

MINUTES
MEETING OF THE CENTRAL VALLEY FLOOD PROTECTION BOARD
March 25, 2011

NOTE: THE BOARD WILL CONSIDER TIMED ITEMS AS CLOSE AS POSSIBLE TO THE LISTED TIME, BUT NOT BEFORE THE TIME SPECIFIED. UNTIMED ITEMS MAY BE HEARD IN ANY ORDER. MINUTES ARE PRESENTED IN AGENDA ORDER, THOUGH ITEMS WERE NOT NECESSARILY HEARD IN THAT ORDER.

A regular meeting (Open Session) of the Central Valley Flood Protection Board was held on March 25, 2011 at 8:30 a.m. at The Resources Building, 1416 Ninth Street, Auditorium, Sacramento, California.

The following members of the Board were present:

Mr. Benjamin Carter, President
Ms. Teri Rie, Vice President
Mr. Butch Hodgkins, Secretary
Mr. John Brown
Mr. John Moffatt
Ms. Emma Suarez
Mr. Mike Villines

The following members of the Board staff were present:

Mr. Jay Punia, Executive Officer
Mr. Len Marino, Chief Engineer
Mr. Dan Fua, Supervising Engineer
Mr. Curt Taras, Supervising Engineer
Mr. Eric Butler, Senior Engineer
Ms. Amber Woertink, Office Technician
Ms. Deborah Smith, Legal Counsel

Department of Water Resources (DWR) staff present:

Mr. Gary Bardini, Chief, Division of Flood Management
Mr. Noel Lerner, Chief, Maintenance Support Branch
Mr. Patrick Luzuriaga, Staff Engineer
Mr. Paul Marshall, Assistant Chief, Flood Management Division
Mr. David Pesavento, Chief, Flood Projects Inspection Section
Mr. Don Rasmussen, Chief, Flood Project Inspection and Integrity Branch

Also Present:

Colonel Andrew Kiger, United States Army Corps of Engineers

Mr. Ryan Larson, United States Army Corps of Engineers
Ms. Meegan Nagy, United States Army Corps of Engineers

1. ROLL CALL

President Carter welcomed everyone to the meeting. He requested Executive Officer Punia to call the roll. All Board members were present except Vice President Teri Rie, who arrived shortly.

2. APPROVAL OF MINUTES

Upon motion by Board Member Brown, seconded by Board Member Villines, the Board unanimously approved the Minutes for January 28, 2011.

3. APPROVAL OF AGENDA

Executive Officer Punia gave the following staff recommendations.

- Under Item 8H, Consent Calendar, there was a typo in Item H2: "Amendment No. 2" should read "Amendment No. 1".
- Item 9, Hearings and Decisions, Permit No. 18576 shall be postponed at the request of the applicant.
- Item 10B, Informational Hearing, Status Report on Road 9 Fresno River Diversion Project, shall be postponed based upon Staff Legal Counsel's advice.

Upon motion by Board Member Brown, seconded by Secretary Hodgkins, the Board unanimously approved the staff recommendations given above.

4. PUBLIC COMMENT – NONE

5. RECOGNITION OF SERVICE – STEIN BUER

President Carter called Mr. Stein Buer to the podium to recognize his service to the State of California. President Carter stated that in a very short time, Mr. Buer had made a tremendous contribution and impact. He read Resolution No. 11-11 honoring Mr. Buer.

Mr. Buer stated that in looking back, since 1981 he had appeared as an applicant, staff, or member of the Division of Flood Management working closely with this Board. He looked forward to working with the Board in the future.

Colonel Kiger of the Army Corps of Engineers noted that Mr. Buer has been a great friend of the Corps; previous district commanders said without a doubt that they greatly appreciated Mr. Buer's service, especially his collaborative contributions in moving great projects forward – particularly the Natomas back and the JFP. Colonel Kiger presented a certificate to Mr. Buer.

6. REPORT OF THE ACTIVITIES OF THE DEPARTMENT OF WATER RESOURCES (DWR)

Mr. Gary Bardini, DWR Division Chief, began by noting that Mr. Buer had set the bar in terms of public service and had been very effective in representing the State. His recognition was truly deserved.

Mr. Bardini stated that Mr. Paul Marshall, Assistant Division Chief, has taken on some of Mr. Buer's roles and duties.

Mr. Bardini provided the following information about high water.

- With the current water conditions, temperature is what the Division is concerned about more than precipitation.
- It has been a very good wet year, and we have been fortunate to have had cool temperatures without bigger synoptic storms with high snow levels, which cause significant problems particularly in the Sacramento system.
- Precipitation is at about 150% of average.
- We are hoping for mild rather than warm temperatures to avoid a snowmelt problem, which would necessitate careful management through the system.
- Currently every reservoir is making higher releases into the system because they're encroached on their flood reservation space.
- Areas of concern are Clear Lake and homes in some areas, particularly Maintenance Area 17.
- We had high water in every river throughout northern and southern California. The systems worked well, going right up to their flood stages and receding.
- A concern is the San Joaquin system. If Vernalis reaches about 40,000 cfs, we might have to do some significant flood fight activities and work with local agencies.
- Right now all the bypasses are functioning properly.
- In response to a question from Secretary Hodgkins, Mr. Bardini explained that the most difficult reservoir in the state to manage is Friant. It has to balance downstream considerations and upstream storage, particularly under Southern Cal Edison. The reservoirs along the Friant Kern annex must be coordinated. Friant also has a very complicated flood control diagram.

Mr. Paul Marshall, DWR Division of Flood Management Assistant Chief, spoke on the programmatic Environmental Impact Report (EIR) that is going to be the California Environmental Quality Act (CEQA) compliance for the Central Valley Flood Protection Plan.

- They put out a draft scoping report in February.
- Concerning alternatives, they are looking for the State preferred approach. Many of the major concepts are currently being brought into the programmatic document.
- They have been meeting every week or so with the consultants that are putting together the document. Montgomery Watson Harza has been selected to be the chief preparers.
- The first admin draft will be released to staff this August.

- A public draft is expected to be released next February, about the same time that the Central Valley Flood Protection Plan is released.

7. REPORT OF ACTIVITIES OF THE EXECUTIVE OFFICER

Executive Officer Punia reported on the following items.

- He spoke of the pleasure of working with Mr. Buer for more than 20 years, and shared a story of a local NPR interview they had given together.
- Staff had conducted interviews for the open position, which must be hired from within the Department or the Board.
- Staff is working with the Board's committee on updating the Tier 2 regulations.

Mr. Dan Fua, Staff Supervising Engineer, gave an update on Tier 2.

- The technical team completed the first redline draft, which consists basically of updates to technical standards. The Corps, DWR, and Staff Legal Counsel reviewed it and provided comments.
- The technical team is reviewing the comments. Mr. Fua has expanded the team to include Staff Environmental Scientists.
- Members of the Tier 2 task force have requested the technical team to present an admin draft for next month's Board meeting.
- Mr. Punia explained for reference that Tier 2 is comprised of technical changes to the Board's regulations.

Executive Officer Punia resumed his report.

- Mr. Len Marino, Staff Chief Engineer, executed a contract with California State University, Sacramento (CSUS). If the Board needs technical assistance for hydraulic analysis or geotechnical analysis, it can now seek the services of the CSUS Civil Engineering Department.
- Regarding the Bear Creek Enforcement Action, one of the property resident staff was able to reach consensus with that property owner. They are planning to start negotiations with the other two property owners.
- A crack developed on the Natomas Cross Canal levee on March 21. The DWR Flood Operations Center is coordinating with the local levee maintaining agency, RD 1001. The situation is stable.
- Section 408 approval from the Corps for the remaining Sacramento Area Flood Control Agency (SAFCA) site, Phase 3, reaches 10 through 18, has been obtained. Board staff will issue the permit.
- Staff is engaged with Mr. Keith Swanson, DWR Division of Flood Management Acting Chief, in working on a Lower Feather River Corridor Management Plan.

President Carter commented on the benefits of the long-term vision of the project. He expressed frustration when projects, such as today's Agenda Item Consent 8D,

are not done in the context of the whole picture. His expectation was that the Lower Feather River Corridor Management Plan will help with this situation.

Secretary Hodgkins encouraged people to look at bringing this plan to the Board as a plan of flood control. It fits neatly into the definition in the Water Code and would gain some real status if it were approved as a plan of flood control, defined as an approach for managing a reach of the river for flood purposes.

Vice President Rie asked about the Department of Fish and Game's permit for the restoration. Mr. Marino explained that the Lower Feather River Corridor Management Plan is a portfolio of projects, and this permit would be included. The task force is taking an overarching approach to bring the component projects in all at once to look at the finished project from a 30,000 foot view.

- Staff has received 60% plans and specifications for the new RD 17/408 project. They will work with the applicant so that they can forward the request to the Corps.
- Staff has received six applications from CalTrans for their bridge projects.
- Staff is actively participating in the Sutter-Butte Flood Control Agency projects. They are discussing policy issues with the Sutter-Butte Flood Control Agencies.
- Staff is reviewing a new project, the Knights Landing Levee Improvement Project.
- Staff is working with the Corps and the local maintaining agency (LMA) to finalize the Operations and Maintenance (O&M) manuals for recently completed flood control projects.
- Mr. Marino is the staff representative on the Delta Stewardship Council and is attending meetings for developing the Delta plan. In response to a question from Board Member Brown, Mr. Marino stated that the Council is focusing on implementing the two co-equal goals of water supply and environmental restoration and enhancement.
- The Corps had its outreach for the periodic inspections for the Stockton area's projects, the Mormon Slough and the Bear Creek project. Staff participated with the Corps in this effort, and will be working with the LMAs to get the levees back in the PL 84-99 process.

Mr. Eric Butler, Staff Senior Engineer, provided an update on the pending backlog of permit application.

- Ms. Mitra Emami, the new Senior Engineer in the Floodway Protection Section, has been working with Mr. David Parker, who does most of the conceptual design and programming for the CDEC database (used to access realtime flood operations). They have helped the staff get a better handle on the applications to whittle down the backlog.
- Progress has been made in the backlog, which has been reduced by about a third since August and September. It now consists of about 41 applications.

- The Corps is reviewing about 50 applications.
- Another 32 applications have been put on the calendar out through July. Seven of them represent 408 requests to which the Corps is responding.
- More staff is being able to address permitting concerns. Also, with the new contract with CSUS, that organization can give technical support for technical reviews of incoming applications.

At the request of Board Member Suarez, Mr. Curt Taras, Supervising Engineer, updated the Board on the Blower application on Georgiana Slough. Ms. Angeles Caliso, Staff Engineer, conferred with Sacramento County on the acceptance of the redesign. Mr. Ryan Larson, Corps Project Manager, reported that the county had accepted the additional feature of a transeaporation barrier underneath the leach lines to prevent water seeping down at the levee toe.

Executive Officer Punia stated that he and the Chief Engineer would make an assessment whether the redesign was substantially different from the one originally presented. If it was, they would bring it back to the Board for approval. If not, they would issue the permit based upon the Board's prior direction. President Carter requested them to check in with himself or the Vice President before making their final decision.

Mr. Marino gave a brief presentation on an aerial inspection he had taken of some completed projects. He showed photographs of Liberty Island, the first West SAFCA project, the Sacramento River East Levee Project, the Sankey diversion, the fish ladder on the Sutter Bypass, the Feather River elderberry transplant site, the Bear River setback levee, the Star Bend setback levee, the Feather River setback levee, the Daguerre Ponit Dam, and the Natomas Cross Canal levee.

President Carter showed a video clip of the Moulton Weir, the Colusa Weir, and areas around the Colusa Bridge.

8. CONSENT CALENDAR

A. Permit No. 18579-1, California Department of Transportation, District 10

Consider approval of Permit No.18579-1 to widen existing San Joaquin River Overflow Bridge by 6.42-feet on each side by adding two 18-inch-diameter CISS piles along State Route 165 north of Los Banos. (Merced County)

B. Permit No. 18579-2, California Department of Transportation, District 10

Consider approval of Permit No.18579-2 to replace the existing San Joaquin River Bridge with a 43-foot-wide, 412-foot-long, 4-span bridge supported by 3-foot-diameter CISS piles, with 5 piles per bent across the channel of the San Joaquin River, and along State Route 165 north of Los Banos. (Merced County)

C. Permit No. 18633, Reclamation District No. 999

Consider approval of Permit No. 18633 to remove and replace a 24-inch diameter discharge pipe up and over the left (east) bank levee of the Sacramento Deep Water Channel. (Yolo County)

D. Permit No. 18637, Three Rivers Levee Improvement Authority

Consider approval of Permit No.18637 to authorize transplanting of elderberry shrubs and planting elderberry transplants, seedlings and associated native species at the Feather River Elderberry Transplant (FRET) northern site on the overflow area of the left (east) bank of the Feather River south of Marysville adjacent to Murphy Road. (Yuba County)

E. Permit No. 18639, Comcast

Consider approval of Permit No.18639 to install strand, cable and fiber above and across the channel and attach to existing poles on each side of Arcade Creek in North Sacramento along Norwood Avenue. (Sacramento County)

F. Permit No. 18641, Pacific Gas and Electric Company

Consider approval of Permit No.18641 to replace and relocate an existing 4-inch-diameter gas line up and over the right and left bank levees of Arcade Creek in North Sacramento along Norwood Avenue. (Sacramento County)

G. Permit No. 18644, Sacramento Municipal Utilities District

Consider approval of Permit No.18644 to install three new utility poles, remove two existing poles, permit four existing poles, and run a utility line above the left (south) bank levee and above the right (north) bank levee of Arcade Creek. (Sacramento County) Central Valley Flood Protection Board Meeting – March 25, 2011 Page 3 • Items on the Consent Calendar may be removed at the request of any Board member or person.

H. West Sacramento Project – North Reach Levee Repair on the East Bank of Yolo Bypass

Consider approval of Resolution No. 11-07 to:

1. Adopt the Mitigated Negative Declaration, the Mitigation and Monitoring Plan, and the Findings and approve the West Sacramento Project - North Reach Levee Repair.
2. Approve the Project Cooperation Agreement Amendment No.1 between the Central Valley Flood Protection Board and the U.S. Army Corps of Engineers for the West Sacramento Levee Repair Project.
3. Approve the Local Project Cooperation Agreement Amendment No.2 between the Central Valley Flood Protection Board and the West Sacramento Joint Powers Authority (WSJPA) for the West Sacramento Project - North Reach Levee Repair Project.

Board Member Moffatt recused himself from Items 8E and 8F.

Upon motion by Board Member Brown, seconded by Vice President Rie, the Board voted unanimously to approve the items on the Consent Calendar.

9. HEARINGS AND DECISIONS

A. Permit No. 18576, California Department of Parks and Recreation – Postponed

Consider approval of Permit No.18576 to restore a 43-acre parcel (Singh Unit) by removing berms, removing non-native vegetation and replacing with riparian

vegetation and native grasses within the Sacramento River Designated Floodway on the left (east) bank of the Sacramento River. (Butte County)

10. INFORMATIONAL BRIEFINGS

A. Joint Presentation on Levee Inspections

Discussion of the levee inspection criteria of the Department of Water Resources and the U.S. Army Corps of Engineers, briefing regarding the results of the Corps' Periodic Inspections completed to date and their implications, and State and local agencies plan of actions for addressing the deficiencies identified by the Corps.

Mr. Don Rasmussen, DWR Branch Chief for the Inspections Responsibility, began the discussion with Mr. David Pesavento, DWR Flood Projects Inspection Section Chief. Ms. Meegan Nagy, Corps Chief of the Flood Protection and Navigation Division, supplied information on the Corps.

History

Mr. Pesavento supplied some history of levee inspections. Prior to 2007, inspectors conducted inspections more loosely, using paper to document inspections. Since then DWR has been using a custom database to gather inspection criteria and to report data more consistently.

Ms. Nagy said that many significant changes happened for the Corps also within the 2006-07 timeframe. Prior to that, the Corps had done random inspections of the federally authorized projects sponsored by the Board. In 2006, Corps headquarters developed a consistent nationwide inspection checklist for those projects.

Headquarters also made some significant changes in 2007 on how to do an overall rating. That allowed the districts flexibility in making engineering determinations as it related to unacceptable items.

Frequency and Purpose

Mr. Rasmussen stated that the DWR inspectors get out to the levees three times a year: in the spring, summer, and fall. The LMAs do an independent review in the summer and winter. These five inspections create a view of the overall system, and DWR provides an overall annual inspection report at the end of the year.

Uses of the inspections are as follows.

- DWR gives a rating to the LMAs on how they're doing.
- DWR shares the data with the Corps for their database.
- Any vulnerabilities in the system are identified.

Ms. Nagy stated that the purpose of the Corps inspections is a little different. Rather than rating the LMAs, the Corps looks at how the levees are doing as a complete system. The Corps ultimately wants to prevent loss of life and property. It also seeks to protect the federal investment and encourage the non-federal sponsors to bear responsibility for their own protection.

For anything not sponsored by the Board, the Corps does the inspection annually. For anything sponsored by the Board, the Corps does a 10% quality assurance review of the State's inspections.

Periodic inspections are done on a five-year basis. They are performed primarily by contractors, a trend that will continue. They are much more detailed than the routine inspections in that the inspectors walk every inch of the levee. They also add a design criteria review that compares the criteria used for original design to current criteria, which is important information to share.

Both routine inspections and periodic inspections make a determination for PL 84-99 rehabilitation eligibility, and they use the same checklist in doing so.

In response to a question from Board Member Suarez, Ms. Nagy stated that there are fundamental differences in the way the State and the Corps inspect, which cause ratings to be different. It's not necessarily that they disagree.

Differences in Rating

Mr. Pesavento named the three primary ratings used by the Corps: **Acceptable**, **Minimally Acceptable**, and **Unacceptable**.

DWR uses **Acceptable** to document something in good repair, not a deficiency. **Minimally Acceptable** indicates that maintenance should be performed but it's not as serious of an issue. **Unacceptable** indicates a serious deficiency that needs immediate maintenance.

DWR began using the category of **W** for **Watch** or **Monitor** to identify something that perhaps needs some attention but is not yet severe.

The Corps differentiates **Acceptable [sic]** items between "likely to prevent performance in the next high water event" versus "not likely to prevent performance in the next high water event."

Encroachments

DWR rates encroachments a little differently than the Corps. The Corps uses **Acceptable**, **Minimally Acceptable**, and **Unacceptable**. DWR uses those ratings for LMA maintenance issues, but for encroachments, it uses **Partially Obstructing** or **Completely Obstructing** – to indicate that some encroachments are not as directly related to maintenance and the LMAs may have limited ability to address them.

Color Coding/Priority

The Sacramento District developed color coding when it did its first periodic inspections to help the LMAs better understand priority.

The Central Valley Flood Improvement framework gives five items that the Corps inspects for that don't factor into rehabilitation eligibility. They are vegetation, encroachments, channel capacity, seepage, and erosion.

The color coding is as follows.

- *Red* means "likely prevents the performance in the next flood event."

- *Orange* means that the severity of the issue is exactly the same and needs to be corrected immediately. However, it falls into one of the five framework categories named above.
- *Pink* means that the issue hasn't been corrected in a timely manner.
- *Yellow* means Unacceptable, but the sponsor has time to make a correction, not to exceed two years.
- *Purple* also means Unacceptable, but covered by the framework. It gets a little longer timeline for correction.

Differences

Ms. Nagy stated that the Corps inspects and rates what it calls a system, which may contain levee segments maintained by several LMAs. When the Corps rates a system, it looks at all levee segments that protect a common area, and takes into consideration the principal that "you're only as good as your weakest link, and flood waters don't respect reclamation district boundaries."

Mr. Rasmussen stated that the Corps and DWR are in agreement on many of the inspection items. But there are three categories that still need some coordination: vegetation, encroachments, and pipes. The first two are being addressed in different forums. For pipes, the Corps needs to have a visual inspection of the interior of pipes every five years; DWR just does not have the resources to require that. So the Corps has been sponsoring a series of workshops and discussions to come up with some better criteria.

DWR and the Corps are also looking at better ways of categorizing whether things are maintenance issues, enforcement issues, or just latent deficiencies.

Ms. Nagy and Mr. Pesavento took the Board through a series of slides to show examples illustrating agreements and differences. They showed examples of different vegetation and encroachments. As they showed the slides they discussed with the Board the way inspections are rated.

Summary

Mr. Pesavento stated that a major difference in the way DWR determines the overall ratings is that it looks at the length and severity of the various issues that were rated, to roll up into an overall determination of the quality of the maintenance for that LMA, except when Minimally Acceptable or Unacceptable. DWR's purpose in doing all of the reports is to work with the LMA, trying to improve and rate their maintenance.

Ms. Nagy noted that a major difference for the Corps is that when only one issue is unacceptable in an entire system, this can rate the entire system as Unacceptable.

Mr. Rasmussen said that the Corps, DWR, and Board staff are going to continue monthly coordination meetings, which are very productive in helping to come together on a lot of issues.

DWR is continuing to enhance and update its inspection equipment. It has computers in the trucks now with programs that have GPS systems. It has standardized the format with

which it does the reporting. This enables consistency among the different inspectors, levees, and documents.

DWR and the Corps will continue to share data back and forth in order to know what's going on out in the field.

Ms. Nagy stated that the Corps had received much feedback after the first round of periodic inspections regarding confusion about the items it was rating as Unacceptable. The Corps then took the State's levee inspection report that everyone seems to understand and like. The Corps is going to start producing reports that look just like the State inspection results so the LMAs can read them with ease.

The Corps is committed to continue the conversation regarding pipe training, to develop a consistent and agreeable process to figure out the condition of pipes.

The most important point for the Corps was the flowchart. LMAs want the checklist to more objective. They want to understand exactly what the Corps is going to look for. Corps staff, in coordination with its engineers and the State, developed a flowchart that made it more objective.

The Corps had sent a letter to the Board in July 2010 asking for use of that flowchart, and is awaiting feedback on it.

At this point the presenters took questions from the Board.

Mr. Taras then gave a staff analysis presentation that included positive photos of issues that were fixed. He began by referencing inspection disasters, such as the San Bruno pipeline explosion, in which inspections may have been done but the results weren't dealt with.

He noted that the 34-page template developed by the Corps is an excellent template to give to new inspectors to ensure objectivity. Ms. Nagy and her team had gone further and created a flowchart to help get through the checklist. They also color-coded to dictate the urgency of the items; the State does not do that.

Mr. Taras stated that the Corps' flowchart and template should be used by all agencies all the way down to the LMAs. The State also needs to increase the inspection of permits, enforcement actions, and floodways.

It was also recommended to put repair deadlines on the unacceptable inspection items.

(13.) CLOSED SESSION

The Board convened at 1:00 p.m. to discuss Item 13 on the Agenda. The Board discussed the item and received advice from staff legal counsel. No action was taken.

10. INFORMATIONAL BRIEFINGS (*continued*)

B. Status Report on Road 9 Fresno River Diversion Project – *Postponed*

C. Presentation on Terminus Dam – Kaweah River Project

Briefing to review the Terminus Dam – Kaweah River Flood Control Project and provide advance notice of the upcoming Post Authorization Change Report and project Cooperation Agreement amendment, that will allow the Corps to reimburse

project costs incurred by the local sponsor, the Kaweah Delta Water Conservation District (KDWCD), prior to execution of the PCA of February 2001.

Mr. Patrick Luzuriaga, DWR Staff Engineer and the project manager, gave a presentation. Highlights are as follows.

- The three sponsors on the project are the Corps, the Board, and the Kaweah Delta Water Conservation District. All three contributed to the flood control portion of the project. The Corps and the Kaweah Delta Water Conservation District contributed to the water supply portion.
- All financials were split approximately 90-10: 90% flood control and 10% water supply.
- The project is located in Tulare County near Visalia on the Kaweah River. The original dam was constructed in 1962 by the Corps, forming Lake Kaweah.
- An enlargement project was completed in 2005. It increased the capacity of the reservoir by raising the spillway 21 feet, thereby increasing capacity to approximately 185,000 acre-feet from 143,000 acre-feet.
- The project is currently in the construction close-out phase, O&M, and mitigation establishment.
- An additional Water Resources Development Act (WRDA) authorization came in 2007, which is the subject of the Project Cooperation Agreement (PCA) Amendment No.1.
- Fuse gates were constructed on the spillway. They are tipped by hydraulic pressure applied underneath, and will tumble downstream under the flow, thereby protecting the dam so there's no overtopping of the dam.
- CalTrans was contracted to raise Horse Creek Bridge because of the raised water surface elevation in the reservoir.
- Four key mitigation sites comprising over 5700 acres are for riparian habitat, endangered species (the Valley Elderberry Longhorn Beetle), and the Tulare Lake area for bird habitat.
- The federal cost is \$33 million, the state cost is \$15 million, and the local cost is \$8 million.
- Amendment No. 1 will authorize the Corps to reimburse the Kaweah Delta Water Conservation District for monies that should have been Corps costs.

Mr. Luzuriaga answered questions from the Board about the project.

14. REQUESTED ACTION

A. San Joaquin River Restoration Program

Consider approval of a letter responding to U. S. Bureau of Reclamation request for Board participation as a Cooperating Agency for National Environmental Policy Act (NEPA) environmental documentation for the San Joaquin River Restoration Program's Mendota Pool Bypass and Reach 2B Improvement Project, and Reach

4B, Eastside Bypass, and Mariposa Bypass Channel and Structure Improvement Project.

Mr. Fua presented the draft letter that staff had prepared in response to the letters from the U.S. Bureau of Reclamation.

As a cooperating agency, the Board would assist the U.S. Bureau of Reclamation in the preparation of the EIR.

As the Supervising Engineer for the Environmental Services Section, and based on his analysis of present staff workload, Mr. Fua recommended declining the Bureau's request to be a cooperating agency.

Vice President Rie suggested that the CVFPB could be a cooperating agency, and only commit to work for which it has available resources, not to writing the document. She named advantages of being a cooperating agency: confidential drafts, administrative drafts, and input early in the process. Board members could serve on a committee and be a part of the discussion.

Secretary Hodgkins agreed: it could improve communication with the Bureau. The Board could also work a little more closely with DWR. Board Member Moffatt commented that it is better to be at the table from the outset; Board policy concerns can be raised. He suggested that if San Joaquin River restoration is a priority for the State, it should supply the resources required for the Board.

Ms. Deborah Smith, Staff Legal Counsel, added that if at some point an application comes to the Board, there may be ex parte issues. Mr. Fua affirmed that there would be: the Corps had informed staff that they are going to require the Bureau to get 408 approval.

The Board discussed drafting a new letter which would mention that the Board expects to establish an MOA with the Bureau outlining the responsibilities and expectations of the Board in the process. Secretary Hodgkins and Board Member Moffatt offered to help draft the letter.

Upon motion by Board Member Brown, seconded by Board Member Villines, the Board voted unanimously to become a cooperating agency, as requested by the U.S. Bureau of Reclamation, to delegate redrafting the letter that staff has produced for this meeting to reflect that, and to reflect the Board's intention to enter into an MOA with the Bureau with respect to its participation in the preparation of the federal environmental documentation.

15. BOARD COMMENTS AND TASK LEADER REPORTS

- Board Member Moffatt stated that he had met with Mr. Mark Cowin and Mr. Bardini for a briefing on the Central Valley Flood Plan and other issues.

He suggested queuing up some of the major policy issues, and having discussions before the reports come out. The Board could then go into proceedings with clear direction.

- Board Member Brown reported that he made a presentation to the Colusa Rotary Club on water resources and drainage issues.

He was planning an aerial tour of some of the bypasses and rivers while they're still running full. He also hoped to get Board Members Villines and Moffatt on similar tours so they could review the whole conveyance and drainage facilities on the east and west sides of the San Joaquin Valley.

- Vice President Rie had participated in several conference calls regarding the levee vegetation variance policy.

The confidential draft of the Delta Plan came out, and the Committee reviewed it within the required 24 hours and submitted comments. Some levee standards would apply to project levees under Board jurisdiction. The Board must be very careful that the Delta Plan doesn't conflict with Board standards.

She remarked that the Delta Plan No. 2 is out on the website, and she encouraged the Board to take a look at it.

- Secretary Hodgkins reported that he attended the same meetings he normally attends. He also attended the Pipe workshop with the Corps and a meeting with staff and the Corps regarding their comments on the Board's Tier 2.
- Board Member Villines reported that he was looking forward to serving on the conservancy, and was pleased to be getting out a little more in the upcoming month.
- President Carter had done a lot of work with the Roundtable, including two steering committee meetings and an assessment of the Roundtable itself.

He is participating in a Roundtable subgroup called Major Modifications. Its task is to identify future direction, major modifications to the original framework, and the factors appropriate to trigger the application of the engineering technical letter with respect to vegetation.

He has a trip to Washington, D.C. scheduled which will include meetings with legislative staffers and a visit to Corps headquarters to meet with General Van Antwerp.

With Mr. Punia and Secretary Hodgkins, he had met with Mr. Gerald Meral from the Resources Agency to discuss some of the Board's projects and to gain that agency's perspective.

He had met with Mr. Mark Cowin, DWR Director, on the importance of integrating projects. He had met with Mr. Bardini on the same subject with respect to the Central Valley Flood Protection Plan.

He and Mr. Punia had met with DWR Public Information Officers Ms. Sue Sims and Ms. Sandy Cooney with respect to having a centennial celebration for the Board.

He is involved in the development of a combined CVFPB informational brochure/briefing paper with Board Member Suarez and Ms. Lorraine Pendlebury, Staff Analyst.

13. FUTURE AGENDA

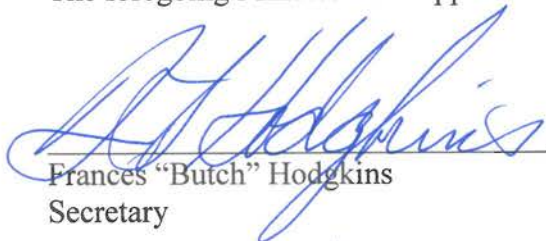
President Carter briefed the Board on the agenda for the April meeting. Board members gave suggestions for additional items.

14. ADJOURN

President Carter adjourned the meeting at 3:05 p.m.

Dated: 26 MAY 2011

The foregoing Minutes were approved:



Frances "Butch" Hodgkins
Secretary



Benjamin F. Carter
President