

CENTRAL VALLEY FLOOD PROTECTION BOARD

California Natural Resources Agency – State of California

CVFPB Office Location

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BOARD MEMBERS

Bill Edgar, President

Jane Dolan, Board Vice-President
and Secretary

Joe Countryman

Mary Jane Griego

Brian Johnson

Tim Ramirez

Mike Villines

Assembly Member Eduardo García

Ex Officio

State Senator Henry Stern, Ex Officio

Leslie Gallagher
Executive Officer

Kanwarjit (Jit) Dua
Board Counsel

AGENDA

CENTRAL VALLEY FLOOD PROTECTION BOARD MEETING

November 20, 2020 – 9:00 a.m.

Virtual Meeting

Due to the COVID-19 outbreak we ask that the public attend the meeting virtually and view the webcast of this meeting via the link provided on the event page.

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 upon request through ryan.jones@cvflood.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 Office of Work Force Equality at (323) 848-9801 at least one week prior to the meeting.

PUBLIC COMMENTS FOR VIRTUAL BOARD MEETINGS:

These instructions outline how members of the public can access the virtual meeting and provide public comment. You can join the meeting from a desktop computer, laptop, mobile device, or telephone.

How to join the meeting by webinar:

- a. Go to the Central Valley Flood Protection Board website*
- b. Navigate to the “Meetings” page*
- c. Identify the current meeting, and click on the link to the meeting webcast:
<https://cadwr.webex.com/meet/CVFPB>*
- d. We recommend that you test out your device and internet connection well before attempting to join the meeting*
- e. You will automatically be muted when joining as an attendee*

How to join the meeting by telephone:

- a. Dial 1-844-517-1271*
- b. Enter passcode: 132 803 8260*
- c. Please press mute*

How to provide public comment:

Members of the public who wish to provide public comment on a particular agenda item are encouraged to submit those comments prior to the meeting by emailing the Board Clerk at Ryan.Jones@CVFlood.ca.gov. In the email subject line, indicate the meeting date and agenda item number. You can find the agenda item number below. In the body of the email, please include your name and who you represent (e.g., self, another person, an organization). Comments received prior to the meeting will be provided to the Board Members. Please indicate whether you wish to have your comment read out loud, into the record during the meeting.

During the meeting, members of the public may provide comments on a particular matter (at or before the time the item is called) by emailing the Clerk at Ryan.Jones@CVFlood.ca.gov. In the email subject line, include the words “public comment” and the agenda item number. In the body of the email, please include your name and who you represent (e.g., self, another person, an organization). Comments received at or before the time the item is called will be read aloud during the meeting. All written materials received by the Board in advance of or during the meeting are part of the public record and are kept by the Board.

For those members of the public who choose to participate by phone, an opportunity for comment on each item will be given during the Board meeting. Please unmute yourself before providing your comments and mute yourself after concluding your comments. A speaker’s time allotment is generally 3 minutes but is ultimately at the discretion of the Board.

Background for agenda items is available electronically. Please email the Clerk at Ryan.Jones@CVFlood.ca.gov to request an electronic copy of any agenda item. 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 Office of Work Force Equality at (323) 848-9801 at least one week prior to the meeting.

For technical support during the meeting, please send your question to Questions@CVFlood.ca.gov.

1. WELCOME, INTRODUCTIONS, AND ANNOUNCEMENTS

- Resolution for former Board member Macdonald

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

3. APPROVAL OF MINUTES (Action Item)

- September 25, 2020

4. REVIEW OF AGENDA

5. CONSENT ITEMS (Action Item)

A. Permit No. 19216-1, United States Fish and Wildlife Service (USFWS), Hallwood Side Channel and Floodplain Restoration Project (Nate Kibret, Operations Branch, Board Staff)

Consider approval of Permit No. 19216-1 which is being issued to remove permit condition 16 that was placed on Permit No. 19216 issued by the Central Valley Flood Protection Board (Board) on January 18, 2018. The project is located along the Lower Yuba River downstream of Daguerre Point Dam, more than 7 miles upstream of Marysville, near the Yuba Goldfields. (Yuba County)

B. Permit No. 19361, Georgina Properties (Justin Logan, Operations Branch, Board Staff)

Consider approval of Permit No. 19361 to remove and replace sheds, authorize and install sections of a boat dock, and to remove an existing dwelling and construct a new dwelling. The project is located on the left (east) bank levee of Georgiana Slough, approximately 50 feet south of Georgiana Slough Bridge. (Sacramento County)

C. Permit No. 19509 Fresno County Department of Public Works & Planning (Deb Biswas, Operations Branch, Board Staff)

Consider approval of Permit No. 19509 to remove and replace the existing 23 feet wide and 31 feet long, two-lane Sand Creek Bridge (No. 1328038260) located on the Ennis Road with a new 26 feet 10 inches wide and 101 feet long two-lane bridge that meets current standards. The proposed project is located on Ennis Road over Sand Creek, about 4.4 miles southeast of State Route 180. (Fresno County)

D. Permit No. 19513, California State Parks (Justin Logan, Operations Branch, Board Staff)

Consider approval of Resolution 2020-10 to approve Permit No. 19513 to breach the existing left (southwest) bank levee of the San Joaquin River at three locations and to remove three segments of levee, to re-establish a hydraulic connection with the San Joaquin River as part of the Great Valley Grasslands Floodplain Restoration Project (Project). Removed levee material will be placed within the Project site and native vegetation will be planted where the levee segments were removed. The project is located approximately 1.4 miles west from where State Route 165 (Lander Ave) crosses the San Joaquin River, within the Great Valley Grasslands State Park. (Merced County)

E. Permit No. 19532 Caltrans (Mauricio Meza, Operations Branch, Board Staff)

Consider approval of Permit No. 19532 to widen the existing Linda Creek Bridge (Bridge No. 19-0027) over Cirby Creek by adding a westbound lane to Interstate 80 (I-80). The proposed project is located approximately 900 feet northeast of the Cirby Way Overcrossing of I-80 in the City of Roseville. (Placer County)

F. Transmittal for RD 10 – RD 10 Honcut Drainage Basin Levee System (NLD ID 5205000661) (Eric Miao, Operations Branch, Board Staff)

Consider authorizing the Executive Officer to transmit a Letter of Intent to develop and implement a System-Wide Improvement Framework to the U.S. Army Corps of Engineers, prepared by Reclamation District 10 for the RD 10 – Honcut Levee System as defined by the U.S. Army Corps of Engineers' Periodic Inspection Report dated January, 2013. (Yuba County)

G. Transmittal for RD 1600 – Sac-Yolo North Levee System (NLD ID 5205000941) (Eric Miao, Operations Branch, Board Staff)

Consider authorizing the Executive Officer to transmit a Letter of Intent to develop and implement a System-Wide Improvement Framework to the U.S. Army Corps of Engineers, prepared by Reclamation District 1600 for the Sac-Yolo North Levee System as defined by the U.S. Army Corps of Engineers' Periodic Inspection Report dated December 2013. (Sacramento County)

H. Transmittal for RD 2103 – City of Wheatland and Grasshopper Slough Levee Systems (NLD ID 5205001012 and 5205001011, respectively) (Eric Miao, Operations Branch, Board Staff)

Consider authorizing the Executive Officer to transmit a Letter of Intent to develop and implement a System-Wide Improvement Framework to the U.S. Army Corps of Engineers, prepared by Reclamation District 2103 for the City of Wheatland and Grasshopper Slough Systems as defined by the U.S. Army Corps of Engineers' Periodic Inspection Report dated August 2013. (Yuba, Placer, and Sutter County)

6. PUBLIC COMMENT (non-agenda items only)

7. LEGISLATIVE UPDATE (Out of Session)

8. DEPARTMENT OF WATER RESOURCES ITEMS (Informational)

A. Monthly Report of the Department of Water Resources (*Jeremy Arrich, Chief, Division of Flood Management, Department of Water Resources*)

Department of Water Resources project updates and recent events

B. Utility Crossing Inventory Program Status Report (*Wade Wylie, Department of Water Resources*)

DWR staff will provide a presentation to inform the Board Members on the Flood Project Inspection and Assessment Branch's Program to inspect and report on Utility Crossing Inspections.

C. 2022 Central Valley Flood Protection Plan Update (*Mary Jimenez, Acting Chief, Department of Water Resources, Systemwide Multi-Benefit Initiatives Office*)

DWR staff will provide an overview of recent activities and progress developing the 2022 Central Valley Flood Protection Plan Update, with a focus on implementation progress of the Central Valley Flood Protection Plan in the Yolo Bypass.

9. BOARD ITEMS

A. Tribal Update (*Andrea Buckley, Anecita Agustinez, Tribal Policy Advisor, Department of Water Resources*) (Informational)

The Department of Water Resources' Tribal Policy Advisor will provide an overview of the Tribal Engagement on the Central Valley Flood Protection Plan (CVFPP) 2017 and CVFPP 2022 activities, as well as an overview of the Governor's new Statement of Administration Policy Native American Ancestral Lands

B. Lookout Slough Tidal Habitat Restoration and Flood Improvement Project (*Ali Porbaha, Plan Implementation and Compliance Branch; and David Urban, Managing Director, Ecosystem Investment Partners*) (Action Item)

Consider approval of the no objection letter to the U.S. Army Corps of Engineers pursuant to federal Title 33, United States Code Section 408 to create more than 3,000 acres of habitat for listed and vulnerable native species within a portion of Reclamation District 2098, and to reduce flood risks consistent with the recommendations of the 2017 Central Valley Flood Protection Plan Update through expanding existing floodways by setting back existing levees, breach and degrade of existing levees, acquiring flood and ecological easements, and modifications to impacted local infrastructure (e.g. roads, utilities, agriculture). The project is located within the legal Delta in the Lower Yolo Bypass west of Liberty Island and northeast of Cache Slough in Solano County.

C. 1996 Levee Cross Fence and Gate Master Plan for Maintenance Area 9 (*Darren Suen, Policy Advisor, Board Staff*) (Action Item)

Consider retention, modification, or rescission of the Levee Cross Fence and Gate Master Plan for Maintenance Area 9 (1996 Plan) that was approved by the Board in June 1996. The 1996 Plan was developed specifically for certain cross-levee fences in the Pocket, Little Pocket, and Greenhaven neighborhoods of Sacramento.

D. Title 23 Update (*Kanwarjit (Jit) Dua, Board Counsel*) (Informational)

Board Counsel Dua will provide the Board with an update on the status of the rulemaking to revise California Code of Regulations, Title 23, Division 1, Waters, Article 2, Definitions and Article 8, Standards.

E. Sacramento-San Joaquin Drainage District (SSJDD) Assessment District Feasibility Study Update (*Ruth Darling, Program Manager, Board Staff; Scott Brown, Larsen Wurzel and Associates*) (Informational)

The SSJDD Assessment District Feasibility Study team is advancing the next phase of the study process, which will include the identification of beneficiaries for five potential services areas identified through stakeholder input and engagement. The study team will present its proposed approach to the beneficiary analysis, which will include an update on overall study progress and schedule.

F. Adoption of the Board Calendar for 2021 (*Leslie Gallagher, Executive Officer*) (Action Item)

The Board's proposed calendar for 2021 will be presented for consideration for adoption.

10. 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

11. BOARD COMMENTS AND COMMITTEE UPDATES

12. UPCOMING MEETINGS AND TOPICS FOR THE BOARD

- Coordinating Committee, November 18, 2020 (WebEx)
- Board Meeting, November 20, 2020 (WebEx)
- Board Workshop, December 4, 2020 (WebEx)

13. CLOSED SESSION

- A. Pursuant to the authority of Government Code section 11126 (e)(i). To discuss litigation: Security National Insurance Co. vs. Central Valley Flood Protection Board, et al., STK-CV-UED-2019-12115. *(Kanwarjit (Jit) Dua, Board Counsel)*
- B. Pursuant to the authority of Government Code section 11126 (e)(i). To discuss litigation: Liam Meyer v. Central Valley Flood Protection Board, et al., Sacramento County Superior Court Case No. 34-2020-00276397. *(Kanwarjit (Jit) 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 (Jit) Dua, Board Counsel)*

14. CLOSED SESSION REPORT (Action Item)

15. ADJOURNMENT