

MINUTES

MEETING OF THE RECLAMATION BOARD

September 17, 2004

A regular meeting (Open Session) of The Reclamation Board was held on September 17, 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
Bill Edgar, 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:

Karen Enstrom
Gary Lemon
Keith Swanson
Mike Mirmazaheri
Mark Soto
Steve Dawson
Tracy Hinojosa
David Mraz
Dave Chima
Dave Lawson
Dan Yamanaka
Rod Mayer
Roger Lee
Richard Marshall
Robert Crane
Richardo Pineda
Sherri Pina
Jeff Fong

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

Margit Aramburu, Delta Protection Commission
Joe Countryman, MBK Engineers
Dorene D Adamo, Congressman Dennis Cardoza's Office
Paul Devereux, American River Flood Control Agency
Darryl Foreman, SDWMA
Pete Ghelfi, Sacramento Area Flood Control Agency
Greg Greenway, Bell Marine Company
Alex Hildebrand, SDWMA
Butch Hodgkins, Sacramento Area Flood Control Agency
Ronald Malmquist, Stockton Yacht Club
Charles McClain, Yuba County
Petrea Moyle, Yolo County
Ric Reinhardt, MBK Engineers
Diane Fales, Reclamation District 1001
Kent McClain, Yuba County
Sean MacDiarmid, The MacDiarmid Co.
Bob McLean, Bell Marine
Jim Bentz, Stockton Yacht Club
Larry Lucero, No. Plumas Lakes Owner Group
Tom Soto, Soto Land Consultant
Barry O'Regan, San Joaquin Area Flood Control
Rob Arago, JTS Communities
Victor Vasquez, Miller Holdings
Bill Hampton, Levee District #1
Jeff Twitchell, Kleinschmitt
W. Craig Gaines, Corps
Curt Atkins, YCWA
Patricia Fernandez, CBDA

1. ROLL CALL

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

2.* APPROVAL OF MINUTES - - June 18 & July 16, 2004

Upon motion by Mr. Edgar, seconded by Mr. Cusenza, and unanimously carried, the Board approved the minutes for June 18, 2004. The minutes for July 16 will be presented at the October 15 meeting.

3.* APPROVAL OF AGENDA

Upon motion by Mr. Edgar, seconded by Mr. Mount, and unanimously carried, the agenda was approved with the removal of items No. 13 and 6A 1 & 2.

4. PUBLIC COMMENTS

There were no public comments.

**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.)

At this time, Mr. Paul Devereux, Manager of the American River Flood Control Agency provided his thoughts and support of AB 107. This bill, which has been signed, will allow districts to create their own standards for levees that are even stricter than Reclamation Board standards.

CONSENT

6.* CONSENT CALENDAR

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

1. 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; and
2. Consider approval of a letter to the U.S. Army Corps of Engineers declining the OMRR&R responsibilities for the Stockton Metropolitan Area Watershed, CA (Urban Features) Project.

Removed from Agenda

B. Sale of a 0.87 acre parcel of land, Solano County (Jeff Fong)

Consider approval of a grant deed for the sale of a 0.87-acre parcel of land to the City of Rio Vista, Solano County.

Upon motion by Mr. Edgar, seconded by Mr. Cusenza, and unanimously carried, the Board approved the Consent Calendar as presented, with the removal of item No. A1 & 2.

REQUESTED ACTIONS

7.* PROJECT OR STUDY AGREEMENTS

A. South Sacramento County Streams Project (Scott Morgan)

Consider approval of continuing nonfederal sponsorship for the project.

Mr. Roger Lee, DWR provided status and information on the South Sacramento County Streams Project. The project is located in the Southern Sacramento Area and is highly urbanized, with over 100,000 people. The project includes levee, concrete flood wall, and sheet pile improvements to several creeks in the Southern Sacramento area. PCA is scheduled to be executed January 2005 and construction scheduled to start May 2005. The Board also heard testimony from Mr. Paul Devitt, Project Manager, U.S. Army Corps of Engineers; Mr. Grant Kreinberg, Mr. Tim Washburn, and Mr. Pete Ghelfi, from SAFCA; and Mr. Mike Nolan, City of Sacramento Utilities Department.

Due to a recent lawsuit, Mr. Peter Rabbon and Mr. Scott Morgan provided information on policy issues regarding liability when the Board chooses to be a non-federal sponsor with Corps on federally authorized flood control projects.

Upon motion by Mr. Edgar, seconded by Mr. Cusenza and unanimously carried, the Board agreed to have the policy issues brought back to the October 15 Board meeting.

Upon motion by Mr. Edgar, seconded by Mr. Cusenza, and unanimously carried, the Board approved to continue non-federal sponsorship with the project.

8* APPLICATIONS

- A. Application No. 17710, Stockton Yacht Club, Calaveras River, San Joaquin County (Mike Mirmazaheri)

Consider approval of Application No. 17710 to authorize completed work which includes relocation of a 38- by 56-foot floating boat shed supported by four steel pilings and installation of an 8-by 56-foot debris barrier supported by 10 steel pilings on the left bank of the Calaveras River.

Mr. Steve Dawson, DWR, presented the above item. On February 16, 2000, the Stockton Yacht Club filed Application No. 17199, requesting modification to the existing floating boat shed. Reclamation Board Permit No. 17199 was issued on July 21, 2000, granting the applicant permission to proceed with modifications. On August 2003, staff received two letters from Mr. Steve Williams, an adjacent landowner located east of the Yacht Club, protesting the project authorized by Board Permit No. 17199-A. The letter indicated that the Stockton Yacht Club's application neglected to name Mr. Williams as an adjacent property owner and as a result, Mr. Williams did not receive proper notification of the permit request.

Upon motion by Mr. Weaver, seconded by Mr. Edgar, and unanimously carried, the Board approved Application No. 17710.

- B. Application No. 17727, Bell Marine Industrial Aggregates, American River, Sacramento County (Mike Mirmazaheri)

Consider denial of Application No. 17727 to authorize storage of cut trees and concrete pipes on the left (south) bank overflow area of the American River.

Mr. Mike Mirmazaheri, DWR, presented the above item. The application is to store material in the floodway of the American River. The Board also heard testimony from Mr. Paul Deveraux, American River Flood Control Agency; Mr. Greg Greenway, Bell Marine; and Mr. Pete Ghelfi, SAFCA, who supported denial of Application No. 17727.

Upon motion by Mr. Edgar, seconded by Mr. Mount, and unanimously carried, the Board denied Application No. 17727 and gave the applicant until November 1 to remove all objects from the area.

9.* ENFORCEMENTS

None.

There were no Enforcement items.

10.* STATE MAINTENANCE AREA NO. 17 BOUNDARY REVISIONS

(Keith Swanson)

Consider approval of Resolution No. 04-17 to modify the boundary of State Maintenance Area No. 17. Proposed changes result in the removal of 14 parcels that should not have been included in the MA because they receive no flood benefit from the project, the addition of 1 parcel previously omitted, and a more accurate measurement of acreage for remaining parcels.

Mr. Keith Swanson, DWR, presented this item to the Board and requested approval to modify the boundaries of MA 17. The boundaries were established in June 2000. The revision is to exclude 14 parcels, add 1 parcel, and modify numerous acreages on other parcels. The action is in response to a letter from Lake County Board of Supervisors, dated July 13, 2004.

Upon motion by Mr. Cusenza, seconded by Mr. Edgar, and unanimously carried, the Board approved Resolution No. 04-17.

11.* DELTA LEVEE SUBVENTIONS PROGRAM *(Dave Mraz)*

Consider approval of applications and proposed maximum reimbursement amounts for Fiscal Year 2004-05 Delta Levees Maintenance Subventions Program.

Mr. Dave Mraz, Program Manager and Mr. Dave Lawson, Delta Levees Subventions Program, presented this item to the Board which included the Department's recommendation to approve the application for 64 Delta levee maintaining agencies' 2004-2005 Maintenance Subventions Program. The Board also heard testimony from Ms. Margit Aramburu, Delta Levee Subventions Program, and Mr. Joe Countryman, MBK Engineers.

There were three motions to approve and one motion to not approve. Therefore, this item will be brought back to the Board at the October 15 Board meeting for approval.

Upon motion by Mr. Cusenza, seconded by Mr. Weaver, the Board did not approve the applications and proposed maximum reimbursement amounts for FY 2004-05 Delta Levees Maintenance Subventions Program.

INFORMATIONAL BRIEFINGS

12. DELTA LEVEE SUBVENTIONS PROGRAM *(Dave Mraz)*

Follow-up briefing on final funding amounts for Fiscal Year 2002-03 Delta Levee Maintenance Subventions Program.

Mr. Dave Mraz, Delta Levees Program, provided information to the Board with final funding amounts for FY 2002-03 as requested from the August 2004 Board Meeting.

13. RIVER ISLANDS *(Steve Bradley)*

OFF

Interim briefing on the proposed River Islands Project.

Removed from Agenda.

14. YUBA COUNTY COMPREHENSIVE FLOOD PROTECTION PROGRAM *(Steve Bradley)*

Interim briefing on proposed projects and levels of protection being provided under the Yuba County Comprehensive Flood Protection Program.

Mr. Steve Bradley, Chief Engineer of the Reclamation Board introduced various individuals who together presented this item to the Board. Those individuals are: Mr. Kent McClain, Yuba County; Mr. Curt Aikens, Yuba County Water Agency; and Mr. Ric Reinhardt, MBK Engineers presents this briefing to the Board. The Board also heard testimony from Mr. Dan Yamanaka, DWR; Mr. Joe Countryman, MBK Engineers; Mr. Ricardo Pineda, DWR; Mr. Butch Hodgkins, SAFCA; and Mr. Pete Rabbon, Reclamation Board. Additionally, Mr. Bradley read a statement from Ms. Petrea Moyle, Yuba County who left the meeting.

15. SACRAMENTO & SAN JOAQUIN COMPREHENSIVE STUDY – SOUTH DELTA WATER AGENCY PROPOSAL *(Gary Lemon)*

Staff briefing.

Mr. Gary Lemon, DWR, briefed the Board on the above item. The goal is to reduce the threat from flooding in the lower San Joaquin River in the South Delta areas, reducing

stages, making conveyance more efficient through Paradise Cut. The Board also heard testimony from Mr. Alex Hildebrand and Darryl Foreman, SDWMA; and Mr. Craig Gaines, Corps.

16. BUDGETS (Rod Mayer)

Staff briefing.

Mr. Rod Mayer, DWR provided a summary and detail of the above item.

BOARD REPORTS

17. REPORT OF ACTIVITIES OF THE GENERAL MANAGER

Mr. Pete Rabbon introduced Mr. Scott Morgan, Legal Counsel for the Board who reported on Friant Dam – dismantle Friant Dam and restore the full flow of the San Joaquin will not be the likely outcome. Mr. Rabbon notified the Board of some up and coming meetings and a workshop presented by The Water Education Foundation.

18. BOARD COMMENTS AND COMMITTEE REPORTS

Mr. Jeff Mount attended an international river symposium in Brisbane, Australia.

Mr. Tony Cusenza represented the Board at the San Joaquin River Management Program meeting. Environmentalists are trying to restore the river to its original state. They want to get rid of the tailings, which are the drops of rocks that were left over by the dredges. Their last meeting was on water quality.

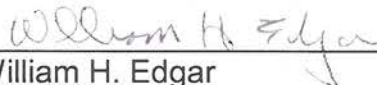
President Marchand reported that Curt Aikens from Yuba County Water Agency welcomed the Board Members to come up for a tour and for a flight over the Plumas Lakes project area. Additionally, Ms. Marchand requested staff obtain a FEMA map for the Yuba County issue.

19. ADJOURN

Upon motion by Mr. Mount, seconded by Mr. Edgar, and unanimously carried, the meeting was adjourned at 4:30 p.m.

Reclamation Board Meeting
September 17, 2004

Dated: November 19, 2004



William H. Edgar
Secretary

The foregoing minutes were approved:



Betsy A. Marchand
President