

CENTRAL VALLEY FLOOD PROTECTION BOARD

California Natural Resources Agency – State of California

CVFPB Office Location
3310 El Camino Avenue, Suite 170
Sacramento, California 95821
Phone (916) 574-0609 – Fax (916) 574-0682
<http://www.cvfpb.ca.gov>

AGENDA

CENTRAL VALLEY FLOOD PROTECTION BOARD MEETING

Friday, April 28, 2023 – 10:00 a.m.

**Cal-EPA, 1001 I St, Sacramento, CA 95814
Second Floor, Sierra Hearing Room**

**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.**

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 Dave Min, Ex Officio

3. REVIEW OF AGENDA

4. APPROVAL OF MINUTES (Action)

- February 24, 2023

5. CONSENT ITEMS (Action)

A. Reclamation District (RD) 551 and RD 755 – Pierson Levee District 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 as defined by the USACE's Periodic Inspection Report dated August 2013.

B. Reclamation District (RD) 554 and RD 563 – Tyler 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 as defined by the USACE's Periodic Inspection Report dated September 2013.

C. Reclamation District (RD) 563 – Egbert Tract 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 as defined by the USACE's Periodic Inspection Report dated January 2015.

D. Permit 18365-1 Wineland Scot N Revocable Inter Vivos Trust (*Humberto Negrete, Operations Branch, Board Staff*)

Approve permit 18365-1 to construct a 46-foot by 66-foot addition to an existing 46-foot by 66-foot metal storage building authorized by Permit No. 18365. The addition will utilize a prefabricated metal building on concrete perimeter and spread footings with a concrete slab-on-grade. The project is located at 9009 River Road in the City of Chico, within Area B of the Butte Basin. (Butte County)

E. Permit No. 19562 Reclamation District 1001 (*Deb Biswas, Operations Branch, Board Staff*)

Approve Permit No. 19562 to construct a new fuel-powered auxiliary drainage pump station located on the landside toe of the Natomas Cross Canal (NCC) North Levee, at the south end of the Reclamation District 1001 "Lateral No. 4 Channel". The pump station will consist of a steel frame structure with a concrete mattress foundation along with two vertical turbine pumps, two propane power units, and associated appurtenances. The project will also involve: 1) construction of two landside ramps and one waterside ramp; 2) construction of two 36-inch drainage discharge pipes through the NCC North Levee; and 3) grading of an irrigation ditch. The proposed project is located about 2.50 miles west of the El Centro Boulevard (State Highway 99) and about 2.48 miles south of the West Catlett Road (Sutter County).

F. Permit No. 19718 Department of Water Resources (*Jacqueline Hoang, Operations Branch, Board Staff*)

Approve Permit No. 19718 to install approximately fifty-six (56) 20-foot long by 3-foot wide Alaskan-style resistance board weir panels with seventeen (17) 10-foot wide substrate rails anchored to the streambed, fish trap, Passive Integrated Transponder antenna array, camera system, and warning signs. All systems will be powered by a fenced solar panel array and appurtenances that will be installed onsite. The project is in and adjacent to the low-flow channel (LFC) of the Feather River, approximately 1.6 miles upstream of the Thermalito Afterbay Outlet, southwest of the town of Oroville, CA (Butte County).

G. Natomas Levee Improvement Program, Transfer of Operation and Maintenance Responsibilities (*Selva Selvamohan, Flood System Improvement Branch, Board Staff*)

Adopt Board Resolution 2023-04 that approves the transfer of operation and maintenance responsibilities of completed levee improvement work under the Natomas Levee Improvement Program (NLIP) to Reclamation District 1000 and delegate the Executive Officer to sign and send a letter informing Reclamation District 1000 of the transfer (Sacramento and Sutter Counties).

6. PUBLIC COMMENT (non-agenda items only)

7. LEGISLATIVE UPDATE (Information)

- A. A written update on pertinent State legislation and federal news will be provided.

8. UNITED STATES ARMY CORPS OF ENGINEERS (Information)

- A. Cache Creek – Reclamation District 2035 – Willow Bypass 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 Cache Creek – Reclamation District 2035 – Willow Bypass Levee System (Yolo County).

- B. Elder Creek Right and Left Bank Levee Systems (Eric Miao, Operations Branch, Board Staff; Juan Gonzalez, Chief, Inspection Section, U.S. Army Corps of Engineers)

Presentation of Levee Inspection Results for Elder Creek Right and Left Bank Levee Systems (Tehama County).

9. DEPARTMENT OF WATER RESOURCES ITEMS

- A. Department of Water Resources Maintenance Area Budget Hearing for Fiscal Year 2023-2024 (Mark List, Flood Maintenance and Operations Branch, Department of Water Resources) (Action Item)

The Central Valley Flood Protection Board will hold a hearing to consider approval of the Department of Water Resources Fiscal Year 2023-2024 Maintenance Area Budget.

- B. Fiscal Year 2023-24 Governor's Proposed Budget (Gary Lippner, Deputy Director Flood Management and Dam Safety, Department of Water Resources) (Information)

Presentation on the Fiscal Year 2023-24 Governor's Proposed Budget released on Jan 10, 2023, for Central Valley flood related programs at the Department of Water Resources.

10. BOARD ITEMS (Information)

- A. Dissolution of Maintenance Area 3 and assumption of Operation and Maintenance duties (Darren Suen, Board Legislative and Policy Advisor; Andrew Stresser, Levee District 1 General Manager)

Informational briefing on Levee District 1's (Sutter County) plan to request that the Board dissolve Maintenance Area 3 (MA 3) and to assume MA 3's operation and maintenance responsibilities.

B. Middle Mile Broadband Initiative Update (*Michael C. Wright, Chief Engineer, Board Staff*)

Informational briefing on staff activities related to the Middle Mile Broadband Initiative.

C. Board Staff Activities Report – Flood System Improvement Branch
(*Greg Harvey, Chief of Flood System Improvement Branch, Board Staff*)

Informational briefing on the activities of the Flood System Improvement Branch.

D. 2023 Tulare Basin Hydrology and Flooding (*Yiguo Liang, Operations Branch, Board Staff*)

Informational briefing on current hydrological conditions and flooding concerns in the Tulare Basin.

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

- Information and Discussion of Board meeting venue. President Dolan
- Board Workshop, May 12, 2023 (Hybrid/SACOG)
- Coordinating Committee, Wednesday May 24, 2023 (Hybrid/TBD)
- Board Meeting, May 26, 2023 (Hybrid/TBD)

14. CLOSED SESSION

- A. Pursuant to the authority of Government Code section 11126 (e)(i). To discuss litigation: Sierra Northern Railway vs. Central Valley Flood Protection Board, et al., Superior Court of the State of California, County of Yolo Case No. CV-2022-0479. (*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:*
- 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*
- b) Enter passcode:*
- 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.