

MINUTES
MEETING OF THE CENTRAL VALLEY FLOOD PROTECTION BOARD
December 15, 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 December 15, 2017, beginning at 9:05 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
Mr. Minh Chieng, Staff Engineer
Ms. Ruth Darling, Senior Environmental Scientist
Mr. Kanwarjit Dua, General Counsel
Mr. Ali Porbaha, Senior Engineer

Department of Water Resources (DWR) staff present:

Mr. Jeremy Arrich, Acting Chief, Division of Flood Management (DFM)
Ms. Maria Lorenzo-Lee, Senior Engineer, DFM, Central Valley Flood Planning Office
Mr. Eric Martinez, Staff Engineer, DFM, Flood Projects Office
Mr. Mike Mierzwa, Chief, DFM, Flood Planning Office
Mr. Dave Wheeldon, Chief, DFM, Flood System Sustainability Branch

Also Present:

Mr. Roger Churchwell, San Joaquin Area Flood Control Agency
Dr. Chris Hammersmark, cbec
Mr. Patrick Howell, United States Army Corps of Engineers
Mr. Donnie Ratcliff, United States Fish and Wildlife Service
Ms. Alison Willy, United States Fish and Wildlife Service

1. WELCOME, INTRODUCTIONS AND ANNOUNCEMENTS

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

Ms. Leslie Gallagher, Board Executive Officer, introduced two new Board staff: Water Resources Engineers Ms. Jenna Peterson and Mr. Edwin Limanto.

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

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

**3. APPROVAL OF MINUTES – October 27, 2017 Board Meeting -
*Postponed***

4. REVIEW OF AGENDA

President Edgar reviewed the agenda.

5. CONSENT ITEMS

A. Permit No. 19131 Gregory Sanchez

Consider approval of Permit No. 19131 to construct a new 3,653 square-foot residence in Area C of the Yuba River Designated Floodway. (Yuba County)

B. Terminus Dam, Lake Kaweah Project Cooperation Agreement Amendment

Consider approval of an Amendment to the Project Cooperation Agreement between USACE, CVFPB, and Kaweah Delta Water Conservation District to facilitate USACE to reimburse funds spent by the non-federal sponsors on in-kind services.

Upon motion by Board Member Countryman, seconded by Board Member Macdonald, the Board unanimously approved Consent Items 5A and 5B.

6. **PUBLIC COMMENTS - *None***
7. **U.S. ARMY CORPS OF ENGINEERS ITEMS (USACE)**

- A. **Lower San Joaquin River Feasibility Study**

Informational update on the status of the Lower San Joaquin River Feasibility Study.

Mr. Ali Porhaba, Board Senior Engineer, introduced the presentation.

Mr. Eric Martinez, DWR Staff Engineer; and Mr. Patrick Howell, USACE, updated the Board on the scope, schedule, budget and next steps of the study, and answered Board Member questions.

Mr. Mike Mierzwa, DWR Flood Planning Office Chief; and Mr. Roger Churchwell, San Joaquin Area Flood Control Agency (SJAFCA), provided additional information.

8. **DEPARTMENT OF WATER RESOURCES (DWR) ITEMS**

- A. **Monthly Report of the Department of Water Resources**

Department of Water Resources Project Updates and Recent Events

Mr. Jeremy Arrich, DWR Division of Flood Management Acting Chief, informed the Board of recent staffing changes and then introduced the presentation. He also discussed the recently-conducted Delta Emergency Response Aerial Exercise and answered Board Member questions.

Mr. Dave Wheeldon, DWR Flood System Sustainability Branch Chief, reported on some of the storm damage emergency rehabilitation work that was recently completed. He also discussed some of the ongoing work and future plans of the Sustainability Branch and the USACE.

9. **CLOSED SESSION**

- A. **Pursuant to Govt. Code Section 11126(e)(1), the Board will meet to discuss litigation (Central Valley Flood Protection Board v. Lino Catabran, Sacramento Superior Court Case No. 34-2013-142003) (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).**

C. Pursuant to Government Code Section 11126 (a)(I), the Board will meet to perform public employee performance evaluations for the Executive Officer and Board Counsel.

10. CLOSED SESSION REPORT - *None*

11. HEARING

A. Permit No. 19216 United States Fish and Wildlife Service

To construct phase one of the Hallwood Side Channel and Floodplain Restoration Project, which includes removing approximately 1,000,000 cubic yards of aggregate from the elevated floodplain and a section of the middle training wall, creating two miles of perennial side channel connecting up to two miles of seasonal backwater alcoves and 1.3 miles of seasonal side channels; and enhancing 90 acres of floodplain habitat, which includes grading work to lower the floodplain elevations and planting approximately six acres of riparian vegetation. (Yuba County)

Mr. Minh Chieng, Board Staff Engineer, provided the staff report and summarized the staff recommendation that the Board adopt the CEQA findings, approve encroachment permit number 19216 in substantially the form provided, direct the Executive Officer to take the necessary actions to prepare and execute the permit and related documents, and prepare and file a Notice of Determination with the State Clearinghouse.

Dr. Chris Hammersmark, engineer from the firm cbec, representing the applicant, responded to comments and concerns that were heard at the previous month's informational briefing. He and Mr. Chieng answered Board Member questions.

Ms. Alison Willy, U.S. Fish and Wildlife Service's Bay/Delta Office Watershed Planning Division Chief; and Mr. Donnie Ratcliff, Fish and Wildlife Central Valley Supervisor for Fish and Aquatic Conservation, spoke in support of the project.

Upon motion by Vice President Suarez, seconded by Board Member Ramirez, the Board unanimously approved the Permit.

B. **Western Pacific Interceptor Canal Culvert Replacement Project Initial Study/Mitigated Negative Declaration**

Consider approval of Resolution No. 2017-12 to certify the Western Pacific Interceptor Canal (WPIC) Culvert Replacement Project Initial Study/ Mitigated Negative Declaration, to adopt the Mitigation Monitoring and Reporting Plan, and to approve the WPIC culvert replacement project. (Yuba County)

Ms. Ruth Darling, Board Senior Environmental Scientist, gave the presentation and answered Board Member questions. She concluded with the staff recommendation that the Board approve the project; adopt the final ISMND, the Board CEQA findings, and the MMRP; and direct the Executive Officer to prepare to file a Notice of Determination with the State Clearinghouse.

Upon motion by Vice President Suarez, seconded by Board Member Ramirez, the Board unanimously approved the Resolution.

**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.)

13. BOARD COMMENTS AND COMMITTEE UPDATES

Board Member Countryman commented on the additional staff involvement with the USACE on the proposed updates to the 1957 profiles.

Vice President Suarez remarked that she and Board Member Macdonald conducted the recent Conservation Strategy Implementation Advisory Committee meeting.

14. UPCOMING MEETINGS AND TOPICS FOR THE BOARD

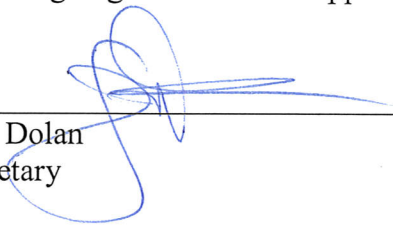
The Board briefly discussed schedule and logistics of the upcoming Board Workshops and Meeting.

15. ADJOURNMENT

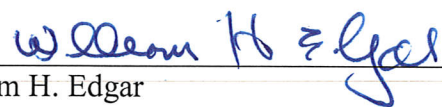
The Board unanimously adjourned the Open Session at 1:50 p.m.

Dated: _____

The foregoing Minutes were approved:



Jane Dolan
Secretary



William H. Edgar
President

