

“Celebrating 103 Years of Flood Management”

CENTRAL VALLEY FLOOD PROTECTION BOARD

California Natural Resources Agency – State of California

3310 El Camino Avenue, Room 151

Sacramento, California 95821

Phone (916) 574-0609 – Fax (916) 574-0682

<http://www.cvfpb.ca.gov>

BOARD MEMBERS

Bill Edgar, President
Emma Suarez, Vice President
Jane Dolan, Secretary
Mike Villines, Member
Tim Ramirez, Member
Joe Countryman, Member
Clyde Macdonald, Member
Anthony Rendon, 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

Leslie Gallagher, Chief Counsel

AGENDA

CENTRAL VALLEY FLOOD PROTECTION BOARD MEETING

March 28, 2014 – 9:00 AM

**Sacramento City Hall, 1st Floor Council Chamber
915 I Street, Sacramento, CA 95814**

To view the webcast portion on this meeting, please join us here:

http://centralvalleyflood.granicus.com/ViewPublisher.php?view_id=2

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 10, 2014 and January 24, 2014 Board Meetings
- 3.* APPROVAL OF AGENDA**
- 4.* CONSENT**
 - A. West Sacramento, California Project General Reevaluation Report – Amendment No. 2 to the Feasibility Cost Share Agreement (Corey Lasso)

Consider approval of Resolution No. 2014-05 to approve Feasibility Cost Share Agreement Amendment No. 2 from the U.S. Army Corps of Engineers to increase the total study cost.

***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. Feasibility Cost Share Agreement for the American River Common Features General Reevaluation Report (*Ajala Ali*)

Consider approval of Resolution No. 2014-03 to:

1. Approve the Feasibility Cost Share Agreement (FCSA) and Local Feasibility Cost Share Agreement (LFCSA) for the American River Common Features General Reevaluation Report between the Central Valley Flood Protection Board and the U.S. Army Corps of Engineers; and
2. Delegate to the Central Valley Flood Protection Board President the authority to execute the FCSA and LFCSA.

5. **RECOGNITION OF SERVICE** – Ms. Rita Schmidt Sudman, the Executive Director of the Water Education Foundation, is retiring. – **9:15 AM**

6. **PUBLIC COMMENTS** (non-agendized items only)

7. **ENFORCEMENT PROGRAM AND CHIEF COUNSEL PRESENTATION**

Chief Counsel update and detailed presentation regarding implementation of the expanded enforcement authority created by the 2014 Water Code update and emergency regulations, including information on the pilot program rollout. (*Enforcement staff*)

8. **U.S. ARMY CORPS OF ENGINEERS BRIEFING**

A. Levee Inspection results (*Ryan Larson*)

1. RD 0501 - Ryer Island (Solano County)

B. Interim Policy for Determining Eligibility Status of Flood Risk Management Projects for the Rehabilitation Program Pursuant to Public Law (PL) 84-99 [Follow up from USACE Headquarters November 25, 2013 Memo: Determination of Public Law (PL) 84-99 Status for Flood Risk Management Projects Update] (*Paige Caldwell*)

9. **REPORT OF ACTIVITIES OF THE DEPARTMENT OF WATER RESOURCES**

➤ Division of Flood Management Activities/Updates (*Keith Swanson*)

- Comparison of the new Urban Flood Risk Reduction Projects (UFRRP) and the Early Implementation Projects (EIP) (*Michael Sabbaghian*)
- Quarterly progress report and scheduled update on deliverables and processes pursuant to Board Resolution No. 2012-25, RESOLVED 11 (y), regarding the Central Valley Flood Protection Plan implementation. (*Michael Mierzwa*)

➤ Legislative Update (*Kasey Schimke*)

➤ FloodSAFE Environmental Stewardship and Statewide Resources Office Activities/Updates (*Gail Newton*)

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

LUNCH BREAK

10. CLOSED SESSION (Done during lunch)

- 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). *(Leslie Gallagher, Chief Counsel)*
- 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). *(Leslie Gallagher, Chief Counsel)*
- 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. *(Leslie Gallagher, Chief Counsel)*
- Public Employee Performance Evaluation, pursuant to Govt. Code section 11126(a)(1); Title: Executive Officer. *(Board Members)*

11. CLOSED SESSION REPORT

12.* HEARINGS AND DECISIONS – 1:00 PM

A. Permit No. 18906, Union Pacific Railroad Company *(Nancy Moricz)*

Consider approval of Permit No. 18906 to authorize replacement of an existing bridge (No. 165.89) over Yankee Slough. (Sutter County)

B. Permit No. 18912, Pacific Gas and Electric Company (PG&E) *(Nancy Moricz)*

Consider approval of Permit No. 18912 to replace an existing pipeline that crosses the levee of the Feather River. The existing gas pipeline will be removed through Permit No. 18793-1. (Sutter County)

13.* REQUESTED ACTIONS

A. Department of Water Resources Small Erosion Repair Program (SERP) *(Jeff Schuette and Andrea Buckley)*

Consider approval of Resolution No. 2014-04 to adopt the Responsible Agency Findings on the SERP Program Environmental Impact Report pursuant to the California Environmental Quality Act.

14. INFORMATIONAL BRIEFINGS

A. Concepts for implementation of advanced mitigation within the Board's jurisdiction in the Central Valley *(Nancy Moricz)*

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

15. BOARD COMMENTS AND TASK LEADER REPORTS

16. FUTURE AGENDAS

17. ADJOURN

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