

MINUTES

MEETING OF THE RECLAMATION BOARD

June 17, 2005

A regular meeting of The Reclamation Board was held on June 17, 2005 beginning at 9:00 a.m. in the Resources Building Auditorium, First Floor, 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:

Stephen Bradley, Chief Engineer
Scott Morgan, Counsel
Lori Buford, Staff Assistant

Department of Water Resources staff present:

Les Harder
Brian White
Jeff Fong
Sterling Sorenson
Mike Petersen
Nancy Kampas
Roger Lee
Steve Dawson
Sam Brandon
Richard Marshall
Mark Soto
Dena Uding
Dave Lane
Dave Chin
Jason Fellner
Sherri Kemp

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

Mr. Michael Archer, MBK Engineers
Ms. Peggy Bohl, Resident of Clarksburg
Mr. John Bohl, The Bohl Corporation
Mr. Steve Chainey, SAFCA
Mr. Daniel Collins, Tower Development Corporation
Mr. Robert DuVall, Resident of Sacramento
Mr. Bill England, Resident of Sacramento
Mr. Bill Fargo, Resident of Sacramento
Mr. John Folk-Williams, Center for Collaborative Policy
Mr. Dan Gorfain, Friends of the Sacramento River Greenway
Ms. Alicia Guerra, Morrison and Foerster
Mr. Lonnie Martin, Resident of Sacramento
Ms. Marti Martin, Resident of Sacramento
Mr. Kent McClain, Yuba County Administrator and Three Rivers Levee Improvement Authority (TRLIA)
Mr. David Middlesworth, Resident of Sacramento
Mr. Jeff Omand, Arabella & Benham Homes Owner's Association
Ms. Cheryl Osborne, Resident of Sacramento
Mr. Jim Pacht, Resident of Sacramento and representing Concerned Citizens of Clarksburg
Mr. Gerry Rohlfes, Resident of Sacramento
Mr. Randy Ross, Resident of Sacramento
Ms. Julieite Ross, Resident of Sacramento
Mr. Michael Sands, Resident of Sacramento
Ms. Betsy Weiland, Resident of Carmichael
Mr. Charles Zell, Resident of Sacramento
Mr. J.P. Tindell, City of Sacramento
Ms. Michele Rudek, City of Sacramento
Mr. Mike Radaideh, Wood Rodgers
Mr. Paul Devereux, American River Flood Control Agency
Mr. Ray Schwartz, Resident of Sacramento
Ms. Diane Howard, Resident of Sacramento
Ms. Julie Kramer, Resident of Sacramento
Mr. Bill Garcia, Resident of Sacramento
Ms. Cathy Garcia, Resident of Sacramento
Mr. Paul Harper, Resident of Sacramento
Ms. Sara Martin, Jones & Stokes
Mr. Pat Clark, City of Sacramento
Mr. Bill Darsie, KSN, Inc.
Ms. Chris Neudeck, KSN, Inc.
Mr. Carl Benvenuti, Resident of Sacramento

1. ROLL CALL

President Betsy Marchand brought the meeting to order at 9:00 am. All Board members were in attendance. Additionally, Mr. Steve Bradley, Chief Engineer for the Board performed the duties of General Manager in Mr. Pete Rabbon's absence.

2.* APPROVAL OF MINUTES – April 15 and May 20, 2005

Upon motion by Mr. Edgar, seconded by Mr. Bundy, and unanimously carried, the Board approved the minutes of April 15, 2005. The minutes for May 20, 2005 will be presented to the Board for approval at the July 15, 2005 Board meeting.

3.* APPROVAL OF AGENDA

Upon motion by Mr. Cusenza, seconded by Mr. Mount, and unanimously carried, the Board approved the agenda as presented.

4. PUBLIC COMMENTS

Mr. Jim Pacht, resident of Sacramento and representing Concerned Citizens of Clarksburg, reported on some long standing maintenance concerns regarding levees of the area that do not meet current FEMA standards, and, also stated that FEMA certification relies on old standards. Mrs. Peggy Bohl, resident of Clarksburg also spoke on behalf of Concerned Citizens of Clarksburg, on issues of safety and the preservation of the primary zone.

5. REPORT OF ACTIVITIES OF THE DEPARTMENT OF WATER RESOURCES

A. Legislative Update (Brian White)

Mr. Brian White, Assistant Director of Legislative Affairs for Department of Water Resources, provided a brief update of current bills in the Legislature, which also included a variety of high priority bills for DWR.

B. Division of Flood Management (Les Harder)

Dr. Les Harder, Chief, 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.)

President Marchand requested staff to report back to the Board at the next Board meeting with the status of the Hamilton City Project.

6. **THREE RIVERS IMPROVEMENT AUTHORITY** (Kent McClain)

Mr. Kent McClain, Yuba County Administrator, Three Rivers Levee Improvement Authority (TRLIA), provided their monthly briefing to the Board. Mr. McClain reported that TRLA has pre-qualified three bidders for the Phase-2 work: Nordic; Compass Environmental; and Envirocon. A pre-bid meeting was held May 25 of the actual work sites on the Western Pacific Interceptor Canal, Bear River and Yuba River levees. The second pre-bid meeting is taking place this date (July 15, 2005) that will cover an additional work item that was added to the project and consists of the detention basin for internal drainage purposes in the Olivehurst area that is necessary in conjunction with the project. TRLIA has received a grant from FEMA that partially covers the cost of the detention basin. Other funding sources are local developer fees and possibly a grant or loan from Yuba County Water Agency (YCWA). The bids will be opened on June 27 and expected to be awarded on July 5 at TRLIA's Board meeting. At this time, a budget in excess of \$68 million has been presented to TRLIA's Board and it will be subject to public hearing and adoption at their next Board meeting. The thirty-five percent design on the Bear River setback levee was received and sent for review. The Phase-3 design was done on June 2 and TRLIA expects the 90 percent foundation design by the end of July. The total amount of permits issued thus far is 610, 157 are above the 62.1 elevation and the remaining to be issued for the 2005 calendar year total 347.

CONSENT

7.* **CONSENT CALENDAR**

A. Interagency Agreement (Jeff Fong)

Consider approval of Resolution No. 05-07 to renew an interagency agreement with the State Lands Commission for technical and consulting services on oil and gas matters and authorize the General Manager to execute the agreement.

- B. Application No. 17931, Max D. Stone Family Trust, City of Stockton
(Steve Bradley)

Consider approval of Application No. 17931 to extend the existing bike path by constructing a 12-foot-wide, 3,425-foot-long path on the right (north) bank levee of Pixley Slough, north of the City of Stockton in San Joaquin County (San Joaquin County Flood Control and Water Conservation District).

Upon motion by Mr. Edgar, seconded by Mr. Bundy, and unanimously carried, the Board approved the Consent Calendar as presented with the removal of Agenda Items No.'s 7A and 7B.

REQUESTED ACTIONS

8.* PROJECT OR STUDY AGREEMENTS

None.

There were no Project or Study Agreement items.

9*. PROPERTY MANAGEMENT

None.

There were no Property Management items.

10* APPLICATIONS

- A. Application No. 17959, Daniel Benvenuti, Jr., Sacramento County
(Steve Bradley)

Consider approval of Application No. 17959 to construct a single family residence and appurtenances on the waterside of the right bank levee of the American River at 1630 McLaren Drive, American River Flood Control District, Sacramento County.

Mr. Steve Bradley, Chief Engineer for the Reclamation Board, presented this item to the Board with staff's recommendation to approve Application No. 17959. This application is to construct a single family residence on the waterside of the American River levee.

The Board also heard testimony from Mr. Daniel Collins, resident of Sacramento representing landowner Mr. Daniel Benvenuti; Ms. Weiland, resident of Sacramento; and Mr. Paul Devereaux, General Manager of American River Flood Control.

Upon motion by Mr. Edgar, seconded by Mr. Cusenza, and unanimously carried, the Board approved Application No. 17959 (variance) and staff was directed to work out conditions related to this permit with applicant, and the primary technical reasons for this permit be noted.

Also upon motion by Mr. Edgar, seconded by Mr. Weaver, and unanimously carried, the Board directed staff to work in conjunction with the American River Flood Control District to develop a special permitting area similar to what is on the Garden Highway. In addition, delegate the administration of special planning guidelines to the American River Flood Control District.

B. Application No. 17884, City of Sacramento, Sacramento County
(Steve Bradley)

Consider denial of Application No. 17884 requesting encroachment permit to construct a chain link fence crossing the levee on the left bank of the Sacramento River in Maintenance Area No. 9.

Mr. Steve Bradley, Chief Engineer for the Board, presented this item to the Board with staff's recommendation to deny Application No. 17884. The Board also heard testimony from the following residents of Sacramento: Mr. Jeff Omand; Mrs. Osborne; Ms. Marti Martin; Mr. Randy Ross; Mr. Lonnie Martin; Mr. Michael Sands; Mr. David Middlesworth; Mr. Gerry Rohlfes; Mr. Bill England; Mr. Robert DuVall; Mr. Bill Fargo; Mr. Charles Zell; Mr. J.P. Tindell, City of Sacramento Parks and Recreation Department; and Mr. Dan Gorfain, Friends of the Sacramento River Greenway.

Upon motion by Mr. Edgar, seconded by Mr. Bundy, and unanimously carried, the Board denied Application No. 17884.

11.* ENFORCEMENTS

None.

There were no Enforcement items.

12.* PERMIT ACTION

Reclamation Board Permit No. 17035

Consider Permit No. 17035 GM and compliance with Special Condition No. 26
(Pete Rabbon)

Mr. Scott Morgan, Counsel for the Board, provided a brief update and status of the above items, and requested it be deferred to the July 15, 2005 Board meeting for action.

Upon motion by Mr. Weaver, seconded by Mr. Mount, and unanimously carried, the Board deferred this item to the July 15, 2005 Board meeting.

INFORMATIONAL BRIEFINGS

13. REPORT ON SACRAMENTO RIVER CORRIDOR PLANNING FORUM

(Steve Bradley)

Discussion of Cumulative Hydraulic Impact Analysis and Forum Update

Mr. Steve Bradley, Chief Engineer for the Board together with Mr. John Folk-Williams, Center for Collaborative Policy; Mr. Mike Archer, MBK Engineers; and Mr. Steve Chainey, SAFCA, briefed the Board on the above item. The Board also heard comments from Mr. Tim Washburn, SAFCA.

LUNCH BREAK

14. DELTA RISK MANAGEMENT STRATEGY (Les Harder)

Dr. Les Harder, Chief, Division of Flood Management, provided an update on the Delta Risk Management Strategy, also known as the Comprehensive Program Evaluation. Objectives are to provide a set of alternative risk reduction plans to be considered in subsequent decision implementation phases. Another interim measure that we are looking at is our emergency response policies. In an emergency situation the Corps is not available the Department would step in immediately to help stabilize the emergency, and address the nature of the emergency only. The State will evaluate whether or not the State has sufficient compelling interest to proceed with a full reclamation of the island.

*Add -
Bill's
comment on
funding
from
Subcontractors*

President Marchand requested to have copies of the Draft Policy provided to Board members for further comments. The Board also heard comments from Mr. Dave Mraz and Mr. Dave Lawson, Delta Levees Subvention Program, who addressed funding issues for the project; and Ms. Alicia Guerra, Morrison and Foerster.

BOARD REPORTS

15. REPORT OF ACTIVITIES OF THE GENERAL MANAGER (Steve Bradley)

There were no Report of Activities of the General Manager.

16. BOARD COMMENTS AND COMMITTEE REPORTS

There were no Board Comments or Committee Reports.

17. ADJOURN

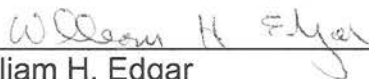
Upon motion by Mr. Weaver, seconded by Mr. Mount, and unanimously carried, the meeting was adjourned at 3:10 p.m.

18. DELTA LEVEE SUBCOMMITTEE MEETING, ROOM 131

- A. Review and discuss draft changes to the Subventions Program Procedures.
- B. Review River Islands draft decision schedule and request for guidance

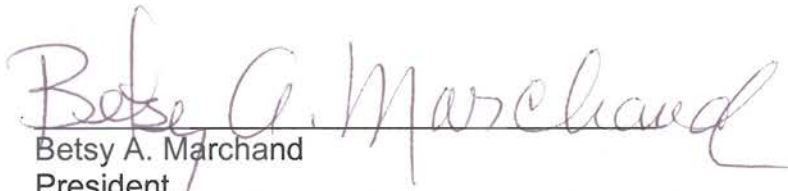
Agenda Item No. 18 was deferred to the July 15, 2005 Board meeting.

Dated: September 16, 2005



William H. Edgar
Secretary

The foregoing minutes were approved:



Betsy A. Marchand
President