

CENTRAL VALLEY FLOOD PROTECTION BOARD

California Natural Resources Agency – State of California

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Mitra Emami, Acting Chief Engineer
Lucy Montgomery, Chief of Administration
Amber Woertink, Board Clerk

BOARD COUNSEL

Kanwarjit Dua, General Counsel

Revised 07.13.16

AGENDA

CENTRAL VALLEY FLOOD PROTECTION BOARD MEETING

July 22, 2016 – 9:00 AM

**Sacramento Historic City Hall Building, Hearing Room 204
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 considered in a different order upon determination by the Board President. All items appearing on this agenda may be subject to Board action, whether or not expressly listed as an action item.

Members of the public shall be provided an opportunity to address the Board on any agenda item except closed session items. Comments made during the public comment period should be limited to matters within the Board's jurisdiction. Reasonable time limits may be established for public comments (Government Code Section 11125.7).

Background for agenda items is available on the Board website at www.cvfpb.ca.gov

Anyone may request a printed 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 reasonable accommodation due to a disability or language assistance is needed, 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.

1. WELCOME, INTRODUCTIONS, AND ANNOUNCEMENTS

2. ROLL CALL/ESTABLISH A QUORUM (Water Code § 8560)

3. APPROVAL OF MINUTES (Action Item)

- April 22, 2016 Board Meeting Minutes
- May 20, 2016 Board Meeting Minutes

4. REVIEW OF AGENDA

5. CONSENT ITEMS (Action Item)

A. Permit No. 18956-2, High Speed Rail Authority (Ali Porbaha, Plan Implementation and Compliance Branch, Board staff)

Consider approval of Permit No. 18956-2 to construct an elevated viaduct structure to support high speed train use across the San Joaquin River north of the City of Fresno. (Fresno County)

B. Permit No. 19096, Yuba County (Sungho Lee, Operations Branch, Board staff)

Consider approval of Permit No. 19096 to replace an existing three-span railroad car bridge with a three-span concrete slab bridge. (Yuba County)

C. Permit No. 19101, CA Department of Water Resources (Remy Gill, Operations Branch, Board staff)

Consider approval of Permit No. 19101 to install a positive fish barrier at the confluence of the Knights Landing Ridge Cut and the Yolo Bypass. (Yolo County)

D. Permit No. 19103, City Of Roseville Public works Department (Sungho Lee, Operations Branch, Board staff)

Consider approval of Permit No. 19103 to replace the Oak Ridge Drive Bridge crossing at Linda Creek. (Placer County)

E. California Department of Water Resources, Lower Elkhorn Basin Levee Setback Project (Eric Butler, Board staff; and David Pesavento, DWR)

Consider approval of a letter to the U.S. Army Corps of Engineers (USACE) pursuant to federal Title 33, USC Section 408 requesting that USACE initiate, in cooperation with the Department of Water Resources and other federal agencies, a joint review of possible setback levees in the Lower Elkhorn Basin. (Yolo County)

6. PUBLIC COMMENT (non-agendized items only)

7. HEARINGS (Action Item)

A. Permit No. 18313-3, West Sacramento Area Flood Control Agency (WSAFCA), Southport Levee Improvement Project (Nancy Moricz, Plan Implementation and Compliance Branch, Board staff)

Consider adoption of Resolution No. 2016-06 and approval of Permit No. 18313-3 to construct levee improvements and removal/relocation of adjacent encroachments for approximately 5.5 miles of the Sacramento River right (west) bank. (Yolo County)

8. DEPARTMENT OF WATER RESOURCES ITEMS

- A. Administrative Changes at the Division of Flood Management (*Eric Koch, Acting Chief, Division of Flood Management, DWR*)

Acting Division Chief, Eric Koch, gives an update on recent staffing and organizational changes for the Division of Flood Management.

- B. Delta Levees Maintenance Subventions Program 2016 Guidelines Update (*Andrea Lobato and Sandi Maxwell, Delta Levees Program, Division of Flood Management, DWR*)

Follow up to the June 24, 2016 CVFPB meeting: The Delta Levees Subventions Program will provide an update to stakeholder outreach and the outreach process for the 2016 Subventions Guidelines.

- C. 2017 Central Valley Flood Protection Plan Update (*Michael Mierzwa, Chief, Flood Planning Office, Division of Flood Management, DWR*)

Effectiveness of Management Actions in Achieving Flood-Specific Outcomes: The California Department of Water Resources is updating the Central Valley Flood Protection Plan (CVFPP) for adoption by the CVFPB in 2017. Chapter 3 of the update will demonstrate how capital and ongoing actions included in the CVFPP can contribute to fourteen flood-specific outcomes, consistent with the primary and supporting goals of the CVFPP.

- D. 2017 Central Valley Flood Protection Plan Programmatic Environmental Impact Report (*Michele Ng and Anthony Deus, Flood Planning Office, Division of Flood Management, DWR*)

The Supplemental Programmatic Impact Report for the 2017 Update to the Central Valley Flood Protection Plan is being prepared by the lead agency, the Department of Water Resources. This briefing will provide information on the recently released Final Scoping report and status of Tribal Consultation.

- E. Report of the Department of Water Resources (Written Submission)

Each month the Department of Water Resources provides a written update to the Board on their previous month's activities.

9. BOARD ITEMS

- A. Board Staff 2017 Central Valley Flood Protection Plan (CVFPP) Update Review and Adoption Planning Progress (*Nancy Moricz, Plan Implementation and Compliance Branch, and Ruth Darling, Environmental Services and Land Management Branch, Board staff*)

Board staff will provide information on recent 2017 CVFPP Update and Programmatic Environmental Impact Report coordination, review, integration, public outreach and schedule.

- B. Update on Assembly Bill 1716 (AB1716), regarding the proposed Lower American River Conservancy (*Kanwarjit Dua, Board Counsel*)

Board counsel will provide a briefing on recent amendments to AB1716 changing the proposal for the Lower American River Conservancy to be a program to be implemented and managed by the Wildlife Conservation Board within the California Department of Fish and Wildlife.

- C. Update on Conservation Strategy Advisory Committee meetings (*Andrea Buckley, Environmental Services and Land Management Branch, Board staff*)

Board staff will provide an update on the status of the final report that will serve as the Board's guidance document for the Conservation Strategy as it considers the 2017 Central Valley Flood Protection Plan.

10. CLOSED SESSION (Done during lunch)

- 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). (*Kanwarjit Dua, Board Counsel*)
- 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). (*Kanwarjit Dua, Board Counsel*)
- 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. (*Kanwarjit Dua, Board Counsel*)

11. CLOSED SESSION REPORT (Action Item)

12. OTHER INFORMATIONAL ITEMS

- A. Briefing on the Delta Stewardship Council's Delta Levees Investment Strategy (*Dustin Jones, Dan Ray, Larry Roth, and Charles Gardiner, Delta Stewardship Council*)

The Delta Levees Investment Strategy (DLIS) team will provide an overview on the DLIS project along with goals, objectives and information about how this project will inform the Council's development of a strategy for State investments for reducing risks to State interests in the Delta and Suisun Marsh.

13. EXECUTIVE OFFICER'S REPORT

(Documents Submitted for Board Member review)

- A. Update on the Board's Administration
- B. Update on the activities of the Operations Branch
- C. Update on the activities of the Plan Implementation and Compliance Branch
- D. Update on the activities of the Environmental Services and Land Management Branch

14. BOARD COMMENTS AND COMMITTEE UPDATES

15. UPCOMING MEETINGS AND TOPICS FOR THE BOARD

16. ADJOURNMENT