

# ***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**

**September 23, 2022 – 9:00 a.m.**

**Hybrid Meeting**

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

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

**Due to the COVID-19 outbreak we encourage that the public attend the meeting virtually and view the webcast of this meeting via the link provided on the event page. See page 8 of this agenda for 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**

- The Board will recess from 11:30 am to 12:30 pm to attend the 55<sup>th</sup> Annual California Native American Day at the west steps of the Capitol
- Leslie Gallagher Resolution
- Flood Preparedness Week Resolution

## **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. APPROVAL OF MINUTES (Action Item)**

- July 29, 2022 Minutes

## **4. REVIEW OF AGENDA**

## **5. CONSENT ITEMS (Action Item)**

### **A. REMOVED**

B. Permit No. 19677, Caltrans (*Nate Kibret, Operations Branch, Board Staff*)

To consider approval to widen the existing 30.5-foot-wide Los Banos Creek Bridge to approximately 43.5 feet clear width. This permit is also to authorize the existing Los Banos Creek Bridge constructed prior to the adoption of the San Joaquin River Designated Floodway. The bridge is located where State Route 140 crosses the West Branch of Mud Slough, approximately 4.2 miles northeast of the town of Gustine (Merced County).

C. Permit No. 19681 JEN California 15, LLC – Pedestrian/Bike Bridge across Pleasant Grove Creek (*Jacqueline Hoang, Operations Branch, Board Staff*)

Consider approval of Permit 19681 for the installation of a pedestrian/bike bridge within the City of Roseville that will connect from the existing Fiddymment Phase 3 bike trail and provide connectivity over Pleasant Grove Creek to an existing residential development to the north. The proposed bridge includes abutments both horizontally and vertically outside of the 100-year floodplain, and the bridge structure will freely span over the entire floodplain (Placer County).

D. Feather River West Levee Project, Sutter Basin, CA Project, Transfer of Operation and Maintenance Responsibilities (*Dustin Sanoski, Flood System Improvement Branch, Board Staff*)

Consider adopting Board Resolution 2022-18 that approves the transfer of operation and maintenance responsibilities of completed cutoff walls and other improvements on the Feather River West Levee between Levee Miles 4.39 to 16.15 to Levee District 1 Sutter and delegate to the Executive Officer to sign and send a letter informing Levee District 1 Sutter of the transfer (Sutter County).

E. Feather River West Levee Project, Sutter Basin, CA Project, Transfer of Operation and Maintenance Responsibilities (*Dustin Sanoski, Flood System Improvement Branch, Board Staff*)

Consider adopting Board Resolution 2022-19 that approves the transfer of operation and maintenance responsibilities of completed cutoff walls and other improvements on the Feather River West Levee between Levee District 9 (LD9) Levee Mile 0.07 to Maintenance Area 16 (MA16) Levee Mile 3.70 and delegate to the Executive Officer to sign and send a letter informing LD9 and MA16 of the transfer (Sutter County).

F. Feather River West Levee Project, Sutter Basin, CA Project, Transfer of Operation and Maintenance Responsibilities (*Dustin Sanoski, Flood System Improvement Branch, Board Staff*)

Consider adopting Board Resolution 2022-20 that approves the transfer of operation and maintenance responsibilities of completed cutoff walls and other improvements on the Feather River West Levee between Levee Miles 3.05 to 14.02 to Maintenance Area 7 and delegate the Executive Officer to sign and send a letter informing Maintenance Area 7 of the transfer (Butte County).

G. Reclamation District 999 Letter of Intent (*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 USACE, prepared by Reclamation District 999 in coordination with Reclamation District 307 and Reclamation District 765 for the SacYolo South Levee System as defined by the USACE's Periodic Inspection Report dated September 2014 (Yolo County).

H. Tisdale Weir Rehabilitation and Fish Passage Project, California Department of Water Resources, Statement of No Objection (*Mike Zelazo, Flood System Improvement Branch, Board Staff*)

Consider approval of the second Statement of No Objection to be issued to the U.S. Army Corps of Engineers pursuant to 33 USC 408 affirming that the Board supports the proposed alteration to the Sacramento River Flood Control Project (SRFCP) at the Tisdale Weir and Bypass in Sutter County and agrees to assume operation and maintenance responsibilities for the completed work as the non-federal sponsor of the SRFCP. The California Department of Water Resources proposes to rehabilitate and reconstruct the Tisdale Weir, install and operate fish passage facilities, and make associated project site improvements (Sutter County).

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

**7. LEGISLATIVE UPDATE (Informational)**

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

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

- A. Feather River - Nelson Bend West levee system (*Eric Miao, Operations Branch, Board Staff; Juan Gonzalez, Chief, Inspection Section, U.S. Army Corps of Engineers*)

Presentation of Levee Inspection Results for the Feather River - Nelson Bend West Levee System. (Sutter County)

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

- A. Monthly Report of the Department of Water Resources (Written Submittal)
- B. Flood Preparedness (*Lance Ablang, Department of Water Resources, Flood Operations Center*)

Lance Ablang will provide an update to Flood Preparedness Activities: Flood emergency response and preparedness is a critical component to the flood risk reduction priorities as outlined in the Central Valley Flood Protection Plan and is one of the most important activities we can undertake when managing the residual risk throughout California.

## 10. BOARD ITEMS

- A. 2022 Central Valley Flood Protection Plan (CVFPP) Update Schedule and Availability of Revised Documents (*Ruth Darling, Flood Planning and Programs Branch, Board Staff*) **(Informational)**

Board staff will provide a briefing on the release and availability of revised documents including the 2022 CVFPP Update, the 2022 State Plan of Flood Control (SPFC) Descriptive Document Update, the 2022 Flood System Status Report Update, the 2022 Conservation Strategy Update and associated appendices, and the CEQA Addendum to the 2022 CVFPP Update.

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

Board staff will facilitate a discussion on preliminary themes and priorities to be included in the Board's Resolution of Adoption. Priorities include; increased risk related to climate change and ArkStorm, setting new regulatory standards, diversity, equity and inclusion, and available funding for implementation.

- C. Lower San Joaquin River Feasibility Cost Share Agreement and Local Feasibility Cost Share Agreement Upcoming Study (*Dustin Sanoski, Flood System Improvement Branch, Board Staff; Ryan Young, Department of Water Resources, Flood Projects Branch; Margaret Engesser, USACE*) **(Action Item)**

Consider adoption of Resolution 2022-24 to approve a Feasibility Cost Share Agreement between the USACE, the Board, and the San Joaquin Area Flood Control Agency (SJAFC) and a Local Feasibility Cost Share Agreement between the Board and SJAFC, for a feasibility study focused on flood risk management and ecosystem restoration on the Lower San Joaquin River and its tributaries around Reclamation District 17 (Mosssdale Tract).

- D. RD 784 Maintenance Area Formation (*Darren Suen, Board Staff*) **(Action Item)**

Consider adoption of the Department of Water Resource's Statement of Necessary Work to form a State Maintenance Area for operation and maintenance of Reclamation District 784's System 2, as defined by the USACE, and direct staff to proceed with the State Maintenance Area formation process. In accordance with California Water Code Section 12878.1, Reclamation District 784 requested the Central Valley Flood Protection Board to form a State Maintenance Area. (Yuba County)

- 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; Alessia Siclari and Miles Claret, Department of Water, Resources Flood Projects Branch*) **(Informational)**

Informational briefing on the Draft Supplemental Environmental Assessment / Environmental Impact Report for the ARCF 2016 Project, American River Contract 3A, which consists of the installation of approximately 3,000 linear feet of bank protection along the Lower American River to address erosion and the installation of on-site riparian habitat features. (Sacramento County)

- 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; Hiral Doshi and Kalia Schuster, Department of Water Resources Flood Projects Branch*) **(Informational)**

Informational briefing on the Supplemental Environmental Assessment/Environmental Impact Report for the ARCF 2016 Project, Sacramento River East Levee Contract 4, which consists of an approximately 12,880 cumulative feet of levee raises, cut off walls, seepage berm, and other levee improvements. (Sacramento 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, October 14, 2022~~ **CANCELED**
- Coordinating Committee, October 26, 2022 (WebEx)
- Board Meeting, October 28, 2022 (Hybrid/CNRA Auditorium)

#### 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 Item)

#### 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.*

*Background for agenda items is available electronically. Please email the Clerk at [Ryan.Jones@CVFlood.ca.gov](mailto: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.*

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