

MINUTES
CENTRAL VALLEY FLOOD PROTECTION PLAN
PUBLIC OUTREACH HEARINGS
April 9, 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 9, 2012 beginning at 3:00 p.m. at the Robert J. Cabral Agricultural Center, Assembly Room 1, 2101 East Earhart Avenue, Stockton, California.

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
Mr. Michael Villines

The following members of the Board staff were present:

Mr. Jay Punia, Executive Officer
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. Jeremy Arrich, Chief, Central Valley Flood Planning Office
Ms. Mary Hadden, Staff Environmental Scientist
Mr. Paul Marshall, Assistant Chief, Division of Flood Management
Ms. Michelle Ng, Staff Environmental Scientist

Also present:

Mr. James Giottonini, San Joaquin Area Flood Control Agency
Mr. John Maguire, San Joaquin County Public Works
Mr. Tim Neuharth, Steamboat Acres
Mr. Dante John Nomellini, representing several Reclamation Districts
Ms. Katie Patterson, San Joaquin Farm Bureau
Ms. Julie Rentner, River Partners
Mr. Monte Schmitt, Natural Resources Defense Council
Mr. David Stalling, Trout Unlimited
Mr. Mark Tompkins, American Rivers

1. ROLL CALL

President Edgar welcomed everyone to the third public outreach hearing on the Draft 2012 Central Valley Flood Protection Plan (CVFPP). He thanked everyone for taking the time to attend and present their comments on the draft proposal.

President Edgar thanked San Joaquin County for allowing the Central Valley Flood Protection Board (CVFPB) to use their building for the day.

He noted that the Board would be receiving comments on the Draft Environmental Impact Report (DPEIR) at a hearing noticed at 2 pm in addition to the CVFPP. Although comments could be directed specifically to the plan itself, the Board would be reviewing all of them. Those making comments did not have to discern which document to address – the plan or the DPEIR – as the Board would consider the comments for both documents.

Executive Officer Punia reported that all Board Members were present except Mr. Villines, who arrived later, and Ms. Suarez.

2. APPROVAL OF AGENDA

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

3. BRIEF OVERVIEW – THE CENTRAL VALLEY FLOOD PROTECTION PLAN

President Edgar gave a brief background on the development of the plan thus 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.

Since January the Board had received recommendations from the public. President Edgar noted that nine focus areas had been identified based upon the input and information that

the Board had received thus far. He invited those making public comments to address the issues listed with the focus areas.

President Edgar expressed the hope that audience members would share their opinions about the issues, and also how they would go about clarifying and changing the plan to address those issues.

He 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. There are many feasibility studies, engineering studies, and economic analyses that must be done before any projects can proceed. The engineers estimate that actual construction of large systemwide improvements probably won't begin for 10-15 years.

Once the plan is in place, we will proceed to do the implementation studies and provide them to the Army Corps of Engineers as they conduct their integrated flood 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.

Improvements to the flood control system have been made under many jurisdictions: the Sacramento Area Flood Control Agency (SAFCA); the West Sacramento Flood Control Agency (WSAFCA); the San Joaquin Area Flood Control Agency (SJAFCA); the Three Rivers Levee Improvement Authority (TRLIA); and the Sutter Butte Flood Control Agency (SBFCA). What the state is trying to do with the CVFPP is to set a framework in place to ensure that all such improvements and projects are linked together.

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 proceed to actual systemwide improvements.

He proceeded to give instructions on the public comment procedure.

Jeremy Arrich, Chief of the DWR Central Valley Flood Planning Office, came forward to provide an overview of the plan. He began by acknowledging the involvement of the partners and stakeholders who have participated in plan development, including the Board.

His summary is highlighted 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 such as 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 specific 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 believes 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 a 200-year level of 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 a 100-year level of 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 6,500 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 stressed that the comments are preliminary. They may alter somewhat as the CVFPB staff vets the findings with DWR.

Mr. Butler explained that the documents are organized around the plan as follows:

1. The State Plan of Flood Control Descriptive Document, essentially the inventory of the system.
2. The Flood Control System Status Report, a report on the current conditions and capacity of that inventory of structures in the flood control system.
3. The Urban Levee Design Criteria (in draft form).
4. The Urban Level of Flood Protection (in draft form).

CVFPB staff had also been asked to review several attachments, including approximately 30 technical attachments dealing with how DWR meets the intention of the legislation, a conservation framework, and a number of supporting documents, including the technical analysis and supporting documents for the conservation framework.

The complete 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?

Public Comments

- Dante John Nomellini, secretary and attorney for a number of Reclamation Districts, stated that the viability of local agencies to participate with the state and federal governments depends on the economic well-being of the community. They raise their money from benefit assessments.

Under the California Constitution, any benefit assessment that they have where they raise above their present level has to be approved through an assessment ballot proceeding. Recently they have found that there is a limited ability to pay based on the viability of the community.

The mortgage crisis and down economy are involved. The fair market value of the property in their communities is the basis upon which the local agencies are going to draw. We don't levee an assessment based on value. But if property values go down, landowners, commercial interests, and industrial interests can't afford to make the payments.

Mr. Nomellini voiced concern about the effect of the implementation of picking a 200-year level of protection and then giving the land-use agencies control. The communities are very dependent upon development. If you bring development to a halt, a tension is created – should we improve levees that protect urban areas? (The area of districts that Mr. Nomellini represents has 50,000 residents and \$4 billion of property value.) More development might move in behind the levee system in the yet-undeveloped portion of the communities. Restricting that will cause the local ability to pay to vanish.

The tension between the Army Corps of Engineers and the State of California is difficult for the locals – not only over the engineering technical letter on vegetation, but over the differing inspection criteria. A unifying inspection is absolutely essential because the Corps disqualifies districts based on its own criteria.

Another issue is habitat restoration. Mr. Nomellini is not against leaving the vegetation on the levees, maybe even improving some of it.

He remarked that he has looked hard at the idea that the fisheries in great crisis in the Delta watershed are somehow tied to habitat restoration. It doesn't correlate to flooded areas in the Delta. The automatic assumption that we are doing something beneficial for salmon by inundating these areas is not supported by the studies to date, in his opinion.

Mr. Nomellini took issue with the figure of 55" for the expected sea level rise. He had not seen a scientific study translating sea level rises in the San Francisco Bay up into the Delta.

- David Stalling, Communications Director for Trout Unlimited in California, stated that they feel that it's critically important that this plan include and incorporate floodplains, flood bypasses, and levee setbacks to allow the river to breathe and expand.

Research out of the Davis Center for Watershed Science shows the importance of the floodplain to salmon. Because the floodplains are shallower, warmer, and full of more nutrients, salmon grow more quickly – and are therefore healthier and better able to survive oceanic conditions.

The research shows that the floodplains also help to improve native vegetation, reduce some of the exotic invasives, and boost nutrients for farming.

- Monty Schmitt of the Natural Resources Defense Council stated that biological issues, public safety issues, and water supply issues are all interconnected. He felt that the reason the previous study efforts failed is that they didn't tackle those issues effectively – they did not bring along all the people who have a stake in them. The CVFPP is sorely needed to address all these issues.

Because a big portion of California's population is in the southern part of the state, they need to be on board with financing the CVFPP – with something related to the water supply, environment, or public interest.

This plan has the uncomfortable task of addressing a broad range of issues, making it more complex.

Levee setbacks and flood bypasses are important for environment, water supply, water quality, and recreation. Making those actions possible today is smarter than trying to make them a hundred years from now.

The plan needs measurable objectives for the environment, particularly quantitative objectives such as the salmon doubling goal.

The footprint of the flood management system is the space within which the habitat for fish, particularly floodplain habitat, will exist. Trying to create floodplain habitat outside of a levee is never going to happen.

It is not the job of the Board to direct the restoration of fish habitat. However, we need to set aside enough space so that other agencies and local groups can do their restoration work. The work needs a footprint that the Board is going to have a major impact on setting.

Existing projects such as the San Joaquin River Restoration Program want to know how to coordinate with the CVFPP. There are many ways in which the CVFPP can show existing projects how to support and achieve its goals as identified in the current document.

You need to do the right studies regarding climate change. Hydrology of the future will not be the hydrology of the past, and we need to adapt toward it.

Mr. Schmitt expressed the hope that what comes out of the plan is something durable and lasting, adapting to a future where, because of climate change, we will see large events more frequently. If hydrology changes in that direction, the 100-year level of protection today is not going to be a 100-year level of protection tomorrow.

The southern part of the state does not get a flood management benefit, but must be supportive of funding this process; devising ways to integrate flood management with water supply is necessary. A way to show the connection is reservoir reoperation and coordination enabling reservoirs to work more synergistically, so that they provide flood protection but also greater water supply benefits.

Increasing the channel capacity downstream allows the reoperation of reservoirs for greater capacity downstream. There is less of a need for flood storage space in existing reservoirs.

If this plan is ultimately intended to give direction to local and regional areas, there needs to be enough definition in what a regional plan encompasses.

Understanding how much habitat area is needed in different regions is an important concept. Piece-mealing of the environment does not work biologically in the end.

Ultimately, the type of restoration and flood management projects that will get approved are those that are multi-benefit.

- Julie Rentner, Central Valley Regional Director for River Partners, stated that public safety is the top priority for this flood plan effort. River Partners agrees that the best way to protect the public from flooding is to expand bypasses and setback levees. There are great examples of this working in the Sacramento and San Joaquin Valleys. The San Joaquin River National Wildlife Refuge has had a large nonstructural flood control project and habitat restoration project underway for over ten years.

It is important for the Board to realize and for DWR to acknowledge that sharing the costs of multi-benefit projects across many programs is a huge benefit to all of the taxpayers of California. A great many opportunities still exist to develop more of these projects that leverage resources across many programs throughout the Central Valley.

- John Maguire, San Joaquin County Public Works, stated that they recognize that this initial version of the plan provides a foundation upon which the development of further more detailed plans will be completed over the course of the next several years.

In San Joaquin County they are well along in the planning efforts to identify 200-year flood protection improvements with the Lower San Joaquin River Feasibility Study. This study will provide the basis for the area's regional flood plan.

They suggest that the Board consider deferring the adoption of the Urban Level of Protection Criteria document pending the adoption of cleanup legislation that was recently introduced by Senator Wolk.

- Jim Giottonini, San Joaquin Area Flood Control Agency, stated that the highest priority should be flood protection. Their concern is that there is going to be limited funding at both the state and the federal level. Directing the funding to non-life safety improvements will not leave enough for the population at risk. The Board should amend the plan to prioritize flood protection.

They are concerned that the plan does not treat the San Joaquin area equitably with the Sacramento area. The two areas should have the same levels of flood protection for their basins.

The plan lacks information on SB 5 compliance. In the rush to the deadline, the plan lacks project specifics, which makes it difficult for cities and counties to meet the mandate of SB 5 to get the 200-year level of protection.

They request that the plan not be used to determine whether or not local projects are no regrets, warranting a denial of a Board permit, a 408 request, or state bond funding.

For the work products of their feasibility study, they have been using DWR data on modeling, the LiDAR, and the miles of geotechnical work that they have done on project and non-project levees in our plan. The CVFPP should be amended to prioritize the completion of this feasibility study and others, so local communities can get SB 5 compliance.

The plan talks about two large feasibility studies on the two basins, one to Sacramento and one to San Joaquin. They are not sure how their feasibility study will fit into that, and are concerned that they may have to rework it.

Board Member Countryman asked about Mr. Giottonini's statement regarding wanting to ensure that the San Joaquin has the same level of protection as the Sacramento. Mr. Giottonini responded that in the draft plan, there are 18 EIP projects – 17 on the Sacramento basin, and one on the San Joaquin. The population at risk is larger on the Sacramento than the San Joaquin, but a life in one basin is as important as a life in the other. The Stockton area should have 200-year flood protection the same as Sacramento.

Mr. Giottonini continued that in their area they have project levees to protect the urban area; also, on the western front, they have levees that are not project levees. They commend DWR for including those 16 miles of levees – necessary for a systemwide approach.

President Edgar asked about not using the plan to judge no regrets projects; the plan is DWR's tool to make sure that these projects fit together. Mr. Giottonini responded that they were hopeful that when the plan came out, it would have enough detail.

Mr. Giottonini added that supposedly with the plan, the EIP goes away. There would be no early implementation. However, they have the Smith Canal gate. They are going to conduct a 218 election to fund the design and construction. They are hoping that this project isn't interpreted by DWR as not being part of the plan.

President Edgar assured him that this was not the intent. Further, the implementation of the plan is going to be a long process, especially for the large projects such as the Yolo or Sutter bypasses. DWR is saying that as we make improvements, we need to begin integrating all of the plans – the Delta plan and the conservation plan, and the Corps' integrated water plan – which are a bit disconnected.

President Edgar added that the plan contains a very great amount of information. Perhaps not all of the appendices ought to be adopted as part of the plan, because they are really engineering studies, material, and data – information that is going to change with time. We shouldn't be amending a policy plan every time we have to change a model, for example.

Mr. Giottonini agreed about the huge amount of information. In addition to the plan, there is the Delta plan and the Bay Delta Conservation Plan (BDCP). In the San Joaquin area, they have to be engaged in all those issues; it is mindboggling to try to put it all together.

- Mark Tompkins, American Rivers, stated that the plan's vision statement should include objectives: flood risk reduction objectives, conservation objectives, and then the range of supporting objectives that are described in the plan in a concise way.

He commented that everyone is now thinking about projects as multi-benefits projects. While the conservation strategy and framework are a good start, the conservation aspects of the plan still use more of a mitigation kind of approach. They

would suggest an effort to integrate fully the multiple objectives now, because further into implementation it becomes harder and harder.

Mr. Tompkins gave the example of the Paradise Cut bypass expansion in the south Delta. American Rivers is the first that has looked at it with the objective of identifying multiple benefits – quantifying the ecosystem benefits, potential water supply benefits, and flood control benefits. They are seeing the potential to decrease flood stage in the San Joaquin more than a foot and to increase floodplain habitat.

Board Member Countryman asked about the tremendous cost increase between the flood control-only plan and the joint plan. Are we going to expect the local entities to cost-share that or is someone else going to step forward? Mr. Tompkins responded that if they have multiple partners, possibly they can find multiple ways to share the cost; it is going to be a real burden on the locals to come up with their cost share.

Board Member Ramirez commented on the question of equity for the Sacramento and the San Joaquin sides. Two examples are Hamilton City and the San Joaquin River National Wildlife Refuge. In both cases there were creative funding proposals and implementation that allowed them to go forward.

- Katie Patterson with the San Joaquin Farm Bureau commented that the safety aspect is the #1 priority.

Also important is getting coordination between the local, state, and federal agencies on inspection criteria.

The plan contains a significant component of habitat. The plan states that the impact to 10,000 acres is significant and unavoidable. Unfortunately, it feels like agriculture in a number of these statewide processes is written off. They have a big problem with that: it affects private landowners. You need to be very careful in how you approach the relationships with the landowners; you have mentioned outreach.

They did send email alerts to try to get people to this meeting, but it is asparagus harvest season, a very busy time.

In the Delta Protection Commission's report, the economic sustainability plan stated that agriculture is king in the Delta. It drives the Delta communities. The 2009 water package legislation stated that in the co-equal goals of ecosystem restoration and water supply reliability, agriculture in the Delta must also be protected and preserved.

Ms. Patterson stated that they have asked for research into the existing resources to see how that can play into flood mitigation and coordination. Perhaps the San Luis unit can take on flood flow further upstream to help mitigate some of the issues and the need for Paradise Cut.

They are in a South Delta Water Agency, and one of the members who lives off of the San Joaquin River remarked that looking at the flood benefits further down in the San Joaquin, the elevational pitch isn't very beneficial. It's harder because that water is moving faster. A serious problem will arise when the water enters back into the system at the confluence.

BDCP had come out with some very broad acreage demands in advance with their proposals. Now they are learning through subsequent studies that maybe those demands weren't substantiated. You want to make sure that the current eminent domain demands are truly needed for the benefit of the state. You need to work with the individual landowners. To the extent possible, look at the policies to see how they affect those landowners. They would like to be engaged as the plan moves forward.

6. DRAFT PROGRAM ENVIRONMENTAL IMPACT REPORT (DPEIR)

A. Formal Presentation of DPEIR

Paul Marshall, DWR Assistant Chief for the Division of Flood Management, thanked the Board for combining the plan hearing with the DPEIR hearing. He introduced Michelle Ng, who presented a very brief overview of the DPEIR; and Mary Ann Hadden, DWR Staff Environmental Scientist, who outlined the procedures for comments.

Ms. Ng explained that DWR's proposed program was the SSIA. It has physical elements, regional improvements – urban, small community, rural, and agricultural – as well as system improvements that include ecosystem restoration opportunities that are integrated into the regional improvements. It has suggestions for policies, guidance, and implementation strategies as well.

The PEIR considers alternatives, whereas the plan does not. CEQA requires DWR to consider alternatives. The three other approaches are considered as CEQA alternatives, and evaluated for environmental impacts and mitigation strategies.

Four additional alternatives are discussed in the PEIR. One was a no-project alternative and another was a modified SSIA.

The PEIR will inform the public and allow DWR and the Board to consider the broad policy alternatives and potential program-level impacts and mitigation measures from implementation of some or all of the components of the SSIA.

DWR evaluated 20 resource categories. The degrees of impact remaining after mitigation were “less than significant,” “potentially significant and unavoidable,” and “significant and unavoidable.”

Because the CVFPP is a program, the DPEIR is not specific project level. Any of the actions alternatives undertaken under the SSIA or the CVFPP would be subject to project level environmental review and documentation for CEQA compliance.

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.

She described the schedule DWR was using in developing the PEIR.

B. Public Comment on the DPEIR

- Mr. Nomellini commented that it's important to make sure to look at the impact on existing communities, by any disqualification that might come out of the imposition of the 200-year level of protection and the certification that there's adequate progress – we can easily collapse these communities. Stockton is known to be in financial difficulty, and that's just the tip of the iceberg. If you inadvertently freeze development in these already developing communities, you'll collapse them.

There is nothing wrong with trying to develop environmental benefits. Floodplain developments upstream have different implications that in the Delta, which is in the tidal zone.

Mr. Nomellini questioned the assumption that putting more flood space in the reservoirs can be done to improve water development and yield.

- Tim Neuharth stated that his family has farmed on Sutter Island (near Courtland) since 1848. He stated that watching the river for many years has proved that vegetation on the levees is of the utmost importance. Vegetation, be it small or large, oak trees and sycamore trees down to Bermuda grass and snake grass, all provides a root system comparable to putting rebar in concrete.

When we remove the vegetation, there is no longer any rebar in the dirt to hold the soil in place. The water scours it off and it is gone. Mr. Neuharth has watched this happen many times due to vegetation removal projects that are done by different agencies.

Vegetation also provides much habitat for a variety of creatures, both terrestrial and aquatic.

What we do need on the levees in addition to vegetation is rock. The boat traffic creates wakes that are very insensitive to the fragile levees we have. The waves ricochet off the bank to the opposite side of the waterway. This process goes on 24-7 with the boat traffic.

Unless there is a rock shield on the levee embankment, the wave action continues to undermine, and the vegetation cannot handle that. Mr. Neuharth referred to many sites where the vegetation has been virtually devoid of any soil to hold it in place; that's why many trees fall over into the river – they have lost their support due to wave action from boats.

After shoring up the levee with rock, let Mother Nature reestablish the vegetation that was there in the first place, to provide reinforcement of the levees and habitat for the wildlife again.

7. ADDITIONAL PUBLIC COMMENTS

There were no additional public comments.

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

President Edgar defined and differentiated for the public all of the meetings that are coming up.

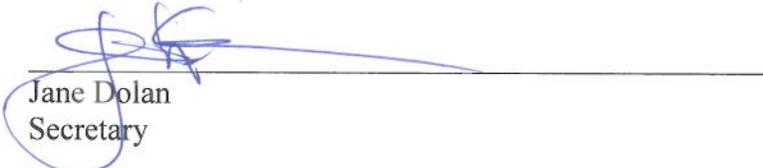
9. ADJOURN

Upon motion by Secretary Dolan, seconded by Board Member Countryman, the Board unanimously voted to adjourn.

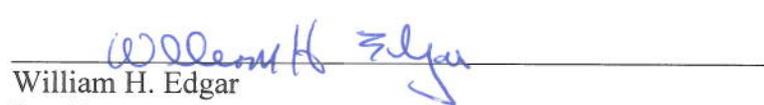
The meeting adjourned at 5:37 p.m.

Dated: 6-22-2012

The foregoing Minutes were approved:



Jane Dolan
Secretary



William H. Edgar
President