

**MINUTES**  
**MEETING OF THE CENTRAL VALLEY FLOOD PROTECTION BOARD**  
**October 24, 2014**

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

A regular meeting of the Central Valley Flood Protection Board was held on October 24, 2014, beginning at 9:00 a.m. in The Sacramento City Hall First Floor Council Chambers, 915 I Street, Sacramento, California.

**The Members of the Board:**

Mr. William H. (Bill) Edgar, President  
Ms. Emma Suarez, Vice President  
Ms. Jane Dolan, Secretary  
Mr. Joe Countryman  
Mr. Clyde Macdonald  
Mr. Tim Ramirez  
Mr. Mike Villines

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

Ms. Leslie Gallagher, Acting Executive Officer and Chief Counsel  
Mr. Len Marino, Chief Engineer  
Ms. Mitra Emami, Chief, Permitting Section  
Ms. Nicole Rinke, Board Counsel  
Ms. Christine Sproul, Board Counsel  
Ms. Amber Woertink, Board Analyst  
Mr. Michael Wright, Acting Chief, Operations Branch

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

Mr. Keith Swanson, Chief, Division of Flood Management  
Mr. Mike Mierzwa, Chief, Central Valley Flood Planning Office  
Mr. Stacy Cepello, Chief, Floodway Ecosystem Sustainability Branch  
Mr. David Pesavento, Chief, Flood Project Inspection Section  
Mr. Paul Farris, Chief, Real Estate Branch  
Mr. Dan Mardock, Chief, Geodetic Branch  
Ms. Sandy Maxwell, Senior Engineer  
Mr. Matt Pi, Staff Engineer  
Mr. Ricardo Pineda, Chief, Floodplain Risk Management Branch

Mr. Darren Suen, FloodSAFE Communications Lead  
**Department of Water Resources (DWR) staff present (continued):**

**Also Present:**

Ms. Paige Caldwell, United States Army Corps of Engineers  
Ms. Kimberlee Leonard, United States Army Corps of Engineers  
Ms. Judy Soutiere, United States Army Corps of Engineers  
Mr. Kris Tjernell, California Natural Resources Agency  
Ms. Cindy Messer, Delta Stewardship Council  
Mr. Forest Halford, Reclamation District 2104  
Mr. Tony Martinez, Reclamation District 1602  
Mr. Chris Neudeck, Kjeldsen, Sinnock & Neudeck  
Mr. John Carlon, River Partners  
Ms. Julie Rentner, River Partners  
Mr. Jonathan Kors, Wood Rodgers  
Mr. Gary Dietrich, Fox 40 News

**1. ROLL CALL**

Ms. Woertink called the roll and a quorum was achieved.

**2. APPROVAL OF MINUTES – July 25 and August 22, 2014**

*Upon motion by Secretary Dolan, seconded by Board Member Macdonald, the Board unanimously approved the July 25 and August 22, 2014 Minutes.*

**3. APPROVAL OF AGENDA**

*Upon motion by Board Member Macdonald, seconded by Secretary Dolan, the Board unanimously approved the Agenda "as is."*

**4. CONSENT**

**A. Permit No. 18932, Terry Knutson**

**Consider approval of Permit No. 18932 to install bank erosion control features along the Mokelumne River adjacent to the property located at 1562 Edgewood Drive, Lodi. (San Joaquin County)**

**B. Permit No. 18958, Woodland-Davis Clean Water Agency**

**Consider approval of Permit No. 18958 to install a new 30-inch diameter water distribution pipeline across Willow Slough Bypass and Willow Slough. (Yolo County)**

**C. Permit No. 18975, Sacramento Regional County Sanitation District**

**Consider approval of Permit No. 18975 to increase the capacity of the existing Emergency Storage Basins at the Sacramento Regional Wastewater Treatment Plant (SRWTP). The work will impact the north and west project levees of the SRWTP which protect the facility from Morrison and Laguna Creeks flood flows. The levees are features of the South Sacramento Streams Group Project which is a Board sponsored project. (Sacramento County)**

*Upon motion by Board Member Macdonald, seconded by Secretary Dolan, the Board unanimously approved the Consent Calendar.*

**5. PUBLIC COMMENTS - None**

(Prior to the formal Public Comment period: Mr. Darren Stuen, DWR FloodSAFE Communications Lead, thanked the Board for helping to raise awareness about Flood Preparedness Week; Mr. Gary Dietrich, Fox 40 News, discussed the Safely Out emergency preparedness project; and Ms. Judy Soutiere, Sacramento District Corps of Engineers Flood Risk Manager, thanked the Board for raising flood awareness and encouraged everyone to buy flood insurance.)

**6. U.S. ARMY CORPS OF ENGINEERS (THE CORPS) BRIEFING**

**A. U.S. Army Corps of Engineers Levee Inspection Results**

**1. RD 1600, 0827, 0785 and 0537 – SacYolo North (Yolo County)**

Mr. Kimberlee Leonard, the Corps, provided the Briefing and answered Board Member questions. She reported that all four RDs were found unacceptable.

**7. REPORT OF THE ACTIVITIES OF THE DEPARTMENT OF WATER RESOURCES (DWR)**

**FloodSAFE Environmental Stewardship and Statewide Resources Office Activities/Updates**

Mr. Stacy Cepello, DWR Floodway Ecosystem Sustainability Branch Chief, gave the Update and answered Board Member questions.

**Division of Flood Management (DFM) Activities/Updates**

Mr. Keith Swanson, DWR DFM Chief, gave the Update. Some highlights:

- October 15 marked the beginning of flood season.
- DFM continues its participation in preseason flood events.
- Ongoing construction: SBFCA levees along the Feather River will be reconstructed by mid-November, and The Corps' Common Features construction continues.
- As long as the dry season exists, DWR will continue progressing through the winter to fix some of the remaining sites along the American River.
- Efforts to finalize the funding for UFRR guidelines continue and the small community program guidelines are undergoing internal review.
- The Flood System Repair Program continues to progress. Thus far, DFM has entered into seven agreements for over \$14 million in State funds.
- The second statewide emergency response solicitation, which will allocate \$5 million in funding, is underway.
- Workshops on the Local Levee Assistance Program are anticipated in the November-December timeframe. There is approximately \$13 million available through the program, which is now in its second solicitation. It is hoped that the money will be handed out in the March 2015 timeframe.

Mr. Swanson and Mr. Mike Mierzwa, DWR Central Valley Flood Planning Office Chief, answered Board Member questions about the various coordination and integration efforts underway in anticipation of the implementation of the 2017 Central Valley Flood Protection Plan amendment.

**Quarterly progress report and scheduled update on deliverables and processes pursuant to Board Resolution No. 2012-25, RESOLVED 11 (y), regarding the Central Valley Flood Protection Plan implementation.**

Mr. Ricardo Pineda, DWR Floodplain Risk Management Branch Chief, gave the report and answered Board Member questions.

**8. INFORMATIONAL BRIEFINGS**

**A. Update on efforts to notify Local Maintaining Agencies (LMAs) of unacceptable operation and maintenance activities as reported by the**

**Department of Water Resources Flood Projects Integrity and Inspection  
Branch.**

Mr. Michael Wright, Board Operations Branch Acting Chief, provided the Briefing and answered Board Member questions.

Mr. Chris Neudeck, Kjeldsen, Sinnock and Neudeck, speaking on behalf of Reclamation District (RD) 524; Mr. Johathan Kors, Wood Rodgers, on behalf of RD 2035; Mr. Tony Martinez, RD 1602; and Mr. Forest Halford, Agriculture Industries, on behalf of RD 2104, clarified some of the challenges faced by RDs in their efforts to come into compliance as LMAs and answered Board Member questions.

**9. REQUESTED ACTIONS**

**A. 2014-15 Delta Levees Maintenance Subventions Program**

**Consider approval of the staff recommended funding allocation plan under the Delta Levee Maintenance Subventions Program for FY 2014-15.**

Ms. Sandy Maxwell, DWR Senior Engineer, gave the presentation, answered Board Member questions, and concluded with the staff recommendation that the Board approve the updated \$12 million funding plan for FY 2014-15.

Mr. Len Marino, Board Chief Engineer, further clarified aspects of the program.

Board Member Joe Countryman and others spoke strongly in favor of the program.

Mr. Neudeck, Kjeldsen, Sinnock and Neudeck, this time speaking on behalf of about 20 different RDs currently in the program, discussed some of the funding issues involved.

*Upon motion by Board Member Countryman, seconded by Board Member Macdonald, the Board unanimously approved the staff recommendation.*

**10. CLOSED SESSION - None**

- A. To discuss litigation (Hardesty et. al. v. Sacramento Metropolitan Air Quality Management District et. al; United States District Court, Eastern District of California - Sacramento Division Case No. 2:10-cv-02414-GEB-JFM) pursuant to Govt. Code section 11126(e)(1).**
- B. To discuss litigation (Central Valley Flood Protection Board v. Lino Catabran, Sacramento Superior Court Case No. 34-2013-142003) pursuant to Govt. Code section 11126(e)(1).**

C. 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.

11. CLOSED SESSION REPORT - *None*

12. REQUESTED ACTIONS (Continued)

A. American River Common Features, L7 Levee Improvement Project

Site L7 involves the installation of a cut-off wall across the left bank of the H Street Bridge near Sacramento State. Consider Approval of Resolution No. 2014-27 to:

1. Adopt the Mitigated Negative Declaration and Mitigation Monitoring Plan for the L7 Levee Improvement Project;
2. Approve the L7 Levee Improvement Project;
3. Delegate authority to the Executive Officer to execute the Notice of Determination.

Mr. Matt Pi, DWR Staff Engineer, gave the presentation and answered Board Member questions. He concluded with the staff recommendation to adopt the Resolution, which includes adoption of the Mitigated Negative Declaration and the mitigation monitoring and reporting plan; to delegate authority to the Executive Officer to execute the Notice of Determination, and to approve sites R3A, L10, L7 and R7.

*Upon motion by Board Member Macdonald, seconded by Secretary Dolan, the Board unanimously approved the staff recommendation.*

13. DISCUSSION AND POSSIBLE ACTION

A. Briefing on the Delta Plan and its implementing regulations, including an overview of key Delta Plan regulatory policies and the covered actions consistency certification and appeals processes. Also provided will be an overview on the Council's Delta levee investment strategy, which will update the Delta Plan's provisions for State investments in Delta levees and other risk reduction actions in accordance with Water Code sections 85305 and 85306.

Ms. Cindy Messer, Delta Stewardship Council Deputy Executive Officer for Planning, provided the Briefing and answered Board Member questions.

(The Board took no action.)

**14. INFORMATIONAL BRIEFINGS (Continued)**

**A. Proposition 1 Water Quality, Supply, and Infrastructure Improvement Act of 2014, an informational overview.**

Mr. Kris Tjernell, Special Assistant for Water Policy, California Natural Resources Agency, provided the overview and answered Board Member questions.

**B. The Division of Engineering will brief the Board about the real estate property management and geodetic services provided to the Board to support permitting, enforcement activity, as well as managing of Sacramento and San Joaquin Drainage District leases.**

Mr. Paul Harris, DWR Real Estate Branch Chief, provided the briefing and answered Board Member questions.

Mr. Dan Mardock, DWR Geodetic Branch Chief and Chief Surveyor, further detailed the geodetic services provided to the Board and answered questions.

**C. Informational presentation and status update on the Non-Structural Alternative at the Three Amigos site (formerly RDs 2099, 2100, 2102, currently San Joaquin River National Wildlife Refuge).**

Ms. Julie Rentner, River Partners, gave the presentation and answered Board Member questions.

Ms. Paige Caldwell, The Corps, explained the Corps' involvement in the project.

**15. BOARD COMMENTS AND TASK LEADER REPORTS - *None***

**16. FUTURE AGENDA – *No Discussion***

**17. ADJOURN-REGULAR BOARD MEETING**

The Board unanimously adjourned the Open Session at 4:32 p.m.

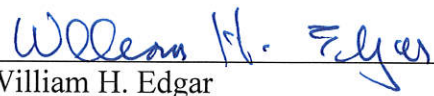
Dated: 12-19-2014

The foregoing Minutes were approved:



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Jane Dolan  
Secretary



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William H. Edgar  
President