

MINUTES

MEETING OF THE RECLAMATION BOARD

July 16, 2004

A regular meeting (Open Session) of The Reclamation Board was held on July 16, 2004 beginning at 9:00 a.m. in the Resources Building Auditorium, 1416 Ninth Street, Sacramento, California.

The following members of the Board were present:

Betsy Marchand, President
Tony Cusenza, Vice President
Burt Bundy, Member
Jeff Mount, Member
Floyd Weaver, Member

The following members of the staff were present:

Peter Rabbon, General Manager
Stephen Bradley, Chief Engineer
Scott Morgan, Counsel
Lori Buford, Staff Assistant

Department of Water Resources staff present:

Stein Buer
Deborah Condon
Karen Enstrom
Gary Lemon
Keith Swanson
Larry Lee
Dave Lane

Also present (according to sign-in sheet and cards):

Alicia Kirchner, Corps
Dan Castleberry, CA Bay Delta Authority
Mark Charleton, Corps
Joe Countryman, MBK Engineers
Paul Devereux, American River Flood Control
Mark Ellis, Corps
Mike Billiou, Hamilton City landowner
Douglas Holvik, Glenn Co. Public Works
Tony Mallery, Butte Creek landowners' spokesperson

Jose Puente, Hamilton City Community Services District
Ralph Vidari, Hamilton City Community Services District
Tim Washburn, SAFCA
Erin Taylor, Corps
Larry Wasinger, Butte Creek landowner
Jerry Willcoxon, Butte Creek landowner

1. ROLL CALL

President Marchand brought the meeting to order at 9:00 am. All Board members were in attendance except for Bill Edgar and Gloria Moralez.

2.* APPROVAL OF MINUTES - - June 18, 2004

Removed from the agenda.

3.* APPROVAL OF AGENDA

The agenda was unanimously approved with the removal of items 2, 5 and 11.

4. PUBLIC COMMENTS

There were no public comments.

**5. REPORT OF ACTIVITIES OF THE DEPARTMENT OF WATER RESOURCES
(Stein Buer)**

Removed from the agenda.

CONSENT

6.* CONSENT CALENDAR

There were no Consent Calendar items.

REQUESTED ACTIONS

7.* PROJECT OR STUDY AGREEMENTS

A. Sacramento River Bank Protection Project, Sacramento River Mile 56.7 (Left) (Deborah Condon)

Consider Approval of Resolution No. 04-16 to:

1. Adopt the Mitigated Negative Declaration for the Sacramento River Bank Protection Project, Sacramento River Mile 56.7 (left) site repair; and
2. Approve the Sacramento River Bank Protection Project, Sacramento River Mile 56.7 (left) site repair; and
3. Authorizes the President or the Secretary of The Reclamation Board to sign the Operation and Maintenance Agreement between The Reclamation Board and the local maintaining agency for the Sacramento River Bank Protection Project, Sacramento River Mile 56.7 (left) site repair.

Ms. Deborah Condon, DWR, provided the status and design of the FEMA erosion repair being undertaken by the Sacramento River Bank Protection Project in the urban Sacramento River Corridor of Sacramento and requested the Board to approve Resolution No. 04-16. The Board also heard testimony from Mr. Mark Ellis, Corps; Mr. Tim Washburn, SAFCA; and Mr. Pete Rabbon and Mr. Steve Bradley, Reclamation Board.

Upon motion by Mr. Weaver, seconded by Mr. Mount, and unanimously carried, the Board approved Resolution No. 04-16.

At this time, Ms. Betsy Marchand, President presented Resolution No. 04-21 to Mr. Stein Buer who retired as the Chief of Division of Flood Management in the Department of Water Resources, State of California to accept a position with the Sacramento Area Flood Control Agency (SAFCA) as Executive Director.

B. Butte Creek (Steve Bradley)

Consider approval of Butte Creek Unauthorized Encroachment Removal Plan.

Mr. Steve Bradley, Chief Engineer for the Board provided the status of the Butte Creek Unauthorized Encroachment Removal Plan. The Board also heard testimony from Mr. Tony Mallery, Butte Creek landowners' spokesperson; Mr. Jerry Willcoxon and Mr. Larry Wassinger, Butte Creek residents; and Mr. Scott Morgan, Legal Counsel for the Board.

Upon motion by Mr. Bundy, seconded by Mr. Cusenza, and unanimously carried, the Board approved Butte Creek Unauthorized Encroachment Removal Plan with the addition of two amendments: 1) the landowners are given one year from the time they are notified where the property line really is; and 2) non-complying landowners be given a 30-day notice that the maintenance department will come in and remove the fence if they don't. And the notice shouldn't be any greater than 45 days from the date the maintenance department comes in. Additionally, Mr. Scott Morgan, Legal Counsel for the Board provided a sample of the added/changed language to the Plan which would reflect the following: 1) "Any fence not removed within one year of the first notice provided pursuant to section 2 of the plan implementation,..."; and 2) "A second letter shall be sent to each property owner along the left (east) bank of Butte Creek between Highway 99 and the Oroville Chico Highway describing unauthorized encroachments adjacent to the property at least 30 days, but not greater than 45 days, prior to any removal of the unauthorized encroachments by the local maintaining agency."

C. Hamilton City Flood Damage Reduction and Ecosystem Restoration, California (Gary Lemon)

Consider approval of Resolution No. 04-14 to:

1. Certify the Hamilton City Flood Damage Reduction and Ecosystem Restoration Final Environmental Impact Statement/Environmental Impact Report; and
2. Adopt findings and approve the Hamilton City Flood Damage Reduction and Ecosystem Restoration Project.

Mr. Gary Lemon and Ms. Karen Enstrom, DWR Project Managers, presented this item to the Board and requests the Board to approved Resolution No. 04-14 which will allow the project (increase flood protection for Hamilton City from below a 10-year event to a

75-year level of protection) to move forward into the planning and design phase. The Board also heard testimony from Mr. Jose Puente, General Manager for Hamilton City Community Services; Mr. Ralph Vidari, ex-Manager of the District; Mr. Mike Billiou, Hamilton City landowner; Mr. Dan Castleberry, CALFED; Mr. Doug Holvik, Glenn Co. Public Works Director; and Mr. Mark Charleton, Corps. At this time, President Marchand congratulated all entities and individuals involved in this project.

Upon motion by Mr. Mount, seconded by Mr. Bundy, and unanimously carried, the Board approved Resolution No. 04-14.

8*. PROPERTY MANAGEMENT

None.

There were no Property Management items.

9* APPLICATIONS

None.

There were no Application items.

10.* ENFORCEMENTS

None.

There were no Enforcement items.

INFORMATIONAL BRIEFINGS

11. SYSTEM EVALUATION

- A. Briefing of Phase V, Upper Sacramento Area Levee Reconstruction Project (Larry Lee)

Removed from the agenda.

B. West Sacramento Project (Larry Lee)

Removed from the agenda.

BOARD REPORTS

12. REPORT OF ACTIVITIES OF THE GENERAL MANAGER

Mr. Rabbon reported on a number of upcoming issues and meetings: 1) AB 1983 – bill was moved through the Assembly side, gone through the Senate Policy Committee and is waiting to be heard on the Senate Finance Committee. Administration does not have a formal position on this bill at this time; 2) AB 107 – this bill would allow local flood control agencies to impose stricter requirements for levee maintenance, and it would also require that those requirements be approved by the Board. The bill was introduced approximately three weeks ago; 3) American River Flood Control District and Board Subcommittee – this is not a Pilot Project, the Legislature added amendments to have stricter regulations. The bill was passed by the Senate Ag and Water Committee, out of the Senate Rules Committee and is going to Assembly Appropriations for a hearing in August; 4) Paterno – doing business in a different manner and discussing how we will sponsor projects in the future; 5) San Joaquin Area Flood Control Agency – completed their federally authorized project with the Corps.

Discussions have occurred with them on how to incorporate this project to the overall flood control system within the Central Valley; 6) Maintenance Area 3 – unable to come to acceptable language for all the parties on liability issues. Levee District 1 will bring it back to the Board for reconsideration in approximately a year; 7) Plumas Lakes – we are in discussions with the local agencies in terms of conceptual special conditions for a permit. This item should be brought back before the Board in approximately two months; 7) River Islands – trying to come to resolution on how the Corps will approve their permit. We are trying to arrange a meeting between Corps, Board and River Islands staff to review and discuss their application to be approved at the Washington, DC level; 8) Corps – Colonel Light, new commander for the Sacramento District. Staff will establish a meeting with Colonel Light and Board Executive members.

13. BOARD COMMENTS AND COMMITTEE REPORTS

Mr. Jeff Mount reported on a tour that he and President Marchand attended with the Wild Lands, Inc.. The tour was of a piece of their property which is being proposed as a mitigation bank at the very northern end of the Yolo Bypass (east end of the weir).

Mr. Burt Bundy advised the Board that he has had several calls recently about the City of Tehama (home raising project). Some concerns have been raised in regards to the actual cost to raise homes is three to four times compared to what was estimated in the feasibility report.

Mr. Tony Cusenza attended the Folsom Dam Project groundbreaking ceremony.


President Marchand requested to have a Board session to start exploring the maintenance system and how to get a handle on it. Such as, lack of personnel in the maintenance yards, unclear of who is responsible or what is the chain of command, etc.

Mr. Jeff Mount reported that there will be a CALFED Science Conference in early October that he is chairing. There will be a session devoted to the Jones Tract Levee failure.

14. ADJOURN

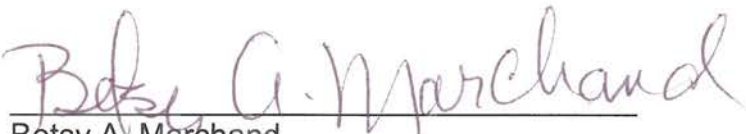
Upon motion by Mr. Weaver, seconded by Mr. Cusenza, and unanimously carried, the meeting was adjourned at 11:49 p.m.

Dated: October 15, 2004



William H. Edgar
Secretary

The foregoing minutes were approved:



Betsy A. Marchand
President