

# ***CENTRAL VALLEY FLOOD PROTECTION BOARD***

California Natural Resources Agency – State of California

CVFPB Office Location  
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## **AGENDA**

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### **CENTRAL VALLEY FLOOD PROTECTION BOARD MEETING**

**Friday, November 18, 2022 – 9:00 a.m.**

**NOTICE: Action on adoption of the 2022 Central Valley Flood Protection Plan will be postponed until the Board's December 16, 2022, Regular Business Meeting**

**California Natural Resources Building, First Floor Auditorium**

**715 P St, Sacramento, CA 95814**

**Meeting will be both in person and online.  
In person attendees are encouraged to follow Covid  
and flu season protocols. See page 6 of this agenda for online sign-in information.**

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*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](mailto: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*

**1. WELCOME, INTRODUCTIONS, AND ANNOUNCEMENTS**

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

**BOARD MEMBERS**

Jane Dolan, President

Mike Villines, Vice-President

Brian Johnson, Secretary

Keely Bosler

Joe Countryman

Mary Jane Griego

Tim Ramirez

Assembly Member Rebecca Bauer-Kahan, Ex Officio

State Senator Henry Stern, Ex Officio

**3. REVIEW OF AGENDA**

**4. APPROVAL OF MINUTES** (Action)

- September 23, 2022 Minutes

**5. CONSENT ITEMS** (Action)

A. Permit No. 6570-1 City of Chico (*Deb Biswas, Operations Branch, Board Staff*)

Approve Permit No. 6570-1 to remove and replace the existing two-lane, Bruce Road bridge (Caltrans Bridge # 12C0106) over Little Chico Creek with a new 96-foot long and 96.5-foot wide four-lane bridge structure. The new bridge will be comprised of a three-span, cast-in-place, reinforced concrete slab superstructure founded on pile-supported abutments and 16-inch diameter multi-column piers supported on spread footings. The project also involves the installation of a new storm drain outfall structure downstream of the Little Chico Creek bridge crossing, on the southbound side of Bruce Road at the northwest corner of the bridge. The existing upstream storm drain outfall will be removed and diverted to the new outfall. The proposed Bruce Road Bridge is located about 1.45 miles east of Highway 99, and about 0.7 miles south of Highway 32 (Butte County).

B. Permit No. 19528, Samuel Karapetyan (*Nate Kibret, Operations Branch, Board Staff*)

Approve Permit No. 19528 to authorize an existing 2,376-square-foot residence with paved driveway and curb, retaining walls located on the waterside slope, and approximately 161 feet concrete retaining wall along the left (east) bank of the Sacramento River. The residence is located on the waterside of the left (east) bank levee of the Sacramento River, approximately 1.2 miles south of the intersection of Garden Highway and I 5, at 5311 Garden Highway (Sacramento County).

C. Permit No. 19693 Dog Bar Road Bridge Nevada County (*Sagun Bhattarai, Operations Branch, Board Staff*)

Approve Permit No. 19693 to remove and replace the existing structurally and functionally deficient bridge, Dog Bar Road Bridge (No. 17C-0031) with a new bridge with a broadened curve radius and wider lanes on a new roadway alignment that can accommodate larger vehicles. The bridge is located over Bear River (Nevada and Placer Counties).

D. Sacramento River Bank Protection Project, Transfer of Operation and Maintenance Responsibilities (*Mike Zelazo, Flood System Improvement Branch, Board Staff*)

Adopt Board Resolution 2022-32 that approves the transfer of operation and maintenance responsibilities of completed erosion protection and revegetation work along the Sacramento River west levee at River Mile 114.5 to the Sacramento River West Side Levee District (SRWSLD) and delegate the Executive Officer to sign and send a letter informing SRWSLD of the transfer (Colusa County).

E. Sacramento River Bank Protection Project, Transfer of Operation and Maintenance Responsibilities (*Mike Zelazo, Flood System Improvement Branch, Board Staff*)

Adopt Board Resolution 2022-33 that approves the transfer of operation and maintenance responsibilities of completed erosion protection and revegetation work along the Sutter Bypass east levee at River Mile 0.4 to the California Department of Water Resources Sutter Maintenance Yard (Sutter Yard) and delegate the Executive Officer to sign and send a letter informing the Sutter Yard of the transfer (Sutter County).

F. Delta Levee Maintenance Subventions Program – Approval of the FY2021-22 Subventions Program AMENDED Funding Allocation Plan (*Sandra Maxwell, Division of Multi-Benefit Initiatives, Department of Water Resources*)

Approve the FY2021-22 Subventions Program AMENDED Funding Allocation Plan.

**6. PUBLIC COMMENT** (non-agenda items only)

**7. LEGISLATIVE UPDATE** (Information)

A. An update on pertinent State legislation and federal news will be provided in a separate report.

**8. UNITED STATES ARMY CORPS OF ENGINEERS** (Information)

**9. DEPARTMENT OF WATER RESOURCES ITEMS** (Information)

A. Monthly Report of the Department of Water Resources (Written Submittal)

B. 2022 Central Valley Flood Protection Plan Update (*Mary Jimenez, DWR, Division of Multibenefit Initiatives*)

DWR Staff will present the 2022 Central Valley Flood Protection Plan Update, as revised in response to the Board's direction during the October 28, 2022, Board meeting. (Postponed until the Board's December 16, 2022, regular business meeting)

## 10. BOARD ITEMS

A. 2022 Central Valley Flood Protection Plan Update (*Ruth Darling, Flood Planning and Programs Branch, Board Staff*) (Action postponed until the Board's December 16, 2022, regular business meeting)

Adoption of the 2022 Central Valley Flood Protection Plan Update adoption package (as amended November 2022), pursuant to California Water Code Section 9612. The adoption package includes:

- The 2022 Central Valley Flood Protection Plan Update
  - Appendix A: Resolution of Adoption 2022-29
  - Appendix B: Legislative Reference and Reader's Guide
  - Appendix C: 2022 CVFPP Update Supplemental Recommendations
  - Appendix D: Background: More than 10 years of formulating and implementing the State Systemwide Investment Approach
- The 2022 State Plan of Flood Control Descriptive Document Update and Appendix A
- The 2022 Flood System Status Report Update and associated appendices (A through C)
- The 2022 Conservation Strategy Update and associated appendices (A through H)
- CEQA Addendum Number (No.) 1 to the 2012 Program Environmental Impact Report

B. Revision to California Code of Regulations, Title 23, Waters, Division 1, (Title 23) (*Sarah Backus, Interim Executive Officer*) (Action)

Adopt Board Resolution 2022-31 to approve revisions to Title 23, Sections 5 and 28, and to add Section 28.1. Adoption of Resolution 2022-31 will authorize the final submission to the Office of Administrative Law of the changes to Sections 5 and 28 and the addition of Section 28.1, which establishes a process to administratively revoke encroachment permits when there is no opposition to revocation.

C. Reclamation District 817 Maintenance Area Formation (*Darren Suen, Board Staff*)  
(Action)

Adopt Board Resolution 2022-34 to include Reclamation District 817 Unit 03 South Dry Creek levee segment (1.5 miles) in the current State Maintenance Area formation process for the Horseshoe Area in accordance with California Water Code Section 12878.1 (Yuba 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 Flood System Improvement 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 BOARD MEETINGS**

- Board Workshop, December 9, 2022 (SACOG)
- Board Meeting, December 16, 2022 (SACOG)

**14. CLOSED SESSION**

- A. Pursuant to the authority of Government Code section 11126, subdivisions (a)(1) and (b), the Board will meet to consider the appointment of an Executive Officer to the Board. (*Kanwarjit (Jit) Dua, Board Counsel*)
- B. 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., San Joaquin County Superior Court Case No. STK-CV-UED-2019-12115. (*Kanwarjit (Jit) Dua, Board Counsel*)
- C. 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*)
- D. Pursuant to the authority of Government Code section 11126 (e)(i). To discuss litigation: The People of The State vs. Yeung Farms Enterprises, Superior Court of the State of California, County of Yolo CV-2020-330. (*Kanwarjit (Jit) Dua, Board Counsel*)

E. 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)**

**16. ADJOURNMENT**

**PUBLIC COMMENTS FOR HYBRID 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](mailto: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](mailto: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.*

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