

MINUTES
MEETING OF THE CENTRAL VALLEY FLOOD PROTECTION BOARD
August 25, 2017

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 August 25, 2017, beginning at 9:13 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. Tim Ramirez
Mr. Mike Villines

Board staff present:

Ms. Leslie Gallagher, Executive Officer
Ms. Kathryn Baines, Board Analyst
Ms. Andrea Buckley, Chief, Environmental Services and Land Management Branch
Mr. Minh Chieng, Staff Engineer
Mr. Kanwarjit Dua, General Counsel
Ms. Kelly Soule, Chief, Enforcement Section
Mr. Michael Wright, Chief, Plan Implementation and Compliance Branch

Department of Water Resources (DWR) staff present:

Mr. Eric Koch, Acting Deputy Director
Mr. Jon Ericson, Acting Chief, Division of Flood Management (DFM)
Mr. Michael Mierzwa, DFM, Chief, Flood Planning Office
Mr. Dave Wheeldon, DFM, Chief, Flood System Sustainability Branch
Ms. Patricia Clark, DFM, Associate Government Program Analyst, Flood Operations Center

Also Present:

Ms. Betty Andrews, Environmental Science Associate
Mr. Lewis Bair, General Manager Reclamation District 108
Ms. Meegan Nagy, Sacramento River West Side Levee District
Mr. John Cain, American Rivers
Ms. Paige Caldwell, United States Army Corps of Engineers
Mr. Tom Engler, MBK Engineers
Mr. Justin Fredrickson, California Farm Bureau Federation
Dr. René Henery, Trout Unlimited
Mr. Reggie Hill, Lower San Joaquin Levee District
Mr. Dave Holland, DLM Farms
Mr. Calvin Monreal, Provost and Pritchard
Ms. Amanda Montgomery, California State Water Resources Control Board
Ms. Kathy Mrowka, California State Water Resources Control Board
Mr. Eric Nagy, Sutter Butte Flood Control Agency
Mr. Kris Tjernell, California Natural Resources Agency

1. WELCOME, INTRODUCTIONS AND ANNOUNCEMENTS

Mr. Bill Edgar, Board President, welcomed the participants.

2. BOARD RESOLUTION PRESENTATION - *Postponed*

A. The Board will present a resolution of appreciation to Gary Bardini, Deputy Director of Integrated Water Management, Department of Water Resources, on his retirement from State Service.

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

Ms. Kathryn Baines, Board Analyst, called the roll and a quorum was established.

4. APPROVAL OF MINUTES – June 23, 2017 Board Meeting - *Postponed*

5. REVIEW OF AGENDA

(The Board decided to change the order of the agenda items by moving to Item 8, Adoption of the 2017 Update of the Central Valley Flood Protection Plan, to be immediately following the Roll Call, in order to accommodate those who were present to address the anticipated action of Adoption of the Resolution 2017-10.)

6. CONSENT ITEMS

A. Permit No. 19091, Sacramento County Department of Transportation

Consider approval of Permit No. 19091 to remove and replace an existing bridge within Dry Creek Designated Floodway. The bridge approach will also be removed and replaced, along with installation of metal beam guardrails, bridge railings, and revegetation plantings. (Sacramento County)

B. Permit No. 19109, DLM Partners

Consider approval of Permit No. 19109 to install: a combination gate on an existing 4-ft by 5-ft box culvert structure, 6-inch deep rip rap on the waterside levee slope, and an elevated horizontal walkway on the east (right) bank of the Chowchilla Canal Bypass. (Madera County)

This item was removed from the Consent Agenda

Mr. Minh Chieng, Board Staff Engineer, gave the presentation and answered Board Member questions.

Mr. Reggie Hill, Lower San Joaquin Levee District, conveyed to the Board that the district had no objections to permit approval.

Ms. Kathy Mrowka, Chief of Enforcement; and Ms. Amanda Montgomery, Permitting Functions Chief, both with the State Water Resources Control Board Division of Water, Division of Water Rights, provided descriptions of the various water rights types and some of the tools that are available for public use to help with proper permitting of determining water rights.

Mr. Calvin Monreal, Provost and Pritchard, Lead Engineer on this project; and Mr. Dave Holland, counsel for DLM Farms, both affirmed that they accept the conditions placed upon them by permit approval.

Upon motion by Board Member Countryman, seconded by Secretary Dolan, the Board approved Permit No. 19109 by a vote of 6-1 (Vice President Suarez-No).

C. Permit No. 19130, City of West Sacramento

Consider approval of Permit No. 19130 to install two 18-inch thick concrete footings with approximate dimensions of 20 feet by 7 feet and 6 feet by 6 feet, that will support four subtle art pieces that will be approximately 16 feet tall on the water side of the right (west) bank of Sacramento River. (Yolo County)

D. Permit No. 19160, Department of Water Resources

Consider approval of Permit No. 19160 to modify the existing Fremont Weir fish ladder including the upstream and downstream channels connected to the weir, replacing an agricultural road crossing over the Tule Canal with box culverts, and removing a separate existing agricultural crossing on the Tule Canal.

Upon motion by Vice President Suarez, seconded by Board Member Countryman, the Board unanimously adopted Items 6A, 6C and 6D (see Item 6B above).

7. PUBLIC COMMENTS - None

8. CENTRAL VALLEY FLOOD PROTECTION PLAN (CVFPB)

A. 2017 CVFPP Update

Pursuant to Water Code § 9612 the Board shall consider adoption of the 2017 CVFPP Update Adoption Package which includes:

- **2017 CVFPP Update, as amended (August 2017)**
- **Appendix A: Resolution of Adoption No. 2017-10**
- **Appendix B: Legislative Reference and Readers Guide (August 2017)**
- **2017 State Plan of Flood Control Descriptive Document Update in conjunction with the 2010 State Plan of Flood Control Descriptive Document**
- **2017 Flood System Status Report**
- **2016 Conservation Strategy and associated appendices**

Mr. Michael Wright, DWR Plan Implementation and Compliance Branch Chief, gave a brief presentation and concluded with the staff recommendation that the Board adopt Resolution Number 2017-10, which also includes the responsible agency findings, and directs the Executive Officer to take the necessary actions to prepare and file a Notice of Determination pursuant to CEQA for the 2017 Central Valley Flood Protection Plan Update Final Supplemental Program Environmental Impact Report.

Several guests and Board Members commented on the process and expressed their thanks to the Board and the Update participants: Mr. Eric Koch, DWR Acting Deputy Director; Mr. Lewis Bair, representing three Local Maintenance Agencies in the Sacramento Valley and the Mid- and Upper Sacramento Region; Mr. Justin Fredrickson, California Farm Bureau Federation; Mr. Rene Henery, Trout Unlimited; Ms. Betty Andrews, Environmental Science Associates; and Mr. John Cain, American River Partners.

Upon motion by Vice President Suarez, seconded by Secretary Dolan, the Board unanimously adopted the Resolution.

9. DEPARTMENT OF WATER RESOURCES (DWR) ITEMS

A. Monthly Report of DWR (Information)

DWR Project Updates and Recent Events

Mr. Jon Ericson, DWR Division of Flood Management Acting Chief, gave the report.

B. State and PL 84-99 2017 Storm Rehabilitation Sites

The State and U.S. Army Corps of Engineers will provide a status of their efforts to complete repairs of critical sites before this winter season.

Ms. Kelly Soule, Board Enforcement Section Chief, introduced the item.

Ms. Paige Caldwell, USACE, discussed the status of received rehabilitation requests and answered Board Member questions.

Mr. Dave Wheeldon, DWR Flood System Sustainability Branch Chief, discussed the state's role in supporting USACE, as well as the state's own rehabilitation efforts, and answered questions.

Ms. Meegan Nagy, Deputy Manager of Reclamation District 108, Knights Landing Drainage District and Sacramento River West Side Levee District, expressed her concerns regarding USACE priorities for receiving assistance.

Mr. Tom Engler, MBK Engineers, thanked DWR and USACE staff for their efforts thus far on emergency repairs. He also expressed a desire to continue to enhance the communication lines between the parties involved, as well as further discussion of flood contingency plans.

Mr. Eric Nagy, Larsen Wurzel and Associates and speaking on behalf of the Sutter Butte Flood Control Agency, expressed his agency's sincere appreciation to the Board, USACE and DWR for finding a creative solution that allowed for emergency repairs in Yuba City to occur in a timely manner.

C. Pre-season Flood Coordination Update

Briefing on the pre-season flood coordination meetings held throughout the State in September and October regarding flood preparedness in each region and provide updates on annual preparedness activities.

Ms. Pat Clark, DWR Program Analyst, gave the briefing and answered questions.

10. CLOSED SESSION - None

- A. **To discuss litigation (Central Valley Flood Protection Board v. Lino Catabran, Sacramento Superior Court Case No. 34-2013-142003) pursuant to Government Code Section 11126(e)(1) (Kanwarjit (Jit) Dua, Board Counsel).**
- B. **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 (Jit) Dua, Board Counsel).**

11. CLOSED SESSION REPORT - *None*

**12. EXECUTIVE OFFICER'S REPORT
(Documents Submitted for Board Member Review)**

- A. **Update on Board 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**

(There were no questions on the report or the updates.)

13. BOARD COMMENTS AND COMMITTEE UPDATES - *None*

14. UPCOMING MEETINGS AND TOPICS FOR THE BOARD

- **Board Meeting, September 22, 2017 (Sacramento)**
- **Board Meeting, October 27, 2017 (Sacramento)**

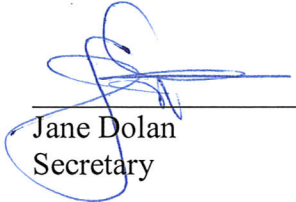
The Board briefly discussed elements of the upcoming workshops.

15. ADJOURNMENT

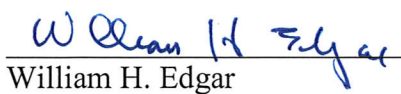
The Board unanimously adjourned the Open Session at 1:30 p.m.

Dated: 10/27/2017

The foregoing Minutes were approved:



Jane Dolan
Secretary



William H. Edgar
President