

**MINUTES**  
**MEETING OF THE CENTRAL VALLEY FLOOD PROTECTION BOARD**  
**December 19, 2014**

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. THESE MINUTES ARE PRESENTED IN AGENDA ORDER, BUT ITEMS WERE NOT NECESSARILY HEARD IN THAT ORDER.

A regular meeting of the Central Valley Flood Protection Board was held on December 19, 2014, beginning at 9:01 a.m. in The Sacramento City Hall First Floor Council Chambers, 915 I Street, Sacramento, California.

**Board Members present:**

Mr. William H. (Bill) Edgar, President  
Ms. Emma Suarez, Vice President  
Ms. Jane Dolan, Secretary  
Mr. Joe Countryman  
Mr. Clyde Macdonald  
Mr. Tim Ramirez  
Mr. Mike Villines

**Board staff present:**

Ms. Leslie Gallagher, Acting Executive Officer  
Mr. Len Marino, Chief Engineer  
Mr. Eric Butler, Chief, Environmental and Planning Branch  
Ms. Mitra Emami, Chief, Permitting Section  
Mr. Michael Wright, Acting Chief, Operations Branch  
Ms. Deborah Smith, Board Counsel  
Ms. Amber Woertink, Board Analyst

**Department of Water Resources (DWR) staff present:**

Mr. Art Hinojosa, Chief, Hydrology and Flood Operations Office  
Dr. Yiguo Liang, Chief, Hydraulic Analysis Section  
Mr. Mike Mierzwa, Chief, Central Valley Flood Planning Office  
Mr. Kamyar Guivetchi, Manager, Statewide Integrated Water Management  
Mr. Stacy Cepello, Chief, Floodway Ecosystem Sustainability Branch

**Also Present:**

Ms. Nicole Ortega-Jewell, United States Army Corps of Engineers  
Mr. Paul Brunner, Three Rivers Levee Improvement Authority  
Mr. George Booth, Sacramento County  
Mr. Mark Sabin  
Ms. Cynthia Shallit, Friends of the Sacramento River Parkway  
Ms. Melinda Terry, California Central Valley Flood Control Association  
Mr. John Cain, American Rivers

**1. ROLL CALL**

Ms. Amber Woertink, Board Analyst, called the roll and a quorum was achieved.

**2. APPROVAL OF MINUTES – September 26 and October 24, 2014**

Board Member Macdonald suggested a minor change to the wording of the Minutes, such as, “Board Members present” to better clarify Board Member attendance at these CVFPB Meetings now and moving forward. Secretary Dolan stated that when a member has been absent that has been noted.

*Upon motion by Secretary Dolan, seconded by Board Member Countryman, the Board unanimously approved the September 26 and October 24, 2014 Minutes..*

**3. APPROVAL OF AGENDA**

Ms. Leslie Gallagher, Board Acting Executive Officer, noted that Item 12 would be postponed, and that Item 9, Closed Session, would include Items A and E only.

*Upon motion by Board Member Macdonald, seconded by Board Member Suarez, the Board unanimously approved the Agenda with the changes referenced above.*

**4. CONSENT**

**A. Permit No. 18995, City of Fresno**

**Consider approval of Permit No. 18995 to restore 63 acres of habitat for riverbottom Park property located along the southern edge of the San Joaquin River to the east of the railroad crossing on the border of Fresno and Madera Counties (Fresno County).**

**B. Permit No. 18996, San Joaquin River Conservancy**

**Consider approval of Permit No. 18996 to restore 62 acres of habitat for Schneider property located along the northern edge of the San Joaquin River**

**to the west of the railroad crossing on the border of Fresno and Madera Counties (Madera County).**

*Upon motion by Vice President Suarez, seconded by Board Member Macdonald, the Board unanimously approved the Consent Calendar.*

## **5. PUBLIC COMMENTS**

Mr. George Booth, Sacramento County Floodplain Manager, commented that interpretation of some sections of Title 23, related to local creeks, was causing confusion. Mr. Eric Butler, Board Planning and Environmental Branch Chief, responded that Board staff is aware of the issue and meeting internally on how to best clarify the situation.

Mr. Mark Sabin commented on the delays in removal of some privately owned fences that are blocking the way along the Sacramento River bike and walking trail.

Ms. Melinda Terry, California Central Valley Flood Control Association Executive Director, spoke about the concerns of her members regarding RD 1000 not having their local conditions included in one of the Board's permits. She noted a letter from RD 1000 requesting amendments to the conditions.

Ms. Cynthia Shallit, Friends of the American River Parkway, expressed her concerns regarding two illegal and unpermitted fences erected on the levee toe of city land at the end of cul-de-sacs in the Pocket Neighborhood, and whether they would be removed by the current deadline of December 31. President Edgar responded that the enforcement process has commenced and the Board has been working with the City of Sacramento seeking compliance and will proceed more formally later on if necessary.

## **6. U.S. ARMY CORPS OF ENGINEERS BRIEFING**

Ms. Nicole Ortega-Jewell, Corps District Civil Works Program Manager, provided the Briefing and answered Board Member questions.

## **7. REPORT OF THE ACTIVITIES OF THE DEPARTMENT OF WATER RESOURCES (DWR)**

### **Division of Flood Management (DFM) Activities/Updates**

Mr. Art Hinojosa, DWR Hydrology and Flood Operations Office Chief, gave the Update. Highlights included:

- In response to the recent heavy rains, DWR activated its Flood Center.
- Current precipitation is at 20.9 inches, 144% of average, so this year is doing much better than average thus far.

- A series of well-attended meetings were held up and down the state in preparation for the upcoming flood season.
- Mr. Hinojosa also detailed some areas in the state that have experienced high water recently.

Dr. Yiguo Liang, DFM Hydraulic Analysis Section Chief, presented the searchable flood inundation maps for simulated levee breaches. He and Mr. Hinojosa answered Board Member questions.

### **2017 Central Valley Flood Protection Plan (CVFPP) Updates**

- **Integrating various flood management planning efforts**
- **Basin-wide Feasibility Study overview**
- **Working Schedule of CVFPP Briefing topics**

Mr. Michael Mierzwa, DWR Central Valley Flood Planning Office Chief, provided the Updates and answered Board Member questions.

## **8. INFORMATIONAL BRIEFING**

- A. Informational presentation to update the Board on the Feather River Segment 3 Landside Corridor in West Linda, west of Highway 70 and north of Island Avenue**

Ms. Angeles Caliso, Board Staff Engineer, and Mr. Paul Brunner, Three Rivers Levee Improvement Authority Executive Director, jointly provided the presentation. Mr. Brunner answered Board Member questions.

## **9. CLOSED SESSION**

- A. To discuss personnel matters related to the Board's position of Executive Officer pursuant to Govt. Code section 11126(a)(1).**
- B. To discuss litigation (Steamboat Acres, L.P. v. Daniel P. Whaley; Sacramento Superior Court Case No. 34-0212-00134547) pursuant to Govt. Code section 11126(e)(1).**
- C. To discuss litigation (Hardesty et. al. v. Sacramento Metropolitan Air Quality Management District et. al; United States District Court, Eastern District of California - Sacramento Division Case No. 2:10-cv-02414-GEB-JFM) pursuant to Govt. Code section 11126(e)(1).**

- D. **To discuss litigation (Central Valley Flood Protection Board v. Lino Catabran, Sacramento Superior Court Case No. 34-2013-142003) pursuant to Govt. Code section 11126(e)(1).**
- E. **Pursuant to the authority of Government Code section 11126, subdivisions (e)(1), (e)(2)(B)(i), and (e)(2)(C)(i), the Board will meet in Closed Session to consider potential litigation involving the Board.**

## **10. CLOSED SESSION REPORT**

As noted previously, only Items 9A and 9E were discussed. President Edgar stated that no reportable action was taken.

## **11. INFORMATIONAL BRIEFINGS (Continued)**

- A. **Key themes, strategies and recommendations of California Water Plan Update 2013**

Mr. Kamyar Guivetchi, DWR Statewide Integrated Water Management Manager, provided the briefing on the 2013 Update. He and Mr. Mierzwa answered Board Member questions.

## **12. HEARINGS AND DECISIONS - *Postponed***

- A. **Permit No. 18931, Union Pacific Railroad**

**Consider approval of Permit No. 18931 to stabilize and replace the existing bridge (Bridge 143.71) east of Live Oak Blvd. and west of the Feather River, just north of Yuba City. (Sutter County)**

## **13. DISCUSSION WITH POSSIBLE ACTION**

- A. **Update on the draft Central Valley Flood System Conservation Strategy**

Mr. Stacy Cepello, DWR Floodway Ecosystem Sustainability Branch Chief, introduced the draft Conservation Strategy document and provided a brief overview.

Mr. John Cain, American Rivers, spoke on the issue of the Conversation Strategy and its conservation objectives and how important they are to the environmental community. He and Board Members commented on some of the elements they hope will be included in the finalized Strategy.

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

President Edgar remarked that he and Secretary Dolan have been spending a lot of time in the areas of organization and finance, and that Board Members Macdonald and Ramirez, along with Legal Counsel Gallagher, have been heavily involved with the whole issue of integration.

Board Member Ramirez has been studying details of the Conservation Strategy.

Board Member Countryman has been coordinating with Board staff on the timing and scope of the updates.

Board Member Macdonald attended an all-day meeting on the Yolo Bypass at UC Davis. He and President Edgar met with City Councilman Rick Jennings to discuss the fence issues in the Pocket.

Secretary Dolan continued her work as Secretary on the Executive Committee and on various issues related to improving and strengthening the overall organizational structure.

**15. FUTURE AGENDA**

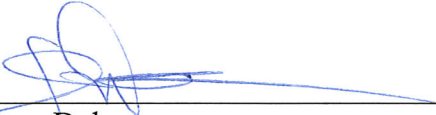
Ms. Gallagher noted that the January 9<sup>th</sup> Workshop has been moved to February 13<sup>th</sup>.

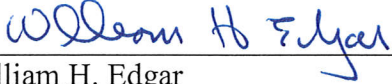
**16. ADJOURN-REGULAR BOARD MEETING**

The Board unanimously adjourned the Open Session at 3:44 p.m.

Dated: 2-27-2015

The foregoing Minutes were approved:

  
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Jane Dolan  
Secretary

  
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William H. Edgar  
President