

**MINUTES**  
**MEETING OF THE CENTRAL VALLEY FLOOD PROTECTION BOARD**  
**May 26, 2011**

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 May 26, 2011 at 8:30 a.m. at the EDD Building, 722 Capitol Mall, Auditorium, Sacramento, California.

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

Mr. Benjamin Carter, President  
Ms. Teri Rie, Vice President  
Mr. Butch Hodgkins, Secretary  
Mr. John Brown  
Mr. John Moffatt  
Ms. Emma Suarez  
Mr. Mike Villines

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

Mr. Jay Punia, Executive Officer  
Mr. Len Marino, Chief Engineer  
Mr. Dan Fua, Supervising Engineer  
Mr. Ali Porbaha, Supervising Engineer  
Mr. Curt Taras, Supervising Engineer  
Mr. Dave Williams, Senior Engineer  
Mr. Gary Lemon, Staff Engineer  
Ms. Nancy Moricz, Staff Engineer  
Ms. Amber Woertink, Office Technician  
Ms. Deborah Smith, Legal Counsel

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

Ms. Lani Arena, FloodSafe Federal Liaison for DWR  
Mr. Jeremy Arrich, Chief, Central Valley Flood Protection Office  
Mr. Gary Bardini, Chief, Division of Flood Management  
Mr. Wilbur Huang, Senior Engineer  
Mr. Noel Lerner, Chief, Flood Projects Office  
Mr. Don Rasmussen, Chief, Flood Project Inspection and Integrity Branch  
Mr. Keith Swanson, Chief, Flood Maintenance Officer  
Mr. Kent Zenobia, Chief, Project Delivery Branch

**Also Present:**

Mr. Michael Bessette, West Sacramento Area Flood Control Agency  
Ms. Jacky Bowen, HydroScience Engineers  
Ms. Diane Fales, Manager, Reclamation District 1001  
Mr. Ralph Keeley, Keeley Family Limited Partnership

**1. ROLL CALL**

President Carter welcomed everyone to the meeting. He requested Executive Officer Punia to call the roll. All Board Members were present except Teri Rie, Emma Suarez, and Mike Villines, who arrived shortly.

**2. APPROVAL OF MINUTES**

*Upon motion by Board Member Brown, seconded by Secretary Hodgkins, the Board unanimously approved the Minutes for March 25, 2011.*

**3. APPROVAL OF AGENDA**

Executive Officer Punia stated that there were no changes recommended by the staff, although letters from the U.S. Army Corps of Engineers (the Corps) had not been received for three of the items.

*Upon motion by Board Member Brown, seconded by Secretary Hodgkins, the Board unanimously approved the agenda as published.*

**4. PUBLIC COMMENT**

Ms. Diane Fales, Manager of Reclamation District (RD) 1001 in the Wheatland area, described a situation where a horizontal crack and a slump had formed on the north levee of the Natomas Cross Canal during the March storms. The crack had increased and the slumping had gotten worse with the continued rain.

RD 1001 is a small rural district, and lacked the capacity of funds to repair the crack, or even to cost-share a major repair such as this. They had requested funding through the DWR. They also requested PL 84-99 funding from the Corps, who had responded that the level and the cross canal of water elevation had not reached flood stage.

Executive Officer Punia stated that there was no requirement that the water had to reach flood state for Corps assistance, and that staff would be discussing the matter with the Corps.

Ms. Fales said that repair would cost either \$4.2 million or \$2.2 million depending on the method used. Mr. Keith Swanson, DWR Flood Maintenance Office Chief, said the DWR currently does not have any other program that would be applicable to this situation, but there is a need for one.

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

Mr. Gary Bardini, Chief of the DWR Division of Flood Management, provided the following information.



- The snowpack is significant and cool weather has resulted in a fairly measured runoff. A hot week could cause some of the snow to melt too quickly. However, demand is picking up and a lot of the water is being moved into the agricultural areas.
- A significant Golden Guardian flood exercise mobilized not only the DWR but all aspects of local, State, and federal agencies. They deployed equipment and resources out in the field, and went through all of their systems and protocols.

The exercise was a great success, in terms of the engagement. As always, five major areas need improvement:

1. Communication
  2. Efficient use of resources
  3. Process/standard operating procedures
  4. Roles and responsibilities of the various organizations
  5. Tools and systems that go across the various resources and organizations
- Budget matters were as follows:
    - The Division of Flood Management and the DWR took budget cuts in the neighborhood of \$20 million. The Board took a hit of about \$400,000.
    - Of the \$20 million, DWR was able to move about \$16 million over to bond activities.
    - Flood maintenance has also taken a significant cut. About 40% of the year-to-year maintenance budget is now being moved over to the bond.

This all means that there's just less General Fund support for flood. DWR has a little less money for capital improvements. Base activities can be shifted to the bond.

- At the Roundtable meeting, discussions continued on vegetation management, levee safety, and Corps policies versus DWR and Board policies. DWR produced an alternate variance draft and a white paper to the Corps.
- The Corps, DWR and the Board have been moving projects forward on the aspects of credit, called the 104 Process. The Office of the Assistant Secretary of the Army (ASA) has a policy for a more restrictive process of getting crediting; DWR has significant concerns about it.
- For the RD 1001 issues as well as the eligibility of PL 84-99, DWR has to work at federal, State, and local levels, as they have all the responsibilities.

Mr. Bardini took questions from Board members. Executive Officer Punia supplied details on the \$420,000 budget cut: CVFPB will be able to absorb that cut from reducing travel, equipment, and operations. There will be no reduction in personnel. Tier 1 and Tier 2 is a high priority from the Board, so CVFPB will be able to continue allocating resources on those programs.

#### **Briefing of DWR/Board trip to Washington D.C.**

Ms. Lani Arena, FloodSafe Federal Liaison for DWR, reported on the DWR trip to Washington D.C. at the end of March.

- For the first time, there was Board participation: President Carter accompanied the group.
- They had 36 meetings with Senate staff, and House members and staff, and committees. They also met with Corps Headquarters, the Office of Management and Budget (OMB), and the Council on Environmental Quality (CEQ).
- The alternative variance policy stemmed from encouragement they received from Senator Boxer's office to move forward with the proposal that would work for them.
- For Appropriations: a year-long continuing resolution passed for FY '11 that contained no project-specific allocations. Discretion was given to the Corps for allocation of those funds. Last week they released their workplan.
- Ms. Arena provided the Board members with a chart that went through FY '09 – FY '12. In the meetings the group had stressed that they knew that funding would be lower than in FY '10, but they hoped that FY '12 funding would come along sooner, so that decisions could be made in terms of what work could be done with the available funds.
- Despite the earmark ban, the group went ahead and filed informational requests – by the time the earmark ban had been imposed, their requests were 90% done.
- Staff from the House Appropriations, Energy and Water Development Subcommittee believed that the earmark bill is likely to have project-specific allocations for items that are in the President's Budget.
- From the standpoint of federal advocacy efforts, the earmark ban does not in any way diminish the need to advocate for project funding, but it is changing the target. Instead of the advocacy efforts being directed to Congress, they are being directed more to OMB and to the Corps in order to impact the President's Budget as best they can.
- In response to questions from Board Member Villines, Ms. Arena noted that they have been stressing the importance of getting funding into the general accounts, so that they can have a pot of money to talk to the Corps about, being able to say that these were DWR's own priorities.

Ms. Arena then discussed the Water Resources Development Act (WRDA). She summarized that the DWR has proposed legislation for a regional program that would focus primarily on crediting and reimbursement for flood control and ecosystem restoration activities on the Sacramento and San Joaquin Rivers.

- DWR took over the drafting of the legislation from Senator Boxer's office. The language is close to being ready for WRDA.
- In April Senator Boxer called for WRDA requests. DWR filed a request for the legislation, as well as three additional requests: the American River Common Features Post-Authorization Change Report (PACR), the South Sacramento Streams 902 limit increase, and activation of Section 104 and Section 3041 credits for the Yuba River.
- At the House T&I Water Resources and Environment Subcommittee level, the majority side reported that they are going to have difficulty moving a WRDA this year, but Chairman Mica is committed to it.



- On the minority side, Committee staff as well as Representative Napolitano are very interested in the DWR's proposal, and are looking at ways to help move it forward in the House.
- Representative Garamendi is interested in incorporating the language into a comprehensive water package.
- Representative Richardson's staff indicated that she may be interested in moving the legislation forward, if DWR moves it to a national program. Then DWR would be trading the earmark issue for the national debt issue.
- The Corps' decision to discontinue 104 crediting presents tremendous challenges for non-federal sponsors, and creates an additional impetus for moving the legislation forward. Earlier this month, ASA Darcy issued a memorandum in connection with the Yuba River Basin, making a general pronouncement that the ASA's office will no longer consider 104 credit applications and will transition to relying on Section 2003 of WRDA 2007.
- A comparison of Section 104 and Section 2003 shows that:
  - Section 104 credits apply to construction that is commenced after the feasibility study is commenced and before the project is authorized. Section 2003 covers construction activities that occur after completion of the feasibility report and the issuance of the Chief's Report.
  - Section 104 credit can be used to fund lands, easements, rights of way, relocations and dredge disposal sites, or LERRDS, as well as the required non-federal cash contribution in excess of the 5% minimum. Section 2003 cannot cover LERRDs, although it can cover the cash in excess of the 5% minimum.
- The ASA's decision seems rather arbitrary. DWR is trying to work with Corps District and Division offices to get a better sense of the intent behind this decision and its impact.

### **Central Valley Flood Protection Plan Status Update – System-Wide Approaches**

Mr. Jeremy Arrich, Chief of the Central Valley Flood Protection Office, gave a presentation comparing the alternative approaches. Below are highlights.

- In order to develop a state system-wide investment approach, they wanted to look at a kind of bookend range of different combinations of management actions. They applied various combinations of management action to three primary approaches:
  1. Achieve State Plan of Flood Control Design Capacity. This addresses capacity deficiencies associated with the State Plan of Flood Control facilities to get them up to their design standard.
  2. Protect High Risk Communities. This focuses on the highest risk populations, which include urban areas and small communities.
  3. Enhance Flood System Capacity. This looks at multiple benefit opportunities by enhancing the flood storage and conveyance capacity, as well as looking at ecosystem and water management benefits.

- Mr. Arrich described the approaches in detail, including cost, ecosystem benefits, and life safety.
- He compared the three on contributions to the supporting goals, which include improving operations and maintenance (O&M); promoting ecosystem functions; improving institutional support; and promoting multi-benefit projects.
- In looking at various phases of implementation, all the phases start at the same time. Some items will take longer to implement than others.
- Two identical workshops will be held in West Sacramento (June 2) and Stockton (June 10). The intent is to inform people on the analysis that's been conducted, and to give people an opportunity to comment and ask questions.

President Carter thanked Mr. Arrich for this integrated approach that looks not just at conveyance, but also at other multiple benefit efforts.

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

Executive Officer Punia reported on the following items.

- The Water Education Foundation had a tour, and they invited the Board to participate as subject matter experts. Mr. Curt Taras, Supervising Engineer, represented the Board.
- Bear Creek Levee: Staff is going through Enforcement Actions, trying to work with the attorney (Michael Babitzke) representing the property owners in order to reach a consensus. A meeting was held in which Mr. Babitzke gave a counter proposal.
- San Joaquin River Restoration Program: Mr. Len Marino, Chief Engineer, participated in a detailed review of the Bureau model studies conducted for Reach 4B and review of the alignment alternatives for conveyance through Reach 4B.
- The Bureau and the DWR are scheduling a workshop on June 3 to brief the flood control agency on the proposed project.
- Problems have surfaced for those implementing the San Joaquin River restoration program, as far as accessing the flood control project for gathering data. For the lands for which CVFPB has title ownership, we will issue them temporary permits, so that they can easily access the project sites and continue to gather the data.
- As Mr. Bardini mentioned, at the California Roundtable meeting DWR distributed the white paper and the alternative variance procedure that they had prepared. At the request of the Corps, Mr. Punia briefed the participants on the status of the key elements of the framework documents. In March the Corps had granted a continuance of the temporary extension for participation in PL 84-99.

DWR feels that the two documents are fairly complete; if the Corps doesn't meet them there, DWR is prepared to ask the State to part ways with the Corps.

- Board staff is meeting with CalTrans on a regular basis to educate them on expediting the permitting process for the CalTrans bridge.



- Regarding budget planning, Mr. Bardini had mentioned the General Fund cut of \$420,000 from the Board general fund budget. In addition, the Levee Subventions Program in the Delta was supposed to come through the General Fund, but it will continue to be funded by the proposition funding.
- Regarding the Delta Plan, Board Members Teri Rie and Mike Villines as well as Mr. Marino participated in a conference call with the Delta Stewardship Council to review and discuss the third draft of the plan.
- Regarding the Gomes Lake Joint Power Authority, the five-member JPA is getting close to a new 5-year ratification. Mr. Marino has been instrumental in bringing the parties together.
- Board staff is working aggressively to have contracts in place, so that some of the work can be assigned to the California State University, as well as PBS&J and Atkins, for technical expertise in conducting hydraulic analysis.
- Regarding Title 23 Regulations, Tier 1B, staff is making progress. The Statement of Reasons is ready, and staff is planning to submit the Board-approved package to the Natural Resources Secretary for his approval.

#### **Update on Local Maintaining Agencies' Compliance with the U.S. Army Corps of Engineers Periodic Inspections**

Mr. Ali Porbaha, Supervising Engineer, gave the update. He stated that the meeting was held on May 10 with over a dozen Local Maintaining Agencies (LMAs) participating, as well as members from the Corps, DWR and Board staff.

The objective was to kick off the start of construction season and to build a sense of cooperation among the different agencies. The meeting was a success, creating momentum for improved cooperation and a sense of willingness to take action.

#### **Plan and Schedule of Enforcement Activity**

Mr. Porbaha also supplied this update. He stated that the objectives for enforcement were to ensure code compliance, reduce risk of levee failure due to code violations, and fulfill the statutory authority by issuing Notices of Violation and holding hearings.

The 12-month enforcement forecast identifies encroachments that the Corps deemed could prevent performance of the flood protection systems. There are estimated to be about 50.

### **7. CONSENT CALENDAR**

#### **A. Permit No. 18017, Shasta Ranch, LLC**

**Consider approval of Permit No. 18017 to excavate approximately 834,000 tons of material from approximately 21.5 acres for about 2-1/2 years along the right (west) bank of the Sacramento River Designated Floodway east of Anderson. (Shasta County)**

#### **B. Permit No. 18643, Verona Village River Resort**

**Consider approval of Permit No.18643 to install a 3-inch diameter steel sewer pipe through the left (east) bank levee of the Sacramento River at the intersection of Garden Highway and Sankey Road. (Sutter County)**

**C. Permit No. 18645, Butte County General Services**

Consider approval of Permit No.18645 to permit a portion of the proposed Veteran's Memorial Park off Montgomery Street in Oroville on the waterside of the levee within the Feather River Designated Floodway. Proposed work includes (1) remove and demolish existing trees, fencing, utility poles and concrete; (2) perform grading and install underground electrical, sanitary sewer, and storm drainage utilities; (3) construct walkways, stairs and handrails, a shade structure, memorial walls, lighting, landscaping and irrigation; and (4) install a 180-foot long, 16-foot maximum height curved retaining wall of 40-foot radius. (Butte County)

**D. Permit No. 18646, Farmington Water Company**

Consider approval of Permit No.18646 to install approximately 450 feet of 6-inch PVC water pipeline approximately 30 feet below the streambed of Littlejohns Creek along Escalon-Bellota Road parallel to the existing bridge crossing. (San Joaquin County)

**E. Permit No. 18647, Farmington Water Company**

Consider approval of Permit No.18647 to install approximately 400 feet of 6-inch PVC water pipeline approximately 30 feet below the streambed of Duck Creek along Escalon-Bellota Road parallel to the existing bridge crossing. (San Joaquin County)

**F. Permit No. 18649, City of Gridley**

Consider approval of Permit No.18649 to remove approximately 7.7 acres of walnut orchards for the installation of a 750-Kilowatt DC solar power generation array connected by approximately 5,000 feet of underground cable and surrounded by approximately 2,500 feet of chain link fence and approximately 3,000 feet of access and perimeter road on the left (east) bank overflow area of the Feather River Designated Floodway. (Butte County)

**G. Permit No. 18661, Keeley Family Limited Partnership**

Consider approval of Permit No.18661 to construct six 48-foot diameter, 35.75-foot high steel grain storage bins spaced seven feet apart on concrete foundations, and a steel loop conveyor system with catwalk in Area E of the Butte Basin at 1559 County Road Z. (Glenn County)

President Carter recused himself from Item G.

Mr. Ralph Keeley, representing the Keeley Family Limited Partnership, addressed the Board regarding Item G. He explained that he had a lot on the line: the storage bins were to be storage for his 2011 rice crop of about 1,000 acres. He had a huge capital outlay with construction materials ready to go up and an out-of-state work crew ready to start. PG&E was also involved in the schedule.

The area in question had never flooded and was not in the Corps' jurisdiction.

Ms. Jacky Bowen of HydroScience Engineers addressed the Board for the City of Gridley regarding Item F. She explained that the city could receive a market tax credit from the federal government if they got the permit approved by May 31. The permit was pending Corps approval.



Mr. Gary Lemon, Staff Engineer, stated that the right bank of the Feather River in this location was a project levee. Thus, the Corps wanted to be able to comment on this project for potential impact to it. There was no levee on the left bank, which was why it was a designated floodway.

The Board discussed the unique circumstances of Items 7G and 7F.

*Upon motion by Board Member Brown, seconded by Board Member Villines, the Board voted unanimously to remove Items 7G and 7F to hearings today, and to approve the remaining items with changes to the Conditions on Items 7D and 7E.*

## 8. HEARINGS AND DECISIONS

### A. Permit No. 18313-1, West Sacramento Area Flood Control Agency, CHP Police Academy Levee

**Consider approval of Permit No. 18313-1 to alter approximately 6,500 feet of federal flood control project levee on the left (south) bank of the Sacramento Bypass adjacent to the California Highway Patrol Academy just below the Sacramento Weir in West Sacramento, CA. (Yolo County)**

### B. Permit No. 18313-2, West Sacramento Area Flood Control Agency, The Rivers Levee

**Consider approval of Permit No. 18313-2 to alter approximately 3,050 feet of federal flood control project levee on the right (south) bank of the Sacramento River downstream of the Sacramento Weir and above the American River in West Sacramento, CA. (Yolo County)**

Mr. David Williams, Senior Engineer, introduced the two projects. He stated that they were the second two out of three Early Implementation Program (EIP) projects: the first had been the I Street Bridge levee improvement, and the second and third were on the CHP levee.

While they have separate applications, there's a lot of similarity although construction methods will be totally different. It is the hope of West Sacramento Area Flood Control Agency (SAFCA) for them to go out to bid under one contract. The total length will be about 1.6 miles of levee.

Ms. Nancy Moricz, Staff Engineer, gave a presentation on the first item, 8A. She described the location, then gave some project background: the West Sacramento Levee Improvement Project seeks to meet the Corps' current levee design criteria. EIP constructed in advance of the Corps construction will be improved to at least a 200-year level of protection. The remaining reaches of the levee system protecting the city will ultimately be improved to a 200-year level by the Corps.

Ms. Moricz went through the project, hydraulic, and geotechnical analyses. She gave the Agency's comments and endorsements, and the California Environmental Quality Act (CEQA) findings.

Mr. Michael Bessette, City of West Sacramento and West SAFCA, stated that the City fully agrees with Ms. Moricz's presentation. The City is aggressively pursuing its goal of reaching the 200-year level of flood protection.

Mr. Kent Zenobia of the DWR Flood Projects Office, and also the Board, stated that the DWR Project Delivery Branch totally supports the project.

*Upon motion by Vice President Rie, seconded by Secretary Hodgkins, the Board voted unanimously to adopt Resolution No. 11-17.*

Mr. Williams gave a presentation on Item 8B. He began by describing the location and the design features. He explained the project benefits: to address major geotechnical concerns; to strengthen and improve the levee for increased stability; to provide the 200-year flood protection plus 3 feet of freeboard (as does Item 8A); to create project features that will help achieve the goals of the West Sacramento Conservation Plan; and to provide recreational features in accord with West Sacramento's general plan.

Mr. Williams explained the project plans. As with Item 8A, several geotechnical concerns will be addressed: levee seepage problems will be fixed, levee slopes and hydraulic gradients will be improved, and walls and cutoff walls will be constructed.

Mr. Williams identified the CEQA findings.

Mr. Bessette asserted that the applicant concurs with the staff's presentation. He pointed out that both projects have been fully coordinated with Board staff, with multiple agencies within DWR, and with the Corps.

Mr. Zenobia noted that this is a high priority project because of the seepage. He also mentioned that it was previously on the list of urgent erosion control sites that DWR was going to move forward with on its own. He applauded the City of West Sacramento and West SAFCA for moving it up on the agenda and fixing it together in a partnership.

*Upon motion by Vice President Rie, seconded by Board Member Villines, the Board voted unanimously to adopt Resolution No. 11-18 with a change in paragraph 15 removing the reference to the CHP Academy and inserting the reference to The Rivers project.*

**Agenda Item F. Permit No. 18649, City of Gridley**

**Consider approval of Permit No.18649 to remove approximately 7.7 acres of walnut orchards for the installation of a 750-Kilowatt DC solar power generation array connected by approximately 5,000 feet of underground cable and surrounded by approximately 2,500 feet of chain link fence and approximately 3,000 feet of access and perimeter road on the left (east) bank overflow area of the Feather River Designated Floodway. (Butte County)**

Mr. Lemon reviewed the staff report. As he had discussed earlier, the right bank has a project levee in the area, but it is in the designated floodway. The applicant proposes to remove a walnut orchard and install a 750-kilowatt direct current solar array system.

The proposed solar array project will supplement the electrical needs of the wastewater treatment plant just south of the array. Mr. Lemon emphasized that only about 40% of the property where the solar array will go is inside the Feather River designated floodway.

Mr. Lemon went on to describe the installation of the solar array network. He gave agency comments and endorsements.



Board Member Moffatt noted for the record that the reasoning for expediting and moving the permit to a hearing was the challenges with the Corps. The Board noted the project did not appear to have any adverse impact on the existing system and discussed several approaches that would allow approval of the permit without delaying its issuance until a letter was received from the Corps. Secretary Hodgkins moved that the Board adopt the CEQA findings and approved the permit with Condition 35 altered so that the applicant is required to comply with any conditions requested by the Corp's 208.10, and direct staff to issue the permit whether or not such a letter is in hand. The applicant was asked if they were willing to comply with such conditions even though they are currently not known and responded in the affirmative. . Secretary Hodgkins noted that this was an unusual action to take, but it would prevent the permittee from missing federal funding on a good project.

*Upon motion by Secretary Hodgkins, seconded by Board Member Suarez, the Board voted to approve Permit No. 18649, with the addition of Condition 35 stating that the permittee shall comply with the conditions in the Corps letter. The motion passed with six ayes and one abstention.*

**Agenda Item G. Permit No. 18661, Keeley Family Limited Partnership**  
**Consider approval of Permit No.18661 to construct six 48-foot diameter, 35.75-foot high steel grain storage bins spaced seven feet apart on concrete foundations, and a steel loop conveyor system with catwalk in Area E of the Butte Basin at 1559 County Road Z. (Glenn County)**

Mr. Lemon described the project to install six 48' diameter steel grain storage bins. He gave a project analysis and hydraulic analysis. The CEQA analysis gave it a Class 3 categorical exemption.

Secretary Hodgkins asked Mr. Keeley about the statement that the ground upon which the grain bins were sited had never been inundated since the farm was built in 1876. Mr. Keeley confirmed it.

Mr. Lemon stated that he did not consider it a significant hydraulic problem to the Butte Basin. Secretary Hodgkins noted that the Butte Basin was not a part of the State Plan of Flood Control by the descriptive document, unless it had been added, so the Corps had no jurisdiction.

*Upon motion by Secretary Hodgkins, seconded by Board Member Brown, the Board voted to delete the condition requiring a Corps letter from Permit No. 18661. The motion passed with six ayes and one abstention.*

## **9. INFORMATIONAL BRIEFINGS**

### **A. Delta Stewardship Council Update**

Vice President Rie and Board Member Villines provided the briefing. Board Member Villines began by stating that during a phone call with Mr. Marino, they had come up with three items they felt should be included in the Delta Plan. They had provided the Board with copies of the draft items.

1. Chapter 7 includes a classification of levees: Classes 1 through 5. Some of the classes are FEMA 100-year and DWR 200-year. However, the class that's

missing is the Board standard, and that is the 1957 profile levees. The minimum design criteria would be Title 23.

2. Policy RRP3 says, "Existing or potential value of floodplains or potential floodplains shall not be encroached upon nor diminished, except as provided in this Delta Plan." The policy should acknowledge that the Board has regulatory authority in the Yolo Bypass within floodplain easements and also outside of the easements.
3. A similar comment is needed for the Cosumnes River and the San Joaquin River south Delta floodplain.

Vice President Rie pointed out that the Delta Council had received close to a thousand comments on this draft – all the agencies and jurisdictions who currently have authority in the Delta, all curious as to how the Delta Plan is going to affect their authority.

Board Member Moffatt commented that the purpose of the Delta Plan is to oversee all activity in the region in a coordinated effort between approximately 22 state, federal, and local entities.

In response to a question from Board Member Brown, Vice President Rie stated that one of the legislative objectives is to reduce risk in the Delta: risk to people, the State, and to property. The policies in Chapter 7 address this objective.

She went on to say that the end product of the Delta Plan will be comprehensive, including elements from the Central Valley Plan of Flood Control, the Bay-Delta Conservation Plan, and any other existing plans.

Vice President Rie noted that one of the things that the Delta Stewardship Council has asked the Board to focus on is priorities for funding. What she and Board Member Villines are going to send them, with the staff's comments, is the Delta Levees Subventions Program.

Board Member Moffatt commented that if the Board adopted the Central Valley Plan of Flood Control while the Delta Stewardship Council adopted the Delta Plan, and the two were in conflict on certain issues, the Stewardship Council would be aware that the Board is in the middle of this process.

Vice President Rie added that the DWR had mentioned that they were going to have an administrative draft of the Central Valley Plan of Flood Control available in August, and that they were going to coordinate with the Stewardship Council and give them a copy of the administrative draft.

#### **B. Folsom Dam Emergency Spillway Model Studies and Video.**

Mr. Wilbur Huang, DWR Senior Engineer and Chief of the Corps and Board project section, gave an overview of the project and showed a video. He began by noting that it was probably one of the biggest flood control projects currently undertaken by the federal government and the State.

It is a multi-agency effort involving the CVFPB, the Corps, SAFCA, and the U.S. Department of the Interior / Bureau of Reclamation. The purpose of the project is to design and construct an auxiliary spillway at Folsom Dam that meets the federal, State, and local objectives for the Folsom Dam.



The project was started in 2001 and is scheduled to be complete in 2017-2018. The budget has a target of \$833 million.

Mr. Huang gave a road map for the Board's trip the following day, describing the components of the dam. He explained the construction of the spillway. He also explained that the construction of the control structure will be dry while the excavation of the rock plug and the cofferdam will be wet.

The video was played. The audio failed to work so Mr. Taras gave an impromptu narration. Mr. Noel Lerner, Chief of the DWR Flood Projects Office, gave some final information.

## 10. BOARD COMMENTS AND TASK LEADER REPORTS

- Board Member Brown stated that he went to the Association of California Water Agencies (ACWA) in Sacramento and attended part of the conference.
- Board Member Suarez reminded the Board that the task group is preparing the Tier 2, which are the changes to the standards in Board regulations. The next step is going to be having some preliminary public discussions, including putting together a couple of informational meetings with the interested stakeholders.
- Board Member Villines stated that he is working on the Delta Stewardship Council with Vice President Rie, making sure to get their points included in the report. He is also working with the Delta Conservancy, intending to focus on flood protection.
- Secretary Hodgkins remarked that besides the normal meetings, he went to the State's outreach meeting on the urban level of flood protection. He complimented the DWR on doing a very good job in being prepared to present their information in a manner that made it understandable and easy to comment on for the land-use agencies that were there.
- President Carter and Secretary Hodgkins met with Mr. Monty Schmitt from the Natural Resources Defense Council (NRDC) to talk about the San Joaquin River Restoration Program. Mr. Schmitt had been interested in a few issues in terms of restoration flows, particularly in Reach 4B and how that was going to be accomplished. He wanted to know their perspective in terms of using the bypass channels for flows.

President Carter noted that there had been a change of command for the Corps Division South Pacific Division (SPD) Commander Colonel Leady, who is turning over command to Colonel Michael Wehr.

Three Roundtable Steering Committee meetings and one Roundtable meeting had been held. The DWR had presented their white paper on vegetation management and their alternative variance program. Mr. Punia had presented a status report on the PL 84-99 rehabilitation, and Board commitments towards the framework adopted in 2009.

General Grisoli from the Corps Headquarters will be in California at the end of June. He wanted to meet with President Carter, perhaps one other Board Member, and two or three people from DWR to talk about vegetation and other issues.

**11. FUTURE AGENDA**

The Board discussed items for the next month's meeting agenda.

**12. CLOSED SESSION**

The Board went into closed session to discuss litigation of the San Joaquin County Superior Court Case No.19-2011-00256176-CU-OR-STK pursuant to Government Code Section 11126 (e) (i).

Also, on the second item closed session pursuant to the same Government Code Section to consider potential litigation involving the Board.

**13. ADJOURN**

President Carter stated that the Board had listened to advice from counsel and given staff direction accordingly.

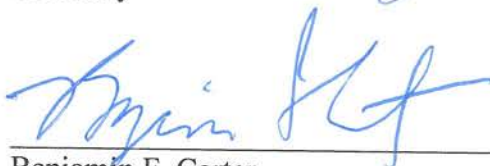
He adjourned the meeting at 5:00 p.m.

Dated: \_\_\_\_\_

7/22/11

The foregoing Minutes were approved:

  
\_\_\_\_\_  
Butch Hodgkins  
Secretary

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



## MINUTES

### CENTRAL VALLEY FLOOD PROTECTION BOARD SITE VISIT TO FOLSOM DAM AND THE JOINT FEDERAL PROJECT

MAY 27, 2011

A publically noticed Central Valley Flood Protection Board tour was held on May 27, 2011 at 9:00 am. Board members, Board staff, Department of Water Resources' staff, and the public visited the Folsom Dam to observe the progress on the Folsom Dam Safety and Flood Damage Reduction Joint Federal Project.

Participants in the tour from the Central Valley Flood Protection Board and Department of Water Resources were:

Ben Carter, Board President  
Butch Hodgkins, Board Secretary  
John Brown, Board Member  
Michael Villines, Board Member  
Debbie Smith, Board Counsel  
Jay Punia, Board Executive Officer  
Len Marino, Board Chief Engineer  
Dan Fua, Board Supervising Engineer  
Curt Taras, Board Supervising Engineer  
Ali Porbaha, Board Senior Engineer  
Mitra Emami, Board Senior Engineer  
Nancy Moricz, Board Engineer  
Angeles Caliso, Board Engineer  
Sungho Lee, Board Engineer  
Alison Tang, Board Engineer  
Jon Tice, Board Engineer  
Martin Janolo, Board Engineer  
James Herota, Board Staff Environmental Scientist  
Andrea Mauro, Board Environmental Scientist  
Lorraine Pendlebury, Board Analyst  
Amber Woertink, Board Support Staff  
George Qualley, DWR  
Noel Lerner, DWR  
Mark Steenburg, DWR  
Andrew Pendery, DWR  
Wilbur Huang, DWR

Since the Central Valley Flood Protection Board (Board) is the State sponsor of the Joint Federal Project (JFP), the purpose of the site visit was for the Board, Board staff, DWR staff, and the public to view and be briefed on the recently

completed auxiliary spillway by the Bureau of Reclamation (USBR), the work on the next phase begun by the U.S. Army Corps of Engineers (Corps), and modifications going on at the Mormon Island Auxiliary Dam (another part of the JFP).

**9:00 AM** - The group met at Folsom Point to hear presentations by USBR on Phase I and II of the JFP, followed by a Corps presentation on Phase III of the project.

Larry Hobbs of USBR explained the layout of the project, and that they have completed Phase I and II. Phase I included the spillway mid-section excavation. Phase II was concerned with excavation of the spillway's lower section. This project will allow the release of more water to take the pressure off the dam, and handle the water from a larger storm. Larry Hobbs and Mark Curney finished up the USBR portion of their presentation by answering general questions about capacity of the system downstream of the dam to handle more water.

Beth Salyers, the Corps' lead project manager of the Folsom Dam JFP, gave an overview of the remainder of the plans for the Project. Phase III will be to excavate the upper section of the spillway. Then the Corps will continue on to Phase IV, which will be the construction of the approach channel, chute, and stilling basin. Currently, the Corps, USBR, and the State of California are developing a construction schedule for this phase of the work. Also, the Corps will be excavating to allow for the placement of a new concrete control structure that will operate in conjunction with the existing spillway gates on Folsom Dam.

**10:15 AM** – The group moved on to a nearby site to view the work going on at Mormon Island Auxiliary Dam. The excavation work taking place is part of the surcharge storage component of the Folsom Modification Project and will raise the impervious core in the Dam and in several dikes around the lake.

**10:40 AM** – The assemblage moved on to a third and final stop near Auburn - Folsom Dam Road to get a different vantage point of the Folsom Dam improvements and the new spillway construction. The USBR gave a brief overview of how the newly constructed gates will work.

**11:00 AM** – Board President Carter thanked all of the participants and members of the public and concluded the Site Visit.