

“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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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

March 22, 2013 – 9:00 AM

NEW LOCATION:

**Sacramento City Hall, 1st Floor Council Chamber
915 I 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** – January 25, 2013
- 3.* APPROVAL OF AGENDA**
- 4. PUBLIC COMMENTS** (non-agendized items only)
- 5. U.S. ARMY CORPS OF ENGINEERS’ BRIEFING**
 - U.S. Army Corps of Engineers Levee Inspection Results (*Meegan Nagy*)
 - RD 0784/817 - Best Slough and Dry Creek
 - RD 0784 - Plumas Lakes Basin
 - Middle Creek Systems (Lake County & Sutter Maintenance Yard)
 - Lower San Joaquin Levee District Systems

***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.* CONSENT CALENDAR

A. Permit No. 9856-1, City of Red Bluff (*Angeles Caliso*)

Consider approval of Permit No. 9856-1 to repair and reconstruct an existing boat ramp at the Red Bluff River Park on the Sacramento River. (Tehama County)

B. Permit No. 17933-1, Carter Family Trust of 1996 (*Angeles Caliso*)

Consider approval of Permit No. 17933-1 to modify an existing residential dwelling by adding multiple support columns, reconfiguring the front entry porch and adding rear deck stairs on the Sacramento River along Garden Highway. (Sacramento County)

C. Permit No. 18763, Reclamation District 2035 (RD2035) (*Ashley Cousin*)

Consider approval of Permit No. 18763 to remove the existing Reclamation District 2035 pump station facility and construct a new pump station facility with fish screen intake and appurtenant structures on the right (west) bank of the Sacramento River. (Yolo County)

D. Permit No. 18804, Cindy Lashbrook (*Ashley Cousin*)

Consider approval of Permit No. 18804 to remove approximately 1300 linear feet of invasive *Arundo donax* (false bamboo) plants and replant approximately 3300 linear feet of native riparian vegetation along the bank of the Merced River. (Merced County)

E. Permit No. 18809, CA Department of Transportation (Caltrans) (*Deb Biswas*)

Consider approval of Permit No. 18809 to remove and replace the bridge approaches and bridge rails with the Quad Guard System; realign the levee access roads; and extend existing drainage systems at the Bear Creek Bridge (No. 29-62). (San Joaquin County)

F. Permit No. 18810, CA Department of Transportation (Caltrans) (*Deb Biswas*)

Consider approval of Permit No. 18810 to remove and replace bridge approaches and bridge rails with Quad Guard attenuators at Calaveras River Bridge (No. 29- 60). (San Joaquin County)

G. Permit No. 18813, Pacific Gas and Electric Company (PG&E) (*Steve Dawson*)

Consider approval of Permit No. 18813 to authorize an existing 8-inch-diameter high pressure steel gas main on the left bank of the Mokelumne River. (San Joaquin County)

H. Permit No. 18814, Pacific Gas and Electric Company (PG&E) (*Steve Dawson*)

Consider approval of Permit No. 18814 to authorize an existing 12-inch-diameter gas pipeline crossing Mormon Slough. (San Joaquin County)

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

I. Permit No. 18815, City of Bakersfield (*Sterling Sorenson*)

Consider approval of Permit No. 18815 to authorize an existing 15-inch sewer main crossing the Kern River. (Kern County)

J. Permit No. 18816, Powerhouse Science Center (*Steve Dawson*)

Consider approval of Permit No. 18816 to grade the levee slope and area adjacent to the levee to facilitate construction of new landscaping, retaining walls and concrete walks proposed for the Powerhouse Science Center Project landside of the left bank levee of the Sacramento River. (Sacramento County)

K. Lower Cache Creek Feasibility Study (*Paul Larson*)

Consider approval of Resolution No. 2012-16 to:

1. Approve Amendment No. 1 to the Feasibility Cost Sharing Agreement (FCSA) between the U.S. Army Corps of Engineers (USACE), the State of California, and the City of Woodland for the Lower Cache Creek Feasibility Study authorizing the acceleration of non-federal sponsor's funding to USACE in an amount not to exceed the current contract amount; and
2. Delegate to the Central Valley Flood Protection Board President the authority to execute the Amendment.

7.* REQUESTED ACTIONS

A. Reclamation District 1001 (RD1001) Letter of Intent (LOI) (*Board Staff, Andrew Stresser, RD1001, and Thomas Engler, MBK*) – **10:00 AM**

Consider approval of transmittal to the U.S. Army Corps of Engineers a Letter of Intent for a System-Wide Improvement Framework (SWIF) from Reclamation District 1001.

B. Request to U.S. Army Corps of Engineers for a Section 905(b) Reconnaissance Study for Improvements to Cache Creek Settling Basin, Yolo County (*Paul Larson*)

Consider approval of Resolution No. 2013-05 to:

1. Approve a letter to the U.S. Army Corps of Engineers (USACE) requesting initiation of a Reconnaissance Study for improvements to the Cache Creek Settling Basin, a State Plan of Flood Control facility located east of the City of Woodland, in Yolo County. Reconnaissance Studies performed by USACE are authorized under Section 905(b) of the Water Resources Development Act of 1986.
2. Delegate to the Central Valley Flood Protection Board Executive Officer the authority to sign the letter.

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

C. Folsom Dam Modification Project – Approach Channel, Final Supplemental EIS/EIR
(Zachary Wright/Vincent Heim)

Consider approval of Resolution No. 2013-04 to:

1. Certify the Final Supplemental EIS/EIR, adopt the findings, adopt the Mitigation and Monitoring Plan for the Folsom Dam Modification Project – Approach Channel, and delegate authority to the Executive Officer to execute the Notice of Determination; and
2. Approve project refinements to the originally approved project.

LUNCH BREAK

8. INFORMATIONAL BRIEFING

- A. Final briefing to present the Sutter Bypass Two-Dimensional Hydrodynamic Model, including model development, initial results, and capabilities to support Central Valley Flood Protection Plan basinwide and regional planning efforts. (Eric Butler, assisted by David Williams and CH2MHill consultants) - **1:00 PM**

REQUESTED ACTIONS (Agenda Item 7.* continued)

- D. Methylmercury Control Study Workplan (Nancy Moricz)

Consider approval to delegate the Executive Officer authority to sign a letter to the Central Valley Regional Water Quality Control Board (RWQCB) expressing the Board's support of the Methylmercury Control Study Workplan. The Workplan was prepared by the Open Water Workgroup in order to meet requirements for Phase 1 of the RWQCB's Delta Mercury Control Program as a result of the adopted Basin Plan Amendment No. R5-2010-0043.

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

Consider approval of legislation to broaden the Board's authority, primarily related to encroachment permitting and enforcement including the authority to issue administrative fines for uncorrected code violations.

- F. Outreach Plan Re: Senate Bill 753 (Board's Executive Committee members and Board staff)

The Board's Executive Committee and the Board staff will present an Outreach Plan to ensure that the stakeholders and the public are informed of the specific provisions of Senate Bill 753 and are afforded the opportunity for early comment and input.

9. BOARD COMMENTS AND TASK LEADER REPORTS

10. FUTURE AGENDA

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

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)*
- 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)*

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