

CENTRAL VALLEY FLOOD PROTECTION BOARD

California Natural Resources Agency – State of California

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AGENDA

CENTRAL VALLEY FLOOD PROTECTION BOARD MEETING

Friday, October 28, 2022 – 9:00 a.m.

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 7 of this agenda for online sign-in information.

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

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)

- August 26, 2022 Minutes

5. CONSENT ITEMS (Action)

A. Reclamation District 349 – Sutter Island Letter of Intent (Eric Miao, Operations Branch, Board Staff)

Authorize the Executive Officer to transmit a Letter of Intent to develop and implement a System-Wide Improvement Framework to the USACE, prepared by Reclamation District 349 for the Reclamation District 349– Sutter Island Levee System as defined by the USACE’s Periodic Inspection Report dated November 1, 2013.

B. Adoption of Resolution 2022-30 to Convey Utility Real Estate Rights for the American River Watershed Common Features, Water Resources Development Act of 2016, Sacramento Weir Widening Project (Andrea Buckley, Environmental Services and Land Management, Board Staff)

Adoption of Resolution Number 2022-30 to delegate authority to the Executive Officer to convey a permanent telecommunication easement to SAFCA and approve assignment of permanent telecommunication easement from SAFCA to the Railroads, effectively establishing the future permanent location of the utilities on the site of the temporary relocation area. This real estate request is in support of the Sacramento Weir Widening Project.

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)

- A. Fairfield Vicinity Stream Group (Channel Only Project) (*Eric Miao, Operations Branch, Board Staff; Emily Greene, Acting Chief, Inspection Section and Juan Gonzalez, Acting Chief, Levees and Channels Branch, U.S. Army Corps of Engineers*)

Presentation of Channel Inspection Results for Fairfield Vicinity Stream Group. (Solano County)

- B. Continuing Authorities Program Overview (*Melissa Weymiller, Planning Division, U.S. Army Corps of Engineers*)

Introduction to the Corps' Continuing Authorities Program (CAP), and how local communities can work with the Corps on CAP projects.

9. DEPARTMENT OF WATER RESOURCES ITEMS (Information)

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

- B. Flood Risk Notification Program (*Levi Warr, DWR, Floodplain Assistance Unit*)

The Flood Risk Notification (FRN) Program is an annually reoccurring program managed by the Department of Water Resources and mandated by the California Water Code (§ 9121). The FRN Program communicates flood risk awareness to the public and individual property owners, as well as local, state, and federal agencies. The department mails out about 300,000 flyers each year to people in 17 counties in the Levee Flood Protection Zone.

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

DWR staff will present the 2022 CVFPP Update, as revised in response to public comments and Board direction, for consideration of adoption on November 18, 2022.

10. BOARD ITEMS

- A. 2022 Central Valley Flood Protection Plan Update (*Ruth Darling, Flood Planning and Programs Branch, Board Staff*) (Action)

Board staff will facilitate a discussion with the Board and the public regarding final revisions to the 2022 CVFPP Update (posted for public review on the October 14, 2022). The submittal of written comments ended June 6, 2022. The Board will consider suggested final revisions to the 2022 CVFPP Update at this meeting.

B. Draft Resolution of Adoption - 2022 Central Valley Flood Protection Plan Update (*Ruth Darling, Flood Planning and Programs Branch, Board Staff*) **(Information)**

Board staff and Board members Ramirez and Johnson will present the Board's Draft of Resolution of Adoption for discussion and consideration of potential revisions or additions.

C. Adoption Package – 2022 Central Valley Flood Protection Plan Update (*Ruth Darling, Flood Planning and Programs Branch, Board Staff*) **(Action)**

Pursuant to Water Code § 9612, the Board is requested to provide approval of the adoption package and direct these documents be published on the Board's website two weeks prior to action to Adopt the 2022 CVFPP Update on November 18, 2022.

- 2022 Central Valley Flood Protection Plan Update and associated appendices (A-D)
- 2022 State Plan of Flood Control Descriptive Document Update and appendix A
- 2022 Flood System Status Report Update and associated appendices (A-C)
- 2022 Conservation Strategy, and appendices (A-H)
- Addendum to the 2012 Program Environmental Impact Report
- Resolution of Adoption No. 2022-29 for the 2022 CVFPP Update

D. American River Watershed Common Features, Water Resources Development Act of 2016 (ARCF 2016) Project, Sacramento River Erosion Contract 2 (*Jennifer Calles, Environmental Services and Land Management Branch, Board Staff*) **(Action)**

Adoption of Resolution 2022-22 to certify the ARCF 2016 Project, Sacramento River Erosion Contract 2 Supplemental Environmental Impact Report/Environmental Assessment, adopt the Statement of Findings, and Statement of Overriding Considerations, and Mitigation Monitoring and Reporting Program; approve the ARCF 2016 Sacramento River Erosion Contract 2 Project; and delegate authority to the Executive Officer to execute the Notice of Determination.

E. American River Watershed Common Features, Water Resources Development Act of 2016 (ARCF 2016) Project, American River Contract 3a (*Angela Nguyen-Tan, Environmental Services and Land Management Branch, Board Staff*) **(Action)**

Adoption of Resolution 2022-28 to certify the ARCF 2016 Project, American River Contract 3a Supplemental Environmental Impact Report/Environmental Assessment; adopt the Statement of Findings, Statement of Overriding Considerations, and Mitigation Monitoring and Reporting Program; approve the ARCF 2016 American River Contract 3a Project; and delegate authority to the Executive Officer to execute the Notice of Determination.

- F. American River Watershed Common Features, Water Resources Development Act of 2016 (ARCF 2016) Project, Sacramento River East Levee Contract 4 (*Jennifer Calles, Environmental Services and Land Management Branch, Board Staff*) **(Action)**

Adoption of Resolution Number 2022-27 to certify the ARCF 2016 Project, Sacramento River East Levee Contract 4 Supplemental Environmental Impact Report/Environmental Assessment (EIR/EA); adopt the Statement of Findings, Statement of Overriding Considerations, and Mitigation Monitoring and Reporting Program; approve the ARCF 2016 Sacramento River East Levee Contract 4; and delegate authority to the Executive Officer to execute the Notice of Determination.

- G. Transfer of Operation and Maintenance Responsibility, Sacramento River Bank Protection Project, Colusa County (*Mike Zelazo, Flood System Improvement Branch, Board Staff*) **(Information)**

Informational briefing on a future Board action to transfer the operation and maintenance responsibility of erosion repair work completed as part of the Sacramento River Bank Protection Project at Sacramento River Flood Control Project Sacramento River Mile 114.5 within Unit 130 to the Sacramento River West Side Levee District, and Sutter Bypass River Mile 0.4 within Unit 135 to the California Department of Water Resources Sutter Maintenance Yard – East Levee Sutter Bypass.

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

- Coordinating Committee, November 16, 2022 (online only)
- Board Meeting, November 18, 2022 (Location to be determined)
- Board Workshop, December 9, 2022 (Location to be determined)

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 IN HONOR OF MIKE CHRISMAN, former Secretary of California Natural Resources, 2003-2010

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. 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.

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