

**MINUTES**  
**MEETING OF THE CENTRAL VALLEY FLOOD PROTECTION BOARD**  
**October 26, 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 regular meeting of the Central Valley Flood Protection Board was held on October 26, 2012, beginning at 9:11 a.m. in the Auditorium at The Resources Building, 1416 Ninth Street, Sacramento, California.

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

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

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

Mr. Jay Punia, Executive Officer  
Mr. Len Marino, Chief Engineer  
Mr. Eric Butler, Supervising Engineer  
Ms. Mitra Emami, Senior Engineer  
Mr. Michael Wright, Senior Engineer  
Ms. Nancy Moricz, Staff Engineer  
Ms. Amber Woertink, Staff Assistant  
Ms. Deborah M. Smith, Legal Counsel  
Ms. Nicole Rinke, Legal Counsel

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

Mr. Marc Hoshovsky, Environmental Program Manager, FloodSAFE Environmental Stewardship and Statewide Resources (FESSRO)  
Mr. Earl Nelson, Flood Protection Corridor Program Manager  
Ms. Gail Newton, Chief, FESSRO  
Mr. George Qualley, Division of Flood Management  
Mr. Michael Sabbaghian, Chief, Project Development Branch  
Mr. Keith Swanson, Chief, Division of Flood Management

**Also Present:**

Mr. Michael Bessette, Director of Engineering, Sutter Butte Flood Control Agency  
(SBFCA)  
Ms. Kim Floyd, Principal, Kim Floyd Communications  
Mr. Tom Fossum, Land Development Manager, Butte County Dept. of Public Works  
Ms. Meegan Nagy, Levee Safety Program Manager, United States Army Corps of  
Engineers (Corps), Sacramento District  
Mr. Tim Wood, Chief Deputy Director of Public Works, Tehama County

**1. ROLL CALL**

Executive Officer Punia called the roll and a quorum was achieved (Board Member Villines joined the Board shortly after the meeting started).

**2. APPROVAL OF MINUTES – August 24, 2012 Board Meeting**

Board Member Macdonald stated that a misspelling had occurred; the Minutes currently state that Board Member Countryman referenced “*wind* dams;” the correct spelling is “*wing* dams.” He requested that this wording be corrected.

*Upon motion by Board Member Macdonald, seconded by Board Member Countryman, the Board unanimously approved the August 24, 2012 Board Meeting Minutes, as corrected above.*

**3. APPROVAL OF AGENDA**

Executive Officer Punia stated the staff recommendation that Consent Calendar Item 8B be moved to a separate item following the Consent Calendar; that Item 8D be postponed to a future meeting; and that the Closed Session (Item 13) be moved ahead in the schedule and held during the lunch break.

*Upon motion by Board Member Countryman, seconded by Board Member Macdonald, the Board unanimously approved the staff recommendation (see sentence above).*

**4. PUBLIC COMMENT - NONE**

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

Mr. Keith Swanson, DWR Division of Flood Management Chief, reported the following:

- Yolo County decided not to pursue a lawsuit associated with the adoption of the Central Valley Flood Protection Plan.
- Some new flood legislation was enacted that modified Senate Bill (SB) 5; the modification includes a clarification of DWR's responsibilities associated with the development of 200-year floodplain maps. DWR is now required to provide those maps by July 2013. The maps portray the inundation that will occur due to failure of the State Plan of Flood Control facilities only.

Further, both shallow flooding and local drainage are now excluded, although DWR will still need to be involved in defining what shallow flooding and local drainage is and how they should be handled. In order to accomplish this task, DWR is reformulating the Urban Level of Protection (ULOP) group, and meetings of that group will start again in the near future.

As people continue to make their findings on evaluating levee performance, the encroachment management issue remains a focus. This will certainly be of interest to the Board. President Edgar responded that the Board would be interested in participating in the effort and asked that the Board be apprised of the skill sets needed by DWR so he can ensure that the appropriate Board members are involved.

- The second Coordination Committee Meeting was held recently. Some highlights:
  - A subcommittee was established to develop a charter to deal with rural levee repair criteria.
  - There was a lot of discussion about Letters of Intent (LOIs) and Statewide Improvement Frameworks (SWIFs). It appears that the urban areas are interested in pursuing SWIFs, which is tied to their ability to garner federal funding to implement some of the capital improvement projects that are under feasibility study right now. It is important that the federal government continue to be the lead on the feasibility studies and, when a project is identified, that it be the lead on the construction of the capital improvements that are identified.
  - The process of determining the various roles and responsibilities at the local, State and federal levels is still unclear. Commitments will need to be consistent with agency responsibilities, and then progress tracked to hold each other accountable.
  - Regional planning is gaining momentum, an encouraging sign. There has been some consolidation of regions and the Regions continue to move forward

with hiring consultant support and discussions pertaining to timeframes for setting guidelines, as well as how much money will be required.

- DWR is gearing up for flood season. Many maintenance activities are winding down as environmental work windows are closing. Coordination of construction projects is being “buttoned up” for the winter.
- The preseason briefing is currently being developed and DWR will present it to the Board in either November or December. A briefing is also being put together for presentation to the DWR executives.
- The Governor has appointed a new Deputy Director whose area will include FESSRO and DWR’s environmental group; his responsibilities will predominately be overseeing some of the Delta work that is ongoing. Chief Swanson will arrange an introductory meeting between the new Deputy Director and the Board, possibly at the November Board Meeting.
- President Edgar inquired about the SWIFs and encroachment program issues—has the Department thought about how to reconcile these two different inspection systems, one at the state level, the other at the Corps? Chief Swanson responded that DWR continues to meet with the Corps on a regular basis and they are working toward standardization of the inspection process. There are some areas of fundamental disagreement that they are currently working through but, in fact, they are very close to reconciliation. Both programs identify many of the same deficiencies and some questions remain about how to resolve them.

President Edgar remarked that the Board has a major responsibility in terms of regulatory issues related to bank caving, encroachments, erosion, and etc., and the Department has the responsibility for the investment program to take care of long-term problems. There are many additional details, of course, but essentially that distinction is the message that should be portrayed both to the Corps and to the local LMAs (Local Maintenance Agencies).

However, underpinning all of that is the need for criteria and standards that have some commonality. Board Member Ramirez also discussed the need to ensure that the details of inspections be presented in a unified manner.

Mr. Michael Sabbaghian, DWR Project Development Branch Chief, Flood Projects Office and Division of Flood Management, discussed DWR’s recent trip to the federal Office of Management and Budget (OMB). Highlights included:

- OMB was very direct with DWR about the money situation – it is not getting better, it is getting worse.

- Last year OMB was criticized about how they made their decisions and they are now looking at ways to better describe and publicize how they make those decisions. They asked DWR for information on how California is rating their projects, as OMB is looking for opportunities to be able to rank projects and rate them more accurately. Currently, they are evaluating their Levee Safety Assurance Process (implemented by the Corps).
- Earmarks: there was much discussion with various Committees and their members about a solution to the earmarks situation, which is now widely perceived as being out of control. Specifics were not discussed, nor can they be until after the election, but people are looking at alternate ways of being able to put discontinued projects back on for funding.
- The Water Resources Development Act (WRDA) bill: Senator Boxer's office is definitely putting a WRDA bill into the Senate. The bill will include a section pertaining to the national coalition of flood project partners and the 221 and 103 credits, asking that the timeline to secure those credits be earlier on in the study process.

Senator Boxer's office would prefer to get the bill through the Senate in the lame duck session but they weren't optimistic that this could be done. They felt that the draft language would be ready by that time, but the bill will be introduced further along.

- DWR asked that the Corps go back and revisit the vegetation management issue and work with the National Science Academy and other constituents before finalizing Corps vegetation management policy.
- Lengthy discussions also occurred with Federal Emergency Management Agency (FEMA) personnel, especially the Assistant Secretary of the Army's (ASA) Office, about the current reality that sometimes the Corps does not seek or take comments from the outside prior to policy development. The Corps and FEMA generally were very receptive to discussion about an updated approach to policy development.
- Discussion also occurred regarding SWIFs and how to deal with the massive 1,600 mile levee system in California. Decertification from PL 84-99 will literally take a majority of those levees out of the system, with the exception of maybe 350 miles of urban levees. The non-urban areas will not have the means to do a SWIF.
- Several committee representatives remarked about how the Corps' responsibility is very large and there is insufficient funding to manage it. As these levees come out of the federal system and shift to local and state control, it will change the

management of federal expectations regarding those systems and other funding sources will need to be considered.

(Board Member Villines joined the meeting.)

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

Executive Officer Punia reported on the following items:

- Central Valley Flood Protection Plan: DWR approved the guidelines for funding the regional plan that was approved by the Director on October 12. The guidelines have been posted on the web and DWR is moving ahead and receiving applications from the regional groups.
- The Central Valley Flood Hydrology Study Web Forum has been launched. Its main purpose is to put information on the web so that local regions can use that information--even if it's not complete at this time.
- DWR is also moving ahead with the Urban Stream Restoration Program. They are planning to release the draft proposal solicitation packages for approximately \$9 million in grant funding.
- A proposal solicitation package has been released on the conservation strategy and applications have been received worth much more than the \$25 million funding currently in place.
- The Coordination Committee had a second meeting (as mentioned previously). The Committee's purpose is to integrate the local and regional planning efforts with the statewide, system-wide studies being launched by DWR.
- Kim Floyd, Principal of Kim Floyd Communications, has been hired to serve as the coordinator for the Committee. Sacramento Area Flood Control Agency (SAFCA), Sutter Butte Flood Control Agency (SBFCA) and San Joaquin Flood Control Agency (SJFCA) are funding Ms. Floyd's services. She has more than 20 years experience in communication and public relations and is highly suitable for this type of responsibility.

Executive Officer Punia noted that Ms. Floyd will be coming before the Board every month to give the Board perspective on the regional planning efforts.

Ms. Floyd provided her initial presentation to the Board. Some highlights:

- As alluded to previously, the Coordination Committee's purpose is to provide a forum for the sharing of information and ideas related to regional floodplain

management planning. It also promotes effective communication between the nine regions that have been delineated in the Central Valley Flood Protection Plan, between those nine regions and DWR and the Board, and between the Board and DWR.

- Formation of the Committee addresses one of the Board's commitments in Resolution 2012-25, which is to provide a forum for stakeholder input. As has been seen in the first two meetings, that is definitely happening.
- The Committee is collaborative. It has open, unlimited enrollment membership. It has met twice thus far, will meet again on November 28<sup>th</sup>, then on December 19<sup>th</sup>, and then on the fourth Wednesday of each month thereafter.
- It is overseen by a steering committee comprised of representatives from the Board (Board Member Macdonald and President Edgar, as well as Executive Officer Punia); the Central Valley Flood Control Association (Melinda Terry); the Nature Conservancy (Susan Tatayon); and DWR (Jeremy Arrich). The steering committee will be charged with setting future agendas for the Coordination Committee, among other things.
- There was healthy attendance at the recent (second) meeting from all nine regions, as well as DWR and the Board. Topics of discussion included the directed funding guidelines, the availability of funding under those guidelines, the establishment of a committee to develop rural levee repair standards, the strategy for developing SWIFs, and the conservation strategy under FESSRO.
- Ms. Floyd then provided a brief "snapshot" of what is happening in the nine regions (and also submitted a written report). A significant matter is that, pending DWR approval, the proposed consolidation of three regions will reduce the total number of planning regions from nine to six.
- She also mentioned that DWR is asking that all regions keep it apprised and involved in the development of funding agreements and other progress in the regions, so that DWR has a sense of what investment will be needed and it can act more quickly on those applications that are submitted sooner than others.

Executive Officer Punia remarked that, in the interests of time, he would skip the report regarding specific projects. He informed the Board that all the EIP projects are moving forward and some are coming to closure.

#### **7. U.S. Army Corps of Engineers (Corps) Briefing**

**Letters to the Board declaring Chico Creek-Mud Creek systems and the Elder Creek systems ineligible in the USACE Public Law 84-99 (PL 84-99) in**

## **Rehabilitation and Inspection Program (RIP) based on the results of Periodic Inspections.**

Ms. Meegan Nagy, Levee Safety Program Manager, Corps' Sacramento District, reported on recent results, released at the end of September to the Board, for levee periodic inspections conducted in the Chico area, along Chico and Mud Creeks and near the town of Gerber, along Elder Creek.

- She first provided an overall context of the Corps' role in the process. When the Corps provides an inspection, they are looking at what could jeopardize levee performance—slope stability, rodent holes, seepage bank caving, etc. The Corps also looks at things that inhibit the ability to inspect or access during a flood fight. Ultimately, they are looking at the overall functioning of a system--not each individual segment or LMA, but how does the system itself function?

A system carries the rating of the worst rated segment. A segment rated unacceptable will result in an unacceptable rating for the system it belongs to; thus, the worst rating is going to determine the overall system rating.

There are two different parts of the periodic inspection: first, the inspection checklist, which is focused more on the operations and maintenance (O&M) responsibility, which in turn is used to determine RIP eligibility; i.e., assistance after the flood event. Second, the Design Criteria Review in the periodic inspections, which compares the original design standards to today's standards. However, the Review is not used as a basis for determining eligibility in the RIP.

- Regarding the Chico and Elder Creek systems, the Corps will be issuing a press release detailing the deficiencies and resulting ineligibility of the two systems to the local media in the Chico and Gerber areas next Monday. The Sacramento District Corps website will also contain the information, and include an inspection checklist so that any entity can look to see what the criteria used is.

Board Member Macdonald asked what would happen if a levee ultimately fails? Ms. Nagy responded that if that occurs and a levee breaks the Corps would come in. It would try to prevent the levee break from extending in further directions and it would flood fight it to the point of breakage.

But once the fight is over, once the water has settled and the break is in place, if the entity is inactive in the RIP, the Corps would not come in to build that levee back. It would leave it as is and it would be the State and locals' responsibility to restore the levee.

In response to Board Member questions, she further elaborated on how FEMA guidelines intersect/do not intersect with RIP eligibility.



Mr. Tom Fossum, Land Development Manager, Butte County Department of Public Works (the LMA for the Chico Mud Creek levee system), stated that his department has not been kept “in the loop” on a number of these issues. He asked that they be further involved in the discussions that are ongoing before the Board and the Corps, as they are being put on to do the work even though they are not being included in the process as to how this is all to go forward. The county has proceeded with its plan to resolve these issues and many of the repairs have already been made. He further noted that, to this day, he still does not have a final inspection report. They have been working off the draft report that was provided in October.

President Edgar noted that the Board had asked the Corps to present the information today at the Board meeting, as they have been working to develop a process to better approach these situations. Basically, a three-fold strategy is being developed but is still evolving:

1. To work with the LMAs and take care of the issues that can be taken care of immediately. For those that can take care of their issues right away, they would then approach the Corps again, get a re-inspection, and get right back in the RIP program.
2. To continue with an aggressive program of enforcement to eliminate the erosion and encroachment violations that are on the lists in both the State and the Corps inspections.
3. The long-term approach, relying on the statewide investment program in the plan that’s been adopted to deal with these issues. In order to get a variance procedure for those LMAs who want to do a SWIF, the Board is prepared to work with those agencies to develop the SWIF and transmit it to the Corps. In the long-term, we need to look at the system to make sure that it can accommodate the water that it’s going to transport out of the system. And we’re going to have to make some system-wide improvements and do a SWIF in order to give us some time to do that.

Mr. Fossum stated that he agreed with this approach and reiterated that it needs to be made certain that the LMAs are more involved in the process. Currently, they don’t really know what the process is or the timeframes involved.

Mr. Tim Wood, Chief Deputy Director of Public Works, Tehama County, elaborated further on the inspection report issued by the Corps. He commented that it lists hundreds of deficiencies and essentially has given them only eight months, half of which is during the rainy season, to fix these deficiencies. He also stated his agreement with the three-fold strategy, but eight months is not enough time to deal with everything involved.

**Brief overview of the Corps’ policy and procedure regarding the System-Wide Improvement Framework (SWIF).**

Ms. Nagy then discussed the SWIFs. The SWIF policy was issued in November 2011. It allows sponsors to maintain eligibility for rehabilitation assistance while improving their levee system. It incorporates the “worst-first” approach. Local authorities can talk about what the worst things they are dealing with are, and prioritize their fixes over a period of time. It also encourages intergovernmental collaboration. So, depending on the issues and what agencies would be involved, it encourages communication among them.

It is a two-phase process. First, the Letter Of Intent (LOI), which is meant to be a short summary of the issues. Second, an LOI would be issued to the local district by the sponsor and then routed through the Corps’ Sacramento District to Corps Headquarters for an ultimate decision on approval or denial of the LOI.

Following approval, a two year period is approved where the locals have to develop the actual details of the SWIF to include milestones and more details on how it’s going to be implemented. All unacceptable items would need to be addressed in the SWIF if more than two years will be required to meet Corps standards. Ms. Nagy discussed other details required in the LOIs.

Mr. Michael Wright, Enforcement Section Chief, provided an explanation on how the process is set up so that the information is disseminated and shared with the locals, as well as an update on enforcement activities completed on behalf of the Board in October.

Executive Officer Punia added that things are evolving. The Board is informing all the LMAs that the previous framework has expired, and the possibilities for retaining PL-84-99 under the new SWIF framework (discussed in further detail in Item 9A below).

President Edgar remarked that, as the Executive Committee tries to “get its arms around” the budget, it is becoming clearer that with this new process, and with the other things the Board is doing regarding enforcement, more resources in enforcement are going to be needed to comply with all that is required.

## **8. CONSENT CALENDAR**

- A. Permit No. 18529-1, S. Thomas Enterprises of Sacramento, LLC**
- B. Permit No. 18767, California Department of Transportation-(moved for separate discussion)**
- C. Permit No. 18788, Renier Fund, LLC**
- D. Permit No. 18791, South Central Farmers Health and Foundation Fund (postponed)**

(As mentioned previously, Item 8B was moved for separate discussion and Item 8D was postponed to a future meeting.)

*Upon motion by Vice President Suarez, seconded by Board Member Countryman, the Board unanimously approved Consent Calendar Items 8A and 8C.*

Ms. Nancy Moricz, Board Staff Engineer, discussed the specific elements of Item 8B, asking the Board to consider approval of Permit 18767 to replace the Butte Creek Bridge, Bridge number 12-0126R on State Route 99 in Butte County, with a new reinforced concrete box girder bridge constructed on the existing northbound alignment.

She noted that the applicant submitted a request for a variance. Staff reviewed the request and determined that Caltrans' standards are suitable for this project and will have no adverse impact on the Board's jurisdiction, the structural integrity of the bridge or channel, and that staff has modified Special Condition 33 in the draft permit to reflect the up to 8-inch lift layers requested.

She concluded with staff's recommendation that the Board adopt the CEQA findings, conditionally approve the permit with variance to CCR 23, Section 128(a)(1) upon receipt and approval of the applicant's long-term management plan, and direct the Executive Officer to take the necessary actions to execute the permit and file a Notice of Determination with the State Clearinghouse.

President Edgar clarified that this Item has not been moved to a hearing; rather, the Board is simply discussing a consent item separately on the agenda. The Board then discussed the Item and asked questions of Ms. Moricz.

*Upon motion by Board Member Countryman, seconded by Board Member Ramirez, the Board unanimously approved Consent Calendar Items 8B.*

## **9. REQUESTED ACTIONS**

### **A. Review and Approve Letter to Local Maintaining Agencies (LMAs) regarding State-Wide Improvement Framework (SWIF) plans**

Executive Officer Punia remarked that the purpose of Item 9A is to request Board approval to send a letter to the LMAs, so that the Board can communicate and clarify the process that the framework has expired, that previously the Corps was allowing the Board to continue to enjoy the eligibility of PL 84-99, that there was some relaxation of the standards and the framework expired, that the Corps is making a determination that the Central Valley Flood Protection Plan is not detailed enough on how it will improve the O&M responsibilities, and that the Board must either fix those deficiencies or follow the Corps' SWIF.

President Edgar stated that the Board and Corps have talked about the approach that will be used for correcting deficiencies in a levee and a three-fold strategy has emerged:

1. Work with the LMAs to correct the deficiencies and get them back in the program as soon as possible.
2. Continue the aggressive enforcement program underway since 2007 for enforcing encroachment violations.
3. Rely on the Central Valley Flood Control Plan and the SSIA for making investments into the system that will ultimately correct the long-term problems. To the extent that there are long-term problems at particular LMAs, the Board would accept the LMAs' request for a SWIF and work with them to submit the request to the Corps.

Mr. Len Marino, Chief Engineer for the Board, provided additional details.

The Board discussed the specific language in the letter and modified portions of it.

*Upon motion by Vice President Suarez, seconded by Board Member Countryman, the Board unanimously approved the letter with the modifications suggested.*

#### **B. Application No. 18793, Sutter Butte Flood Control Agency (SBFCA)**

President Edgar recused himself on this issue, as he was the Executive Director of SBFCA until January of this year. He turned the gavel over to Vice President Suarez.

Mr. Eric Butler, Supervising Engineer and Chief of the Projects and Environmental Branch of the Board, gave the presentation. He stated that the requested action is to decide if the Board is willing to send a letter to the Corps on behalf of SBFCA to engage the Corps formally to conduct a Section 33, US Code Section 408 review of their Feather River West Levee Project. Section 408 regulates those activities beyond normal O&M.

He affirmed that the majority of the project is in accordance with current Title 23 standards and current Corps standards, and that the Board will continue to work with SBFCA designers through 100 percent design of the Project. He also expressed appreciation to SBFCA's staff for their effort in categorizing and cataloguing all the existing encroachments. Their work will greatly benefit the Board as the process moves forward.

Mr. Butler summarized the benefits that will accrue as the project is completed and concluded with the staff recommendation to approve the letter being sent to the Corps. Further, he recommended that SBFCA's project summary report be added as an attachment to the letter.

Mr. Michael Bessette, Director of Engineering for SBFCA, further clarified project details.

The Board deliberated on the ramifications of the Project and asked questions.

Ms. Kim Floyd read a letter from Jon Munger, Citizens Assessment District Advisory Committee (CADAC), that requested an expedited review and approval of the SBFCA 408 permit for the Project. The letter was also signed by the Sutter County Superintendent of Schools, the President of the Sutter County Tax Payers Association, the President of the Butte County Farm Bureau, the Yuba-Sutter Economic Development Corporation, the Yuba City Downtown Association, Fremont Rideout Health, the Yuba Sutter Chamber of Commerce, and the Sutter County Farm Bureau.

Ms. Nagy, the Corps, noted that the letter from the Board is needed to verify that the local sponsor is supportive of the Project. Further details of the Project will get approved by the Corps and the Board as the process moves forward.

*Upon motion by Board Member Countryman, seconded by Board Member Ramirez, the Board unanimously agreed to send the letter and attachment, under signature of the Executive Officer.*

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

President Edgar remarked that he and Board Secretary Dolan spent a lot of time with meetings with county staff and presentations before their Board regarding Yolo County's potential lawsuit.

Significant time was also spent working on the SWIFs and LOIs.

He attended the Water Coordination Committee meeting in the DWR Secretary's office.

He attended the Coordination Committee's first two meetings (as referenced earlier). He noted that there is a sense that things are moving forward a little faster than they initially thought they might, and he is very pleased about that. Interest in the Committee continues to grow and the Board should continue to encourage that.

Board Members and staff discussed the potential Bagley-Keene Act issues that might arise regarding Board Member attendance at the Coordination Committee.

Board Member Ramirez stated that he was able to spend some time with FESSRO's Marc Hoshovsky and colleague Stacy Cepello and gather much useful information about things that are happening at DWR.

He and President Edgar are back on the calendar to meet with the Director of Fish and Game next month to apprise him of Board activities.

Board Member Macdonald noted that he has done a lot of work on the Coordination Committee.

He also developed some generic speeches on the Board's various activities that can be used by Board Members and staff during presentations.

He attended the Lower Sacramento meeting in Davis. It seemed that they have the right people around the table and they are moving forward.

Board Member Villines attended the Delta Conservancy Board Meeting.

He plans to regularly attend the coordination meeting for the Delta Levee Habitat, scheduled for the first Friday of each month.

Board Member Countryman attended the Upper San Joaquin Regional Planning Meeting.

He also attended the East/West Plenary Group meeting.

He remarked that the Corps has entered the fray on the San Joaquin River Restoration Project at the request of the Kings River interest, who are concerned that the way it's now going with increasing flows on the San Joaquin River there will be no place for their floodwaters to go. The Corps will be heading the meetings and the next one is scheduled for November 2<sup>nd</sup> to discuss what the flood regulation criteria is and how it's going to be impacted by the changes in the river that are being suggested. The really good news is that the meeting has had the effect of drawing in all of the players, including key political entities in the cities of Firebaugh and Mendota.

Vice President Suarez spent significant time familiarizing herself with the flood control system around the Arno River in Florence.

## **11. FUTURE AGENDA**

Executive Officer Punia read portions of the draft Agenda for November 16<sup>th</sup> and answered Board Member questions. The Board also discussed additional options to add to that Agenda.

Chief Engineer Marino read portions of the agenda for the scheduled November 15<sup>th</sup> hearings for the Three Rivers Levee Authority fence-line issue.

## **12. INFORMATIONAL BRIEFINGS**

**A. Status and overview of the Conservation Strategy Proposal Solicitation Package**

Ms. Gail Newton, Chief of FloodSAFE Environmental Stewardship and Statewide Resources Office (FESSRO), discussed the many programs that FESSRO is involved in.

Mr. Marc Hoshovsky, FESSRO Environmental Program Manager, then gave a presentation on the Conservation Strategy Proposal Solicitation Package.

Mr. Earl Nelson, DWR Flood Protection Corridor Program Manager, provided additional detail.

**13. CLOSED SESSION**

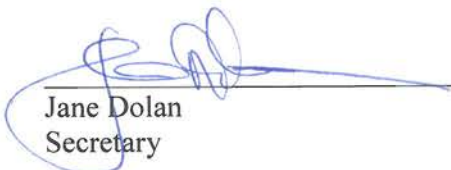
**Pursuant to the authority of Government Code section 11126, subdivisions (e)(1), (e)(2)(B)(i), and (e)(2)(C)(i), the Board will meet in Closed Session to consider potential litigation involving the Board.**

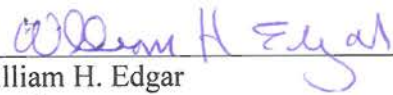
**14. ADJOURN**

*Upon motion by Board Member Ramirez, seconded by Board Member Countryman, President Edgar adjourned the Open Session at 4:05 p.m.*

Dated: December 21, 2012

The foregoing Minutes were approved:

  
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Jane Dolan  
Secretary

  
\_\_\_\_\_  
William H. Edgar  
President