

MINUTES

MEETING OF THE RECLAMATION BOARD

October 15, 2004

A regular meeting of The Reclamation Board was held on October 15, 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
Bill Edgar, Secretary
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:

Gary Lemon
Mike Mirmazaheri
Steve Dawson
Tracy Hinojosa
David Mraz
Dave Lawson
Dan Yamanaka
Rod Mayer
Richard Marshall
Robert Crane
Ricardo Pineda
Sherri Pina
Jeff Fong
Ken Dickerson
Don Strickland
Elizabeth Leavengood

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

Margit Aramburu, Delta Protection Commission
Barbara Ramford, Delta Protection Commission
Butch Hodgkins, Sacramento Area Flood Control Agency
Ric Reinhardt, MBK Engineers
Kent McClain, Yuba County Administrator
Larry Lucero, No. Plumas Lakes Owner Group
Curt Aikens, Yuba County Water Agency
Patricia Fernandez, CBDA
Robert Clark, California Valley Flood Control Association
Gilbert Cosio, MBK Engineers
Cliff Davis, Davis Machine Shop
Thomas Davis, Davis Machine Shop
Sherry Prater, Griffin Farms
Patty Griffin, Griffin Farms
Jeffrey Twitchell, Kleinschmidt
Sean MacDiarmid, MacDiarmid Company
James Griffin, Griffin Farms
Jeff Moresco, Griffin Farms
George Basye, Flood Control Association
Juan Neira, SAFCA, City of Stockton
Ronald Stork, Friends of the River
Sergio Guillen, CBDA
Marci Coglianese, Mayor, City of Rio Vista
Mary Keller, Sutter County Water Resources
Bill Darsie, KSN Inc.
Paul Bowers, USACE
Jackie Collins, resident of Bethel Island

1. ROLL CALL

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

At this time, Mr. Tony Cusenza, Vice President of the Reclamation Board announced that Mr. Pete Rabbon, General Manager of the Reclamation Board was recently elected President of the National Association of Flood and Stormwater Management Agencies (NAFSMA). NAFSMA is an influential group in advocating effective flood control and storm policy matters nationally. Congratulations Mr. Rabbon.

2.* APPROVAL OF MINUTES - - July 16, 2004 & September 17, 2004

Upon motion by Mr. Bundy, seconded by Mr. Cusenza, and unanimously carried, the Board approved the minutes for July 16, 2004 Board meeting. The minutes for September 17, 2004 will be presented at the November 19 Board meeting for approval.

3.* APPROVAL OF AGENDA

Upon motion by Mr. Edgar, seconded by Mr. Mount, and unanimously carried, the Board approved the agenda with the removal of items No's. 6B and 12 and changing the presenter on item 10 from Peter Rabbon to Scott Morgan on nonfederal sponsorship.

4. PUBLIC COMMENTS

Mr. Robert Clark, Manager of the California Central Valley Flood Control Association addressed the Board regarding AB 1983 that failed to get through the Legislature. This bill would have provided environmental elements to flood control projects and would not detract from the primary public safety role. In furtherance of this effort, Mr. Clark requested that the Reclamation Board sponsor two public workshops, possibly in Sacramento and Fresno, where all the interested parties can review the issues and better understand how to resolve the problems raised by the Floodplain Management Task Force.

5. REPORT OF ACTIVITIES OF THE DEPARTMENT OF WATER RESOURCES (Rod Mayer)

Mr. Rod Mayer, Acting Chief of the Division of Flood Management, presented the Department of Water Resources report of activities. (The report is attached hereto and made a part of these minutes.)

CONSENT

6.* CONSENT CALENDAR

- A. Stockton Metropolitan Area Watershed Project, San Joaquin County
(Jeff Fong)

Consider approval of a Joint Use Agreement with the San Joaquin Area Flood Control Agency and the U.S. Army Corps of Engineers for

access and maintenance of flood control facilities in the Stockton metropolitan area, San Joaquin County.

B. Partial Relinquishment of Flowage Easement, Solano County
(Jeff Fong)

Consider approval of a quitclaim deed and acceptance of a covenant agreement from the California Department of General Services for a 1± acre parcel of land located along the Sacramento River in the City of Rio Vista, Solano County.

Upon motion by Mr. Weaver, seconded by Mr. Bundy, and unanimously carried, the Board approved the Consent Calendar as presented, with the removal of item 6B.

REQUESTED ACTIONS

7.* PROJECT OR STUDY AGREEMENTS

None.

There were no Project or Study Agreement items.

8* APPLICATIONS

Application No. 17860, Joseph Griffin, Sacramento River, Colusa County
(Mike Mirmazaheri)

Consider applicant's request for a variance to the Board's regulations to replace an existing damaged 18-inch steel pipe going through the levee below the design water surface elevation with a new pipe in the same location.

Mr. Mike Mirmazaheri, DWR, presented this item to the Board. The Board approved an original application for pipe on April 12, 1974. At this time, staff recommends denying this application. Mr. Scott Morgan clarified precedent for variance. The Board also heard testimony from Mr. Tom Davis, Davis Machine Shop, representing Griffin Farms; Mr. James Griffin, Mr. Jeff Moresco, and Patty Griffin, Griffin Farms; Mr. Ken Dickerson, DWR; Rod Mayer, DWR; and Steve Bradley, Reclamation Board. Ms. Marchand requested staff to do some research and provide some information to the Board on these kinds of pipes with recommendations for future situations regarding pipes in the levees.

Upon motion by Mr. Bundy, seconded by Mr. Weaver, with one opposed vote, the Board approved Application No. 17860. With the condition that Board staff discuss the flowage easement with the applicant for place of a gate and type of pipe required. This will be a permitted encroachment under The Reclamation Board permit. The permittee will be responsible for the maintenance, repair, and anything else that goes wrong with this pipe.

9.* ENFORCEMENTS

None.

There were not Enforcement items.

10.* NONFEDERAL SPONSORSHIP (Pete Rabbon)

Consider approval of The Reclamation Board continuing to be the nonfederal sponsor for federally authorized flood controls projects within the Board's jurisdiction.

Mr. Scott Morgan, Board Counsel, provided background information to the Board on this item. (Note: The Board requested staff to bring this item back to the Board from their September 17, 2004 meeting.) Mr. Morgan also suggested some language for a resolution for the Board to consider for approval.

Upon motion by Mr. Mount, seconded by Mr. Weaver, and unanimously carried, the Board approved and adopted the language as outlined by Mr. Morgan.

11. DELTA LEVEE SUBVENTIONS PROGRAM

- A. Briefing on Delta Levees – subsidence, sea level rise, and seism city.
(Jeff Mount)
- B.* Consider approval of applications and proposed maximum reimbursement amounts for Fiscal Year 2004-05 Delta Levees Maintenance Subventions Program. (Dave Mraz)

Mr. Jeff Mount, Board member, provided a briefing to the Board on Item No. 11A above. The Board also heard testimony from Mr. George Basye, Flood Control Association; Ms. Barbara Ramford, Delta Protection Commission; Ms. Marci Coglianese, Mayor, City of Rio Vista; Ms. Jackie Collins, resident of Bethel Island; Mr. Chris Boyer, OES, Contra Costa County; and Mr. Dave Mraz, Delta Levees Subventions Program.

Mr. Dave Mraz, Delta Levees Subventions Program, presented Item No. 11B to the Board. The Delta Levees Subventions Program is the Board's program for maintaining and improving Delta levees that are at risk. The goal of the program is to reduce the risks to land use and associated economic values, preserve the water supply system and prevent economic catastrophe from breaching the Delta levees. The Board also heard testimony from Mr. George Basye, Flood Control Association; Ms. Margit Aramburu, Delta Protection Commission; and Mr. Scott Morgan, Board Counsel.

Upon motion by Mr. Mount, seconded by Mr. Edgar, and unanimously carried, the Board approved 11A (application and proposed amendments for the Delta Maintenance Subventions Program).

INFORMATIONAL BRIEFINGS

12. RECLAMATION BOARD PROJECTS (Anna Hedegus)

Status report on Board projects.

Removed from the agenda.

13. YUBA COUNTY COMPREHENSIVE FLOOD PROTECTION PROGRAM

Status briefing by the Three Rivers Levee Improvement Authority.

Mr. Steve Bradley, Chief Engineer for the Board, together with Mr. Kent McClain, Yuba County Administrator; Mr. Curt Aikens, General Manager of the Yuba County Water Agency; and Mr. Ric Reinhardt, MBK Engineers provided an interim presentation to the Board as requested from the September 17, 2004 meeting. The Board also heard testimony from Mr. Ron Stork, Friends of the River; Mr. Butch Hodgkins, SAFCA Consultant; Ms. Mary Keller, Sutter County Water Resources; and Ms. Jackie Collins, resident of Bethel Island.

BOARD REPORTS

14. REPORT OF ACTIVITIES OF THE GENERAL MANAGER

Mr. Rabbon reported on a number of upcoming issues and meetings: 1) O&M Policy – Rod Mayer, DWR, is working at the local level to try to address an O&M policy conflict on both facilities related to levees and channels; 2) National Flood Insurance Program (NFIP) – regarding insurance for facilities/residents behind levees. Currently, the NFIP is looking at the risk of living behind a levee, in regards to flood

insurance whether there is 5 or 500 year protection. Mr. Rabbon also advised the Board of a couple of up and coming meetings.

Additionally, Mr. Steve Bradley, Chief Engineer for the Board provided information to the Board on a proposed Indian Museum to be built on the American River. A permit will be coming back to the Board for approval to build the museum along the American River, inside the levee, just downstream from Highway 160.

15. BOARD COMMENTS AND COMMITTEE REPORTS

Mr. Bundy reported that the Sacramento River Conservation Area Forum has entered into partnership with the Nature Conservancy to do a Colusa sub-reach study from Colusa to Princeton and look at modeling and several impacts along their "tied to restoration" projects. Mr. Bundy also attended a meeting on the Woodson Bridge Project, which involved working with the Corps on section 1135 and they are looking to possibly move it over for mitigation for Sacramento Bank.

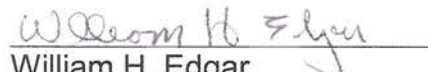
President Marchand requested two items be brought back to the Board at the February 2005 meeting: 1) Board responsibilities for designating floodways; and 2) Requirements in such areas as the Sacramento Pocket for flood insurance (mandatory flood insurance).

16. ADJOURN

Upon motion by Mr. Mount, seconded by Mr. Bundy, and unanimously carried, the meeting was adjourned at 2:45 p.m.

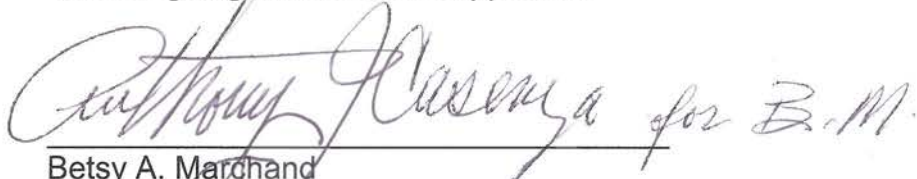
Reclamation Board Meeting
October 15, 2004

Dated: November 19, 2004



William H. Edgar
Secretary

The foregoing minutes were approved:



Betsy A. Marchand
President