

“Celebrating 102 Years of Flood Management”

CENTRAL VALLEY FLOOD PROTECTION BOARD

California Natural Resources Agency – State of California

3310 El Camino Avenue, Room 151

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BOARD MEMBERS

Bill Edgar, President
Emma Suarez, Vice President
Jane Dolan, Secretary
Mike Villines, Member
Tim Ramirez, Member
Joe Countryman, Member
Clyde Macdonald, Member
Ben Hueso, Ex Officio Member
Fran Pavley, Ex Officio Member

BOARD STAFF

Jay Punia, Executive Officer
Len Marino, Chief Engineer
Eric Butler, Supervising Engineer
Amber Woertink, Staff Assistant

BOARD COUNSEL

Nicole Rinke, Legal Counsel
Deborah Smith, Legal Counsel

AGENDA

CENTRAL VALLEY FLOOD PROTECTION BOARD MEETING

January 25, 2013 – 9:00 AM

**The Resources Building Auditorium, First Floor
1416 Ninth Street, Sacramento, CA 95814**

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.

- 1. ROLL CALL**
- 2.* APPROVAL OF MINUTES** – November 15 and November 16, 2012
- 3.* APPROVAL OF AGENDA**
- 4. PUBLIC COMMENTS** (non-agendized items only)
- 5.* CONSENT CALENDAR**
 - A. Permit No. 18801, San Joaquin County (Ashley Cousin)**

Consider approval of Permit No. 18801 to place riprap on the left bank and channel bed of Mormon Slough under Jack Tone Road Bridge (29C-163), and enlarge an existing 16-inch reinforced concrete pile to 24 inches. (San Joaquin County)

***action item**

Anyone may upon request obtain a copy of background or other material on an agenda item that has been distributed to the Members of the Board. A fee covering the cost of the provision of such materials may be charged. If you need reasonable accommodations due to a disability, or need language assistance, please contact the Equal Opportunity Management Investigations Office at (916) 653-6952, or TDD (916) 653-6934 at least a week prior to the meeting.

6. INFORMATIONAL BRIEFINGS

- A. Department of Water Resources and U.S. Army Corps of Engineers Presentation on Inspection Programs (*David Pesavento and Meegan Nagy*)
- B. Department of Water Resources Presentation of the 2012 Inspection and Local Maintaining Agency Report (*David Pesavento and Tasmin Eusuff*)
- C. Informational Briefing on The Rivers Development, Adjacent to Project Levees in West Sacramento (*Chris Neudeck, Scott Shapiro and Clifton Taylor*)

LUNCH BREAK

7.* REQUESTED ACTIONS – 1:00 PM

- A. Cease and Desist Order 2009-29 – Mr. Jesse Robles (*Angeles Caliso*)

Consider adoption of the Cease and Desist order issued by the Executive Officer on March 24, 2010 for private encroachment violations on the Bear Creek Project Levee in Stockton California for which the respondent waived the right to a hearing. (San Joaquin County)

- B. Cease and Desist Order 2009-30 – Mr. Joe Phillips (*Angeles Caliso*)

Consider adoption of the Cease and Desist order issued by the Executive Officer on March 24, 2010 for private encroachment violations on the Bear Creek Project Levee in Stockton California for which the respondent waived the right to a hearing. (San Joaquin County)

- C. Petition for Reconsideration – Carol Miller, Enforcement Resolution 2012-05 (*Angeles Caliso*)

Consider reconsideration request of the November 15, 2012 Board Enforcement hearing decision concerning relocation of a private fence on State property. (Yuba County)

- D. Petition for Reconsideration – Russell Ensslin and Janine Ensslin, Enforcement Resolution 2012-03 (*Angeles Caliso*)

Consider reconsideration request of the November 15, 2012 Board Enforcement hearing decision requesting \$2,600 in compensation for the construction of a levee patrol road on State property. (Yuba County)

- E. Schedule for Central Valley Floodplain Evaluation and Delineation Program (*Jon Ericson*)

Pursuant to Senate Bill 5, consider approval of Resolution No. 2013-01 to approve the current Schedule for the Central Valley Floodplain Evaluation and Delineation Program.

- Items on the Consent Calendar may be removed at the request of any Board member or person.

8. POLICY BRIEFINGS

- A. Briefing on the proposed Water Resources Development Act language related to vegetation management on levees. (Board member Clyde Macdonald and Board Counsel Nicole Rinke)
- B. Briefing on options which would broaden the Board's authority, primarily related to encroachment permitting and enforcement. The Board may give direction to staff to pursue options which may include updating regulations, pursuing new state legislation, and litigation in consultation with the Natural Resources Agency, departments and stakeholders. (Board member Clyde Macdonald and Board Counsel Nicole Rinke)

9. BOARD COMMENTS AND TASK LEADER REPORTS

10. FUTURE AGENDA

11. CLOSED SESSION

- 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). (Nicole Rinke, Deputy Attorney General)
- 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. (Nicole Rinke, Deputy Attorney General)

12. ADJOURN – REGULAR BOARD MEETING

13. MEETING OF BOARD'S EXECUTIVE COMMITTEE

- A. Discussion of Implementation of the Central Valley Flood Protection Plan
- B. Board Management and Scheduling Issues
- C. Budget/Finance/Staffing Issues
- D. Ad Hoc Assignment Issues

14. ADJOURN – MEETING OF BOARD'S EXECUTIVE COMMITTEE