

## **MINUTES**

### **MEETING OF THE RECLAMATION BOARD**

**January 27, 2006**

A regular meeting (Open Session) of The Reclamation Board (Board) was held on January 27, 2006 beginning at 10: 45 a.m. in the Dept. of Social Services, 774 P Street, Auditorium, Room 102, Sacramento, California.

The following members of the Board were present:

Ben Carter, President  
Cheryl Bly-Chester, Vice-President  
Teri Rie, Secretary  
RoseMarie Burroughs, Member  
Lady Bug Doherty, Member  
Butch Hodgkins, Member  
Emma Suarez, Member

The following members of the staff were present:

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

Department of Water Resources staff present:

Les Harder  
Rod Mayer  
Keith Swanson  
Deborah Condon  
Bill Burkhard  
Kevin Elcock  
Jeff Fong  
Jay Punia  
Ricardo Pineda

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

Mr. James Akin, Akin Ranch  
Mr. Lewis Bair, Sacramento River West Side Levee District  
Mr. George Basye, Sacramento River West Side Levee District  
Ms. Jane Carter

Mr. Joe Countryman, MBK Engineers  
Mr. Fritz Durst, Reclamation District 108  
Mr. Tom Ellis, Sacramento River West Side Levee  
Mr. Mike Peters, U.S. Fish & Wildlife Service  
Ms. Lisa Kirk  
Ms. Vicki Murphy  
Mr. Jeff Hawk, Sacramento River West Side Levee  
Mr. Herbert Pollock  
Mr. Frank Sieferman, Sr., Yolo County Supervisor  
Mr. Frank Sieferman, Jr.  
Mr. Vickie Newlin  
Ms. Linda Fiack  
Mr. Jeff Twitchell  
Ms. Mary Gordon  
Ms. Rose Ann Ellis  
Mr. Tom Gross  
Mr. Dick Akin  
Mr. Max Sakato  
Ms. Lynnel Pollock  
Ms. Kim Davis  
Mr. Gary Evans  
Ms. Sue Sutton  
Mr. Jeff Sutton  
Mr. Joe O'Connor  
John Poundstone, RD 100  
Emery Poundstone, RD 100  
James Balsdon

**1. ROLL CALL**

*President Carter brought the meeting to order at 10:48 am. All Board members were in attendance except Teri Rie and she will be arriving later this morning.*

**2.\* APPROVAL OF MINUTES – Approval of Minutes - November 19, 2005**

*Upon motion by Ms. Suarez, seconded by Ms. Hodgkins, and unanimously carried, the Board approved the November 19, 2005 minutes as presented.*

**3.\* APPROVAL OF AGENDA**

***Upon motion by Ms. Doherty, seconded by Ms. Bly-Chester, and unanimously carried, the Board approved the November agenda with the following changes: Item 19 and the continuation of the closed session from the previous day be moved to directly after lunch.***

**4. PUBLIC COMMENTS**

*Ms. Lisa Kirk, resident and property owner from Bethel Island Municipal Improvement District, presented the Contra Costa grand jury report. She wanted the Board to be aware that the grand jury looked at the RD she lives in and stated that they don't uniformly enforce local ordinances such as those designed to protect prohibited actions that can weaken the levee. She also wanted the Board to be aware that the report also stated that the RD should develop a long reach levee plan and that has not been accomplished. Discussion was had on whether the Board has jurisdiction over nonfederal project levees and it was decided that the Board does have some jurisdiction because it's within the drainage of the Sacramento and San Joaquin Rivers. Board Member Suarez said she would follow up and get more information and the Board may invite the district to a future meeting to give an informational briefing.*

**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 activities. (The report is attached hereto and made a part of these minutes.)*

**6. THREE RIVERS LEVEE IMPROVEMENT AUTHORITY MONTHLY REPORT  
(Kent McClain)**

*Mr. Kent McClain, Executive Director of Three Rivers Levee Improvement Authority submitted a written report at President Carter's request. It was decided that a subcommittee would be formed that will hold public meetings to work with the various interests involved and that will be on the February agenda. Ms. Bly-Chester asked about the status of the permit that was discussed at the previous meeting and Mr. Steve Bradley said he is still working on it.*

## **CONSENT**

### **7.\* CONSENT CALENDAR**

*None.*

*There were no Consent Calendar items.*

## **REQUESTED ACTIONS**

### **8.\* PROJECT OR STUDY AGREEMENTS**

Sacramento River Bank Protection Program (Deborah Condon)

Consider approval of Resolution No. 06-01 to execute an Operations and Maintenance Agreement between The Reclamation Board and the Sacramento Area Flood Control Agency for levee repairs between RM 49.6 and RM 56.7 on the east levee of the Sacramento River.

*Ms. Deborah Condon gave a brief history of the project and talked about SAFCA's role as the entity that will perform O&M under the agreement.*

***Upon motion by Ms. Hodgkins, seconded by Ms. Doherty, and unanimously carried, the Board approved the resolution to execute the O& M agreement.***

### **9.\* PROPERTY MANAGEMENT**

*None.*

*There were no Property Management Items.*

### **10.\* APPLICATIONS**

*None.*

*There were no Application items.*



**11.\* ENFORCEMENTS**

*None.*

*There were no Enforcement Items.*

**12.\* PERMIT ACTION – RECLAMATION BOARD PERMIT NO. 17035 (Pete Rabbon)**

Briefing on Permit No. 17035 GM and compliance with Special Condition No. 26.

*Mr. Peter Rabbon stated that this permit was not yet ready for action at this meeting but asked that Mr. Scott Morgan give a brief history. Mr. Morgan discussed that CalTrans had a Memorandum of Understanding with the Board saying that they would enter into agreement with locals within six months and they haven't done that. He then went on to say that he met with CalTrans approximately six months ago and everything had been resolved and the Board encouraged them to execute agreements with the locals. Mr. Morgan has recently learned that negotiations have broken down between the parties, but the board has taken on the role of mediator and a meeting has been scheduled for February 6, 2006. Ms. Bly-Chester talked about a meeting she and Ms. Suarez had with Mr. Fred Wheeler of RD 349 where they went out to look at some damage on these levees. Mr. George Basye, Attorney for Brannan Andrus RD 3 and RD 349 stated that the issue is a guard rail that needs to be removed or modified to facilitate O&M on the levee.*

**13.\* DELEGATION ORDER (Scott Morgan)**

*Mr. Scott Morgan explained that he was asked to take a look at some past delegation orders and reconcile them with the Board's regulations. He explained that the Board can't modify the delegation in the regulations except by amending the regulations and that the Board has authority to rescind delegations that are made through resolutions except those that overlap with the regulations. He then went over the delegations that overlap and explained that the Board would have to go through a regulatory rule making process. Discussion ensued about the various delegation authorities. Ms. Bly-Chester wants information added to the General Manager's report that states what types of delegations are used and how often. At that point Board staff was directed to prepare a draft resolution to eliminate redundancies, that cleans up the conveyance language and retains all other delegations with the exception of G, V, and L. It was decided that this item would come back before the Board at the February meeting.*

## **INFORMATIONAL BRIEFINGS**

### **14. DELTA EMERGENCY RESPONSE PLAN (Bill Burkhard)**

*Mr. Bill Burkhard discussed flood fighting in the Delta and SEMS compliance he also discussed DWR's relationship with most of the RDs in the Delta through the AB360 program. He also talked about the relationships between the various agencies; federal, State and local. He talked about the high water event that occurred in January 2006 and how DWR responded.*

### **15. INTERIM DELTA EMERGENCY RESPONSE PLAN (Les Harder)**

*Mr. Les Harder, Acting Deputy Director of Public Safety gave a briefing on the development of the interim delta emergency response plan. He talked about the various events surrounding the 2004 Jones Tract levee break and how those events helped form the plan. He stated that in the absence of a Corps intervention the State will step in to stabilize the emergency. Discussion ensued regarding the islands in the Delta and how it would be determined whether to reclaim them in the case of a flood.*

### **16. SUTTER BYPASS BRIEFING (Keith Swanson)**

DWR operations and maintenance of the Sutter Bypass in the vicinity of the Sutter National Wildlife Refuge.

*Mr. Keith Swanson, Chief of Flood Maintenance gave a briefing on the Sutter Bypass and the area surrounding it. He explained the reason why DWR does maintenance there. Mr. George Basye, Attorney for Sacramento River West Side District, Mr. Lewis Bair, Mr. Max Sakato, Manager of RD 1500, and representatives from Sutter, Yolo and Colusa County also spoke. There was also Jessie Poundstone, Mr. Jim Balsdon, and Ms. Kim Davis from Senator Aanestad's office, Mr. Saul Cranfield from Wally Herger's office, Mr. Tom Ellis, of Sacramento River West Side Levee District, and Mr. Dick Akin, former Sutter County Supervisor were also heard.*

### **17. STRATEGIC PLANNING (Butch Hodgkins)**

*Mr. Butch Hodgkins, Board Member advised the Board that he has developed a Strategic Plan that is now available on the Reclamation Board website and distributed copies. There were a few general comments by other Board members and it was determined that they would bring it for a workshop at the March 2006 meeting. The Board also decided to have a meeting in two weeks on the Strategic Plan.*



## **BOARD REPORTS**

### **18. BOARD COMMENTS AND TASK LEADER REPORTS**

*Ms. Bly-Chester proposed that the Board establish a set of rules for developing the agenda and distributed a draft for the board to consider. The February agenda was briefly discussed. Mr. Scott Morgan clarified the Boards role in doing staff work.*

### **19. REPORT OF ACTIVITIES OF THE GENERAL MANAGER**

*Mr. Peter Rabbon talked about the addition of Ms. Jill Finney, Retired Annuitant helping Lori Buford and that Mr. Scott Morgan has been reassigned 100 percent to Reclamation Board activities stating that these staffing increases have almost doubled Board staff. He then notified the Board that he would be reassigned to the Division of Flood Management full time. At which point President Carter thanked Mr. Rabbon for his years of service and Mr. Hodgkins spoke about his years of service also.*

*The Board then went into closed session and when they reconvened they announced that Mr. Dan Fua would be Acting General Manager until a permanent candidate can be selected.*

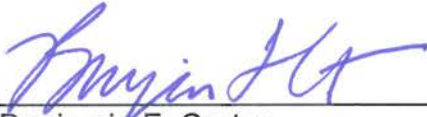
### **20. ADJOURN**

***Upon motion by Ms. Bly-Chester, seconded by Ms. Doherty, and unanimously carried, the meeting was adjourned at 5:35 p.m.***

Dated: March 17, 2006

  
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Teri E. Rie  
Secretary

The foregoing minutes were approved:

  
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Benjamin F. Carter  
President