequately articulate how future flood protection projects will incorporate, if at all, multiple benefits, such as flood protection, water supply, ecosystem restoration, recreation, and economic vitality?

C. Existing System Maintenance / Improvement and Utilization of Existing Storage Facilities / Basins

Issue: Does the proposed Plan properly consider the role – and associated cost benefits - of enhancing the current system through maintenance and targeted improvements *versus* an emphasis on new, more expensive multi-benefit alternatives?

D. Urban / Urbanizing Area Compliance with Senate Bill 5 Planning Requirements

Issue: How will local agencies comply with urban/urbanizing requirements outlined in Senate Bill 5 and does the proposed Plan provide the framework necessary for urban areas to meet their new statutorily-mandated planning obligations?

E. Rural Versus Urban Flood Protection

Issue: Urban/urbanizing areas are provided assurances by the proposed Plan and SB 5 to receive 200-year level of flood protection, but are similar safety and funding assurances lacking when it comes to rural communities?

F. Agriculture Land Conversion

Issue: Has the proposed Plan clearly articulated the scope of possible agricultural farmland conversion for flood control purposes? Has the proposed Plan identified how landowners will be compensated for farmland conversion or use? Has the proposed Plan identified all possible uses – besides public safety - of farmland that is taken out of production?

G. Bypass Proposals and Other Regional Issues

Issue: To what extent has data been collected regarding the widening of existing – or proposal for new - bypasses shown in the proposed Plan? Can future plans for regional community outreach and information gathering be incorporated in the proposed Plan?

H. Funding

Issue: What is the expected source of funding for proposed Plan implementation? Are partnership opportunities anticipated? How will the prioritization of spending be determined and will public outreach be included in those efforts?

I. Adoption Process and Additional Review

Issue: In adopting the proposed Plan should the Board consider adopting all supporting documents, or only some but not others? Should the Board adopt a schedule relating to regional planning and implementation?

CVFPB Member: Clyde MacDonald

Clyde MacDonald, new Board Member, stated that he had done much work on the American River during his time on the American River Flood Control District as well as the Sacramento Area Flood Control Agency. He gave his perspective of what the plan is all about, starting with the history of flood protection in the Central Valley.

As the Central Valley began to be developed, individual landowners built levees for themselves that initially were not very big, and were continually knocked down by floods. Around the turn of the century the bypass channel system was constructed – largely the system we have today. Levees built then were built from dredged material prone to erosion, being basically piles of dirt. They were not engineered levees. Many are still in use today.

The other problem we have is the lack of adequate channel capacity in the system, in spite of having built 150 or so reservoirs in the Sacramento and San Joaquin Valley in those watersheds.

Currently, if people want to live in the cities, towns, and farms of the Central Valley, we either operate with high levels of risk or fix the systems. The systems are largely left over from what was done before – the levees were not engineered correctly and we don't have adequate channel capacity.

The Legislature has directed DWR to develop a plan for providing higher levels of flood protection. This is a big change, essentially the first big change since 1917. Now we need to keep perspective of what we're really trying to do, which is to provide public protection for towns, cities, and the agricultural community.

Public Comments

- Susan Schohr, landowner in Maintenance Area 13, stated that her family has farmed rice in the Cherokee Canal area for over 100 years. They farm 2500 acres, both inside and outside the levees, paying a massive amount of taxes to protect that land.

The State also owns land in that area, and very little maintenance happens on that land.

Ms. Schohr expressed strong concern about the Cherokee project. She referred to other problems in addition: the federal court case over the land below the Gridley-Colusa Highway on Butte Creek; the Sacramento River flowing backward into the Butte Sink, flooding the towns of Gridley and Biggs; the 1997 agreement with DWR for a management study of the Biggs Water District; and others.

Ms. Schohr felt that the State needs more dams, not more ways to get rid of water. She invited the Board to visit her land, to show them the results when areas are not maintained.

President Edgar stressed that the Cherokee Canal project is merely an option to look at, and it is fairly marginal at this point because of its high cost without significant benefit.

Board Member Countryman asked if Ms. Schohr had a specific storage project in mind. She responded with the example of the Western Canal Water District. It was overtaken and changed with the process in less than 18 months to benefit all the landowners. Some projects are expensive and don't go anywhere in the end. She would like to see ideas come to fruition, particularly storage issues.

- John Cain, Conservation Director for Flood Management for the Central Valley and Bay-Delta for American Rivers, stated that one of that organization's three top priorities is flood management nationally. They recognize that public safety has to be the #1 priority of flood management.

American Rivers is confident that the best way to protect public safety is to give rivers more room so that they can safely convey flood flows. In the process of giving rivers more room, other benefits are created, including fish and wildlife habitat, parks, clean water, etc.

Mr. Cain did not think that the conservation community is at war with agriculture or should be. In fact, there is a lot of common ground. It is the uncontrolled urban development of deep floodplains that created the crisis that needs to be addressed with the plan, not agriculture and not the environment.

Mr. Cain wished to go on the record as stating that agriculture is an important part of the economy and that farmlands provide important habitat. American Rivers supports a plan that conserves farmland while also improving wildlife populations for hunters and anglers.

The bypass system is very important for better protection for the urban communities. Expanding the capacity of the floodways will increase flexibility for upstream reservoir management, and potentially improves opportunities for more reliable water supply.

American Rivers wishes to work together with the farmers to define a plan that can meet the needs of both agriculture and the environment. They have been in

discussion with representatives from the Central Valley Flood Control Association to identify a suite of measures that can better address the needs of all stakeholders, including agriculture.

They feel that the idea of a hybrid approach such as the SSIA makes sense. However, they are not sure that the SSIA is really optimized for costs or for benefits. They are concerned that the SSIA could actually increase risk, particularly in Sutter and Yuba Counties in the Natomas Basin, by creating the idea that because they have 200-year levees, there can be uncontrolled development behind them. Also, the cost estimate accounting is not transparent.

The alternative approaches are a little bit artificial. One of them is Protect High Risk Communities; it's basically about spending most of the money on improving levees around urban areas. Why didn't that approach consider expanding bypasses? These alternative approaches are not really alternatives – they are thematic comparisons. The result is an artificial analysis.

Mr. Cain said that a statement of vision and purpose is absolutely essential for convincing voters and other decision makers that they should invest in the CVFPP. He offered elements that could be part of the vision statement. He also offered elements of the problem statement and the solution statement.

The plan itself doesn't actually have any specific measurable objectives, so it will be impossible to say with certainty that the plan has achieved its objectives as you go through implementation. This is the biggest flaw in both the plan and the analysis, because it's hard to know whether one alternative or another is better – you're not measuring them against specific objectives.

American Rivers does not have the confidence that the projects will actually be implemented in a way that achieves multiple benefits. Projects such as expanding the Yolo Bypass or the new South Delta Flood Bypass are the kind of multiple-objective projects they would like to see.

They think that the plan correctly concludes that simply fixing the existing system will not meet the objectives of the legislation. However, the plan does not analyze how the strategy of replacing existing facilities would work with the increased flooding associated with climate change.

They believe that the plan, with its documents and tools, provides enough information for local agencies to develop maps of areas protected from the 200-year floodplain. Although the local agencies want to delay, changing the trigger dates for compliance is completely unacceptable to American Rivers.

With regard to the trade-offs between urban and rural flood protection, American Rivers thinks that urban areas are correctly prioritized for flood protection. That is where the greatest risk to the state economy lies, particularly in the deep urban floodplains. Their review of the plan suggests that it underestimates risk to urban areas in several ways, which Mr. Cain enumerated.

Mr. Cain stated that he made these comments on behalf of American Rivers. They are coordinating with a loose coalition of about 15 environmental organizations.

Board Member MacDonald commented that Mr. Cain had talked about reducing stage in, for example, the Yolo Bypass to benefit Sacramento. It's true that it protects that side. But if you look at the American River, for example, the area upstream is not tremendously benefited by a lowering of stage in the Sacramento, because all that water has to come down through those levees.

Mr. Cain responded that American Rivers certainly looks forward to seeing the details. He noted that SAFCA did a report in 2003 that showed that expanding the Yolo Bypass in combination with the joint federal project lowers flood stage in the Sacramento River by 4'.

- Susan Tatayon, Associate Director of the California Water Program for The Nature Conservancy, began by reiterating Mr. Cain's statement that they recognize that the agricultural community is unhappy with the draft plan, especially given the input from stakeholders during Phases 1 and 2.

Ms. Tatayon had participated in the Agricultural Stewardship working group during Phase 1, and learned how critical agriculture is, not only to California's economy but to the nation's. She pointed out that the farmlands provide tremendous economic benefits, as well as very important wildlife habitat. Much of the land is, for example, important to migratory birds along the Pacific flyway.

Growers and farmers are often the partners of the environmental organizations in conserving land. Ms. Tatayon requested that you consider asking the farmers what is workable in terms of agriculture community – actually contributing to improvement of the flood management system.

The Nature Conservancy is one of the groups working with representatives of the Central Valley Flood Control Association.

The proposed plan needs a clear vision statement that compels the political will and resources needed to implement it. Such a statement would help obtain future funding and would also guide updates of the plan. The current plan does contain elements of a vision statement.

In 2008, the FloodSAFE initiative obtained public comments, and did quite an outreach on their strategic plan. That strategic plan has a stated vision which would work well for this plan.

The multiple benefits have some good elements, but they need a clearer explanation.

The conservation framework could be integrated into the plan rather than viewed as an attachment. Flood projects can be designed in a manner that incorporates green infrastructure with gray infrastructure. In some cases the projects can be self-mitigating.

Regarding the regional plans, a clear and compelling vision would enable the development of specific goals and smart objectives.

- Rick Johnson, SAFCA Executive Director, stated that SAFCA recognizes and feels that the plan is a comprehensive framework for minimizing loss of life and economic damages due to flooding, for reducing and limiting state and local liability, and for enhancing habitat and recreational values consistent with flood risk reduction.

The plan recognizes that the system needs to provide a very high level of protection for urban and urbanizing areas, while maintaining the protection historically afforded to the agricultural areas. It also offers a variety of structural and nonstructural options for small rural communities.

SAFCA is working with its partners at the Central Valley Flood Control Association, and will be providing additional comments.

No plan is ever perfect. SAFCA supports the Board's plan of keeping the adoption process moving forward on the mandated schedule, recognizing that there are many issues and concerns that will need to be addressed as part of the process in the future.

- Jack Baber, Chairman of RD 1004 in Colusa County, addressed the Cherokee Canal project. He stated that the water coming into their basin, in the amount proposed, will break their levees. RD 1004 wanted to go on record as objecting to putting water into the Cherokee Canal.

Board Member Countryman agreed that taking water off of the Feather River into the Cherokee bypass just didn't add up. He didn't feel that the project would reach implementation.

President Edgar pointed out that it would be a long time before any of the projects are ready for design and construction. They must go through an extensive feasibility process and many engineering studies.

Mr. Baber commented that it would be a great project if it could move in the right direction.

- Patrick Porgans, an independent citizen and taxpayer rather than a stakeholder, stated that this grand plan needed objectives because he didn't see any numbers. He also didn't know where the money was coming from.

We currently have a flood control system that is a masterful one. However sometimes the government, such as DWR, has a conflict of interest: it's a water purveyor and yet a public trustee.

The 600,000 system capacity, the second fee capacity, needed to be looked at. Unless it's changed, it is still up to speed. In addition, are the agencies complying with federal law?

The plan is too vague and needs more information.

Putting together a framework would be good. There's \$4 or \$5 billion sitting there in the 1E.

One of the biggest clients of the Corps is DWR. This is another way to increase the water supply reliability for the Department's state water contractors.

In the past, Mr. Porgans had to stop DWR from putting the proposed flood control center in at Jibboom Street – within the 100-year floodplain. He had shown them that the levees would liquefact, and had tried to testify before the Senate.

- Melinda Terry, Executive Director of the Central Valley Flood Control Association, stated that they appreciated the work the DWR has done up to this point. They also appreciated the fact that the Legislature really provided the opportunity for the Board to refine and improve the plan through the current public input process.

The Association is working on comments to submit. In addition, they have been working with environmental organizations to identify their commonalities within the plan.

The Association is not sure the plan is quite realistic, particularly for a forward-looking plan, in terms of federal funding. The State and the locals have proven to be more nimble and cost-effective with Prop 1E and 84 funding.

The Association would like to see some parity and level playing fields in terms of rural-ag issues. They will supply suggestions on compensation and cost-sharing for those issues.

It is critical that expansion and improvement of flood bypasses be developed through the local stakeholders.

Timelines and goals need to be more specific and measurable. Different stakeholder groups are going to see goals and objectives differently, which is why they must be articulated – and this should be done in the early 2012-15 timeline.

Board Member Suarez thanked Ms. Terry and the Association for helping the Board facilitate discussion with other groups, such as the environmental and agricultural communities. Ms. Terry responded that they had found it important to do, with the short timeline the Legislature had given for the Board to try to do its part in the process.

- Dave Stalling, Communications Director for Trout Unlimited in California, stated support of a plan that conserves farmland while improving fish and wildlife habitat for hundreds of anglers and others.

Trout Unlimited members think it is critically important that this plan incorporate floodplains, bypasses, and levee setbacks to give rivers room to breathe and spread out during high waters.

For salmon and steelhead we have seen much research that shows that floodplains, because they are in that critical time of year, are shallow and warm quickly. They hold nutrients that allow salmon and steelhead to grow rapidly; the fish are healthier and stronger.

(4. con't.) STAFF TECHNICAL ASSESSMENT

James Herota, CVFPB Staff Environmental Scientist, gave a presentation on the conservation framework and eight technical attachments. He presented staff observations, changes, and additions for consideration.

The full presentation is available on the CVFPB website: www.cvfpb.ca.gov

Board Member Ramirez commented on the concern for integration of the different components of the plan. Even the way CVFPB staff was asked to review the documents had them addressed in separate pieces. Board Member Ramirez hoped for some good ideas concerning integration from people who are taking a hard look at the plan.

He appreciated the work that Board staff had done: it was very helpful for him as a Board member to have someone else take a look at the plan, and then offer their observations.

President Edgar asked if there was anything in the plan that essentially endorsed the State's policy position on the vegetation, or spoke against the vegetation policy of the Corps of Engineers. Mr. Herota responded that the plan mentioned a life cycle management approach to existing vegetation within the floodway and on levees.

Mr. Herota continued that the idea is to allow trees to remain. As they die off, that section of the project will come into conformance with the Corps' ETL vegetation policy. The plan does discuss vegetation variances and pursuing that process with the Corps when there is a conflict with the Corps' policy. Thus there is a path forward to allow vegetation within the floodways on levees.

President Edgar remarked that as the State disagrees with the Corps' current vegetation policy, there should be nothing in the plan to change that position.

8. PUBLIC PROCESS FOR THE ADOPTION OF THE CENTRAL VALLEY FLOOD PROTECTION PLAN

President Edgar reviewed the schedule for the public process for the adoption of the plan.

He requested Executive Officer Punia to keep the Board members informed as to meetings that are occurring, both the public outreach hearings and the special meetings, so that Board members could attend.

Board Member Suarez commented regarding process issues. Whatever the Board decides to propose as changes to the plan (including appendices, resolutions, and so on) needs to be approved in a Board meeting. After that, any proposal needs to be published on the website for a minimum of 15 days before the Board can finally act on it.

She continued that whatever proposals come out of the Board Meeting on May 25 need to be posted for the public to comment upon, before the final adoption of the plan.

President Edgar noted that the content of the technical appendices would not be part of the adopted policy plan. Mr. Butler responded that if staff proposes for the Board to adopt, in addition to the plan, the Status Report and the Descriptive Document, and there was some discussion about the possibility of adopting a Conservation Framework, then the Board might have to decide whether to adopt now or later the ULDC and the ULOP.

After discussion with staff, the Board decided to schedule the workshop with DWR on April 20. President Edgar noted that this would be a public conversation with DWR, where the Board would report on all the comments received. The Board would discuss with DWR how to address them. The focus would be on what to do after the framework is put in place, what the regional planning efforts would look like, and so forth.

6. DRAFT PROGRAM ENVIRONMENTAL IMPACT REPORT (DPEIR)

Mr. Herota presented staff comments provided to DWR for the DPEIR, that DWR has incorporated into the current version. Mr. Herota listed where and why Board staff provided comments in the document.

In response to a question from President Edgar, Mr. Herota stated that primarily the comments were under project descriptions and under the regulatory settings of the document, and clarified who had the authority to approve the proposed projects. As the specific projects are proposed in the future, more specific comments can be made as to the various aspects of the environment that will be impacted.

A. Formal Presentation of DPEIR

The Department of Water Resources (DWR) staff will formally present the PEIR to the Board and public.

Paul Marshall, DWR Assistant Chief for the Division of Flood Management, thanked the Board and Board staff for participating in the preparation of the Program EIR. He introduced Mary Ann Hadden, DWR Staff Environmental Scientist, who presented the process for the hearing.

Ms. Hadden stated that the DPEIR was prepared in accordance with the California Environmental Quality Act (CEQA). DWR is the lead agency under CEQA pursuant to the lead agency agreement between DWR and the CVFPB. The DPEIR was developed to inform DWR and the Board about potential program level environmental effects and mitigation measures related to the components of the plan.

Ms. Hadden noted that MWH and AECOM were hired by DWR to review independently the supporting technical documentation associated with the plan, and to use that documentation to support preparation of the PEIR with DWR.

Ms. Hadden described the schedule DWR was using in developing the PEIR.

B. Public Comment on the DPEIR

There was no public comment.

Executive Officer Punia shared the general observation that some of the comments received earlier that morning pertained to issues in the DPEIR. DWR had made it clear to the Board staff that any such comments would be addressed in the EIR also.

7. ADDITIONAL PUBLIC COMMENTS

There were no additional public comments.

9. ADJOURN

Upon motion by Board Member Suarez, seconded by Board Member Ramirez, the Board unanimously voted to adjourn.

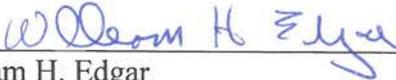
The meeting adjourned at 2:41 p.m.

Dated: June 22, 2012

The foregoing Minutes were approved:



Jane Dolan
Secretary



William H. Edgar
President