

CENTRAL VALLEY FLOOD PROTECTION BOARD

California Natural Resources Agency – State of California

CVFPB Office Location
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BOARD MEMBERS

Vacant, President
Jane Dolan, Board Vice-President and Secretary
Joe Countryman
Mary Jane Griego
Brian Johnson
Tim Ramirez
Mike Villines
Assembly Member Rebecca Bauer-Kahan, Ex Officio
State Senator Henry Stern, Ex Officio

Leslie Gallagher
Executive Officer

Kanwarjit (Jit) Dua
Board Counsel

AGENDA

CENTRAL VALLEY FLOOD PROTECTION BOARD MEETING

January 28, 2022 – 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 until you are called upon to speak (*6 to mute/unmute *3 to raise/lower hand)*

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.

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). 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

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

3. APPROVAL OF MINUTES (Action Item)

- November 19, 2021 minutes

4. REVIEW OF AGENDA

5. CONSENT ITEMS (Action Item)

A. Permit No. 19516 San Joaquin County – Escalon-Bellota Road Bridge Replacement (Br. No. 29C-038) (*Jacqueline Hoang, Operations Branch, Board Staff*)

Consider approval of Permit No. 19516 to remove the existing Escalon-Bellota Road Bridge (Br. No. 29C-038) and construct a new bridge over Littlejohns Creek. The bridge replacement project includes construction of new roadway approaches, installation of new guardrail system, construction of new bridge drainage system, installation of rock slope protection along the creek banks at the bridge abutments, construction of a temporary detour bridge east of the existing bridge, installation of a temporary creek diversion system/cofferdams upstream and downstream of the work area, installation of falsework to construct bridge deck, removing 13 trees and restoring riparian habitat, excavation of approximately 245 cubic yards of soil and 400 cubic yards of reinforced concrete from the creek channel. The new bridge will be approximately 135-foot long and 35-foot wide. The project is located 0.3 miles south of the State Route 4 and Escalon Bellota Road intersection in the town of Farmington. (San Joaquin County).

B. Permit No. 19567 City of Sacramento – Del Rio Trail Project (*Nate Kibret, Operations Branch, Board Staff*)

Consider approval of Permit No. 19567 to construct the Del Rio Class 1 multi-use trail that connects to the existing Sacramento River Bike Trail via 61.8 feet long, 14 feet wide cast-in-place reinforced concrete box approach structure. The approach structure cross section consists of 12 feet wide paved multi-use trail with 2 feet unpaved shoulders that will tie-in to the existing Sacramento River Bike Trail. The project is located where Southern Pacific Railroad Bridge crosses Interstate 5, approximately 0.3 miles north of the intersection of Sutterville Road and the left (east) bank levee of the Sacramento River, in the City of Sacramento. (Sacramento County).

C. Permit No. 19607 Tehama County – Evergreen Bridge Replacement (Br. No. 08C-0008) (*Jacqueline Hoang, Operations Branch, Board Staff*)

Consider approval of Permit No. 19607 to remove the existing Evergreen Bridge (Br. No. 08C-0008) and construct a new Bridge (Br. No. 08C0383) upstream (south) of the existing bridge within the South Fork Cottonwood Creek Designated Floodway. The bridge replacement project includes realigning Evergreen Road to match the new bridge, placing rock slope protection on the streambanks at new bridge abutments, installing temporary falsework to construct the new bridge, and hydroseeding and tree planting. The project is located approximately 0.3 miles northwest of the Evergreen Road and Bowman Road Intersection, and about 3.3 miles southwest of the Town of Cottonwood. (Tehama County).

6. PUBLIC COMMENT (non-agenda items only)

7. LEGISLATIVE UPDATE (Informational)

- A. Receive an update on pertinent State legislation and federal news (*Darren Suen, Policy Advisor, Board Staff*)

8. UNITED STATES ARMY CORPS OF ENGINEERS (Informational)

9. DEPARTMENT OF WATER RESOURCES ITEMS (Informational)

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

Department of Water Resources' Division of Flood Management Manager Jeremy Arrich will discuss California Water Conditions Update, KCRA's Special Report of the 1997 Flood, and Introduce Department of Water Resources Presentations (CVFPP 2022 Update and Annual Inspections and Local Maintaining Agency Report)

- B. 2022 Central Valley Flood Protection Plan Update (*Mary Jimenez, Manager, Systemwide Multi-benefit Initiatives Branch, Department of Water Resources; David Martasian, Manager, Systemwide Environmental Support Section, Department of Water Resources; Ruth Darling, Acting Chief, Flood Planning and Programs Branch, Board Staff*)

Department of Water Resources staff will provide an update on development of the 2022 CVFPP Update, including progress addressing comments received on the Working Draft and schedule for release of the public draft. Department of Water Resources staff will also provide an update on the 2022 Conservation Strategy Update Public Draft that was released on December 10, 2021, including its components and schedule for completion. Finally, Board staff will provide an overview of the Advisory Committee subgroup (Permitting, Multi-benefit Project Implementation, and Performance Tracking) recommendations on the Draft Conservation Strategy that are informing development of the CVFPP and Conservation Strategy.

- C. 2021 Levee Inspection and Assessment Annual Report (*Wade Wylie, Division of Flood Management, Department of Water Resources; Sterling York, Division of Flood Management, Department of Water Resources*)

The 2021 Inspection and Local Maintaining Agency Report will be presented to the Board.

10. BOARD ITEMS

- A. Adoption of Resolution for California Code of Regulations (CCR), Title 23, Division, Chapter 1, Articles 2 and 8 Rulemaking (*Jit Dua, Board Counsel*) (**Action Item**)

Consider adoption of Resolution 2022-01, authorizing the Executive Officer or Board Counsel to submit the Final Rulemaking Package to the Office of Administrative Law for adoption of revisions to CCR, Title 23, Division 1, Chapter 1, Articles 2 and 8, which updates technical standards for the construction flood control facilities and encroachments thereto and respective definitions and drawings.

- B. 2021 Annual Report (*Leslie Gallagher, Executive Officer, Michael C. Wright, Chief Engineer*) (**Informational**)

Board Staff will present the 2021 End of Year report.

- C. Resolution of Necessity – Yeung Farms Enterprises, LLC (*Andrea Buckley, Environmental Services and Land Management Branch Chief, Board Staff; David Pesavento, Systemwide Multi-Benefit Initiatives, Department of Water Resources; and Patrick Nolan, Real Estate Branch, Division of Engineering, Department of Water Resources*) (**Action Item**)

Consider the adoption of Resolution of Necessity 2022-02 authorizing the use of eminent domain to acquire, for the Lower Elkhorn Basin Levee Setback Project, a portion of the following property: Yeung Farms Enterprises, LLC, APN 042-290-006 (Yolo County)

11. 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
- E. Update on the activities of the Flood Planning and Programs Branch

12. BOARD COMMENTS AND COMMITTEE UPDATES

13. UPCOMING MEETINGS AND TOPICS FOR THE BOARD

- Board Workshop, February 11, 2022 (WebEx)
- Board Meeting, February 25, 2022 (WebEx)

14. CLOSED SESSION

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)*

A. 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)*

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)*

15. CLOSED SESSION REPORT (Action Item)

16. ADJOURNMENT