

MINUTES
MEETING OF THE CENTRAL VALLEY FLOOD PROTECTION BOARD
May 29, 2015

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. THESE MINUTES ARE PRESENTED IN AGENDA ORDER, BUT ITEMS WERE NOT NECESSARILY HEARD IN THAT ORDER.

A regular meeting of the Central Valley Flood Protection Board was held on May 29, 2015, beginning at 9:07 a.m. in The Sacramento City Hall First Floor Council Chambers, 915 I Street, Sacramento, California.

Board Members present:

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

Board member absent:

Mr. Tim Ramirez

Board staff present:

Ms. Leslie Gallagher, Acting Executive Officer
Mr. Len Marino, Chief Engineer
Mr. Eric Butler, Chief, Environmental and Planning Branch
Ms. Mitra Emami, Chief, Permitting Section
Ms. Amber Woertink, Board Analyst
Ms. Nicole Rinke, Board Counsel

Department of Water Resources (DWR) staff present:

Mr. Jeremy Arrich, Flood System Implementation Manager
Ms. Kelly Fucciolo, Chief, Urban Flood Programs
Mr. Michael Sabbaghian, Chief, Project Development Branch
Mr. Mike Mierzwa, Chief, Central Valley Flood Planning Office
Mr. Darren Suen, FloodSAFE Communications Lead
Mr. Keith Swanson, Chief, Division of Flood Management

Also Present:

Ms. April Fontaine, United States Army Corps of Engineers (USACE)

1. ROLL CALL

Ms. Amber Woertink, Board Analyst, called the roll and a quorum was achieved.

2. APPROVAL OF MINUTES – March 27, 2015

Upon motion by Secretary Dolan, seconded by Board Member MacDonald, the Board unanimously approved the March 27, 2015 Minutes.

3. APPROVAL OF AGENDA

Ms. Leslie Gallagher, Acting Executive Officer, stated that there were no changes to the Agenda.

Upon motion by Secretary Dolan, seconded by Board Member Countryman, the Board unanimously approved the Agenda “as is.”

4. CONSENT

A. Permit No. 18982, California Department of Transportation (Caltrans)

Consider approval of Permit No. 18982 to construct two bridges (Nos. 42-0436 left and right) over Cameron Slough as part of a route realignment of a section of State Route 180 (East Kings Canyon Road). (Fresno County)

B. Permit No. 18983, California Department of Transportation (Caltrans)

Consider approval of Permit No. 18983 to construct a 318-foot long bridge (No. 42-0070 left) over the Kings River as part of a four-lane expressway and route realignment of State Route 180. (Fresno County)

C. Permit No. 18984, California Department of Transportation (Caltrans)

Consider approval of Permit No. 18984 to construct two 160-foot bridges (Nos. 42-0437 left and right) over Byrd Slough as part of a four-lane expressway and route realignment of State Route 180. (Fresno County)

D. Permit No. 18985-1, Reclamation District 341 (Sherman Island)

Consider approval of Permit No. 18985-1 to construct landside levee improvements and modifications that will accommodate two (2) new fish release sites - Little Baja and Manzo Ranch - on Sherman Island. (Sacramento County)

E. Permit No. 18985-2, California Department of Water Resources (DWR)

Consider approval of Permit No. 18985-2 to construct the Manzo Ranch Fish Release Site, including a fish release system, an automated site access gate, site lighting, downspout for the fish release site and a pipe gate along the waterside of the left (south) bank levee of the Sacramento River. (Sacramento County)

F. Permit No. 18985-3, California Department of Water Resources (DWR)

Consider approval of Permit No. 18985-3 to construct the Little Baja Fish Release Site, including a fish release system, an automated site access gate, site lighting, downspout for the fish release site and a pipe gate along the waterside of the left (south) bank levee of the Sacramento River. (Sacramento County)

G. Permit No. 18999, San Joaquin County

Consider approval of Permit No. 18999 to place rock slope protection and gabion mats in the channel bed and on the south bank of Littlejohns Creek under Stanley Road Bridge (29C-112), including the temporary installation of an access ramp and coffer Dams. (San Joaquin County)

H. Permit No. 19000, San Joaquin County

Consider approval of Permit No. 19000 to place rock slope protection and gabion mats in the channel bed and on the south bank of Littlejohns Creek under Van Allen Road Bridge (29C-115), including the temporary installation of an access ramp and coffer Dams. (San Joaquin County)

I. Permit No. 19001, San Joaquin County

Consider approval of Permit No. 19001 to place rock slope protection and gabion mats in the channel bed and on the south bank of Littlejohns Creek under Austin Road Bridge (29C-259), including the temporary installation of an access ramp and coffer Dams. (San Joaquin County)

J. Permit No. 19004, Sacramento Area Flood Control Agency (SAFCA)

Consider approval of Resolution No. 2015-06 approving Permit No. 19004 to place approximately 60,000 cubic yards of fill material along the landside levee toe, construct one replacement access ramp, remove existing concrete lined irrigation canal at the landside toe of levee, remove trees and brush within project limits, remove three existing paved access ramps, and revegetate the site with grass following replacement of fill, along the landside of the left (east) bank levee of the Sacramento River. (Sacramento County)

K. Cease and Desist Order issued to Igor and Dana Vaynberg, Enforcement Action No. 2015-1200

Approve a Cease and Desist Order for Enforcement Action No. 2015-1200 issued to Order requires the removal of non-compliant encroachments consisting of broken concrete, soil, and landscaping waste placed within the floodway of the Sacramento River at 3083 Garden Highway, Sacramento, California. (Sacramento County)

L. Application No. 19020, Three Rivers Levee Improvement Authority (TRLIA), Western Pacific Interceptor Canal (WPIC) West Levee Improvement Project - Cutoff Wall Construction Reaches 1B, 3, and 4E

Consider approval of a letter to the U.S. Army Corps of Engineers requesting 33 U.S. Code Section 408 approval to alter approximately 1.4 miles of State Plan of Flood Control project levee along the west (right) bank of the WPIC. (Yuba County)

M. Application No. 19020-1, Three Rivers Levee Improvement Authority (TRLIA), Western Pacific Interceptor Canal (WPIC) West Levee Improvement Project - Berm and Access Road Construction Reaches 2B, 4A - 4D, and 5A - 5D

Consider approval of a letter to the U.S. Army Corps of Engineers requesting 33 U.S. Code Section 408 approval to alter approximately 2.6 miles of State Plan of Flood Control project levee features along the west (right) bank of the WPIC. (Yuba County)

Board Member Villines recused himself from Items 4A, 4B and 4C.

Board Member Countryman recused himself from Item 4J.

Upon motion by Secretary Dolan, seconded by Board Member Macdonald, the Board unanimously approved Items 4D, 4E, 4F, 4G, 4H and 4I by a 6-0 vote; Items 4A, 4B, and 4C by a 5-0-1 vote (recused-Villines); and Item 4J by a 5-0-1 vote (recused-Countryman.)

5. PUBLIC COMMENTS - None

6. U.S. ARMY CORPS OF ENGINEERS (USACE) BRIEFING

Ms. April Fontaine, USACE Geotechnical Engineering Branch Chief, Sacramento District, gave the Briefing and answered Board Member questions.

7. REPORT OF THE ACTIVITIES OF THE DEPARTMENT OF WATER RESOURCES (DWR)

Mr. Keith Swanson, DWR Division of Flood Management (DFM) Chief, provided a brief overview of DWR activities and answered Board Member questions. Highlights included:

- As part of the Levee Evaluation Program, a state-of-the-art exploration was recently completed. The information developed is being used to assist the Flood Risk Reduction Program; USACE projects like the Common Features and feasibility studies; the Flood System Status Report that was developed in 2012; the Basin-Wide Feasibility Studies; the Small Community Program; DWR regional flood management activities; the CVFED Program; and others.
- The 200-year flood maps required by SB5 have been completed and the information is available to communities, along with the existing LiDAR and geotechnical information.
- DWR participated in the recent Folsom Dam management meeting, which included a briefing on the Water Control Manual update. Also, there was discussion about initiating construction on the dam raise. The Corps would like to go to construction next spring.
- There is a tiny amount of snow up in the mountains but it's the worst snowpack in history, much worse than anything DWR has ever seen.

Mr. Kelly Fucciolo, DWR Urban Flood Programs Chief; and Mr. Michael Sabbaghian, DWR Project Development Branch Chief, gave a status update on the Urban Flood Risk Reduction Program.

A. 2017 Central Valley Flood Protection Plan (CVFPP) Updates

Mr. Michael Mierzwa, DWR Central Valley Flood Planning Office Chief, provided the update and answered Board Member questions.

1. Yolo Bypass Feasibility Study

Mr. Jeremy Arrich, DWR Flood System Implementation Manager, gave the presentation and answered Board Member questions.

B. 2014 Flood Management Activities Highlights

Mr. Darren Suen, DWR FloodSAFE Communications Lead, gave the presentation.

8. CLOSED SESSION

A. 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).

- B. 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).**
- C. 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.**

9. CLOSED SESSION REPORT

President Edgar remarked that there were no reportable items.

10. BOARD COMMENTS AND COMMITTEE UPDATES

Board Member Countryman and Secretary Dolan commented on some of the issues from San Joaquin County and discussed possible next steps in the process.

11. ADJOURN-REGULAR BOARD MEETING

The Board unanimously adjourned the Open Session at 12:55 p.m.

Dated: _____

The foregoing Minutes were approved:

Jane Dolan
Secretary

William H. Edgar
President