

“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

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Mike Villines, Member
Tim Ramirez, Member
Joe Countryman, Member
Clyde Macdonald, Member
Anthony Rendon, Ex Officio Member
Fran Pavley, Ex Officio Member

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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

July 26, 2013 – 9:00 AM

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

There will be a live webcast available for this meeting. The link for our webcast will be available on our Homepage prior to the meeting.

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 – May 10, 2013 and May 24, 2013**
- 3.* APPROVAL OF AGENDA**
- 4.* CONSENT**
 - A. Permit No. 18832, County of Stanislaus (*Deb Biswas*)**

Consider approval of Permit No. 18832 to retrofit the Geer Road Bridge (No. 38C-0048) over the Tuolumne River to improve seismic stability. (Stanislaus 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.

B. Permit No. 18834, Brent Barton (*Ashley Cousin*)

Consider approval of Permit No. 18834 to replace an existing timber bridge by constructing a dual-culvert crossing in its place along Littlejohns Creek. (San Joaquin County)

C. Central Valley Integrated Flood Management Study (CVIFMS) Feasibility Cost Share Agreement (FCSA) Amendment No. 1 (*Christopher Williams*)

Consider approval of Resolution No. 2013-17 to approve Amendment No. 1 to the FCSA between the U.S. Army Corps of Engineers and the Central Valley Flood Protection Board and the State of California Department of Water Resources for the CVIFMS.

D. Mid-Valley Levee Reconstruction Project (*Kyle Bickler*)

Consider approval of Resolution No. 2013-11 to:

1. Adopt the Mitigated Negative Declaration, Findings, and Mitigation Monitoring and Reporting Plan for the Mid-Valley Levee Reconstruction Project, Contract Area 3; and
2. Approve the design refinements for the Mid-Valley Levee Reconstruction Project, Contract Area 3, and delegate authority to the Executive Officer to execute the Notice of Determination.

5. PUBLIC COMMENTS (non-agendized items only)

6. U.S. ARMY CORPS OF ENGINEERS BRIEFING

- U.S. Army Corps of Engineers Levee Inspection Results (*Ryan Larson*)
 - Lower San Joaquin Levee District – Unit 24
 - RD 2101 – Blewatt District

7.* REQUESTED ACTIONS

A. Senate Bill 753, An Act to Amend the Water Code Relating to Flood Protection
(*Board member Clyde Macdonald and Board Counsel Nicole Rinke*)

Consider the status of, modifications to, and other actions related to legislation approved by the Board for the legislature's consideration to broaden the Board's authority, primarily related to encroachment permitting and enforcement including the authority to issue administrative fines for uncorrected code violations.

LUNCH BREAK

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

8.* HEARINGS AND DECISIONS

A. Cease and Desist Order 2009-33 – Mr. Jesse Castellon (*Angeles Caliso*) – **1:00 PM**

Consider adoption of Cease and Desist Order to authorize the abatement of existing code violations located on the Bear Creek Project Levee in Stockton, California for which the Respondent waived the right to a hearing and failed to remove the code violations. (San Joaquin County)

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*).
- 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). (*Nicole Rinke, Deputy Attorney General*)
- To discuss litigation (Fay Island Reclamation District v. California Department Fish and Game, et. al; California Superior Court, County of San Joaquin, Case No. 39-2009-00228660-CU-BC-STK) pursuant to Govt. Code section 11126(e)(1). (*Nicole Rinke, Deputy Attorney General*)
- To discuss litigation (Ward v. State, et al., Sacramento Superior Court Case No. 34-2013-00144886) 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