

“Celebrating 103 Years of Flood Management”

CENTRAL VALLEY FLOOD PROTECTION BOARD

California Natural Resources Agency – State of California

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Emma Suarez, Vice President
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Mike Villines, Member
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Joe Countryman, Member
Clyde Macdonald, Member
Anthony Rendon, Ex Officio Member
Fran Pavley, Ex Officio Member

BOARD STAFF

Jay Punia, Executive Officer
Len Marino, Chief Engineer
Eric Butler, Supervising Engineer
Amber Woertink, Staff Assistant

BOARD COUNSEL

Leslie Gallagher, Chief Counsel

AGENDA

CENTRAL VALLEY FLOOD PROTECTION BOARD MEETING

May 23, 2014 – 9:00 AM

**Sacramento City Hall, 1st Floor Council Chamber
915 I Street, Sacramento, CA 95814**

**To view the webcast portion on this meeting, please join us here:
http://centralvalleyflood.granicus.com/ViewPublisher.php?view_id=2**

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.

1. ROLL CALL

2.* APPROVAL OF MINUTES

- March 28, 2014 Board Meeting Minutes

3.* APPROVAL OF AGENDA

4.* CONSENT

- A. Permit No. 18856, Capital Conservation and Mitigation Bank (Gary Lemon)

Consider approval of amended Resolution No. 2014-10 and Permit No. 18856.
(Yolo County)

***action item**

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B. Permit No. 18915, Natomas Central Mutual Water Company (*Gary Lemon*)

Consider approval of Permit No. 18915 to remove and replace the Pritchard Lake Pumping Plant (previously authorized under Permit No. 1723, Elkhorn Mutual Water Company) on the left (east) bank of the Sacramento River. (Sacramento County)

C. Lease Agreement (Lease No. RIOV173) with the California Department of Water Resources for the Delta Flood Emergency Facilities Improvement Project (Solano County) (*Alejandra Lopez and Zackary Jojola*)

Consider approval of Resolution No. 2014-09 to:

1. Commence a Lease Agreement (Lease No. RIOV173) with the California Department of Water Resources for the purposes of the Delta Flood Emergency Facilities Improvement Project for a term of 30 years for a property owned by Sacramento and San Joaquin Drainage District acting by and through the Central Valley Flood Protection Board in city of Rio Vista, Solano County; and
2. Delegate to the Board Executive Officer the authority to execute said Lease.

D. Cache Creek Critical Erosion Site (LM 3.9L and LM 4.2) North Levee Setback Project, Quitclaim of Temporary Construction Easement 13668-A (*Gregory D. Garner*)

Consider approval of Resolution No. 2014-13 to:

1. Approve the Quitclaim of the Temporary Construction Easement known as Parcel 13668-A to Margrit Boyd, Trustee of the Survivors Trust under the Steven and Margrit Boyd Family Revocable Trust, Dated August 23, 2000; and
2. Delegate to the Board President and Secretary the authority to approve and execute said Quitclaim Deed along with any associated documents necessary for the real estate transaction.

E. Cache Creek Critical Erosion Site (LM 3.9L and LM 4.2) North Levee Setback Project, Assignment of Easement 13672-B (*Gregory D. Garner*)

Consider approval of Resolution No. 2014-14 to:

1. Approve the Assignment of Easement known as Parcel 13672-B to the County of Yolo; and
2. Delegate to the Board President and Secretary the authority to approve and execute said Quitclaim Deed along with any associated documents necessary for the real estate transaction.

F. Folsom Dam Modification Project – Evening Rock Blasting, Final Supplemental Environmental Impact Report (*Jason Brabec/Vincent Heim*)

Consider approval of Resolution No. 2014-15 to certify the Folsom Dam Safety and Flood Damage Reduction Project – Evening Rock Blasting, Final Supplemental Environmental Impact Report.

G. American River Common Features Project, Natomas East Main Drainage Canal Extension (*Matt Pi*)

Consider Approval of Resolution No. 2014-17 to:

1. Adopt the Mitigated Negative Declaration and Mitigation Monitoring Plan for the Natomas East Main Drainage Canal Extension (NEMDC Extension) Levee Improvement Project;
2. Approve the NEMDC Extension Levee Improvement Project; and
3. Delegate authority to the Executive Officer to execute the Notice of Determination.

H. American River Common Features Project, Site L5A (*Matt Pi*)

Consider Approval of Resolution No. 2014-18 to:

1. Adopt the Mitigated Negative Declaration and Mitigation Monitoring Plan for the Site L5A Levee Improvement Project;
2. Approve the Site L5A Levee Improvement Project; and
3. Delegate authority to the Executive Officer to execute the Notice of Determination.

5. PUBLIC COMMENTS (non-agendized items only)

6. U.S. ARMY CORPS OF ENGINEERS BRIEFING

- A. U.S. Army Corps of Engineers Levee Inspection Results (*Ryan Larson*)
1. RD 2085 (San Joaquin County)
 2. RD 2104 (Solano County)

7. REPORT OF ACTIVITIES OF THE DEPARTMENT OF WATER RESOURCES

- A. Division of Flood Management Activities/Updates (*Keith Swanson*)
- B. FloodSAFE Environmental Stewardship and Statewide Resources Office Activities/Updates (*Gail Newton*)
- Delta Islands and Levees Feasibility Study (DILFS) (*Dave Mraz*)

- Items on the Consent Calendar may be removed at the request of any Board member or person.

8.* HEARINGS AND DECISIONS

A. Permit No. 18902, University of the Pacific (Jon Tice) – 11:00 AM

Consider approval of Resolution No. 2014-20 to approve Permit No. 18902 installing fourteen security lights along the landside shoulder of the north Calaveras River levee. (San Joaquin County)

LUNCH BREAK

9. CLOSED SESSION (Done during lunch)

- A. 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). (Leslie Gallagher, Chief Counsel)
- B. 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). (Leslie Gallagher, Chief Counsel)
- C. 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. (Leslie Gallagher, Chief Counsel)

10. CLOSED SESSION REPORT

11.* HEARINGS AND DECISIONS (Continued)

A. Adoption of the California Code of Regulations Title 23, Division 1 Revisions, Regular Rulemaking (Board staff) – 1:00 PM

Consider adoption of Resolution No. 2014-21 to accept public comments and adopt revisions to the California Code of Regulations Title 23, Division 1 related to evidentiary hearings, enforcement actions, and reconsideration. The proposed regulatory amendments address new California laws which expand the Boards' enforcement authority to include the ability to issue and collect administrative fines for code violations.

B. Permit No. 18905, Knights Landing Ridge Drainage District, Knights Landing Ridge Cut Levee Repair Project (Ali Porbaha)

Consider approval of Resolution No. 2014-12 to approve Flood System Improvement Permit No. 18905 to remediate approximately 3.4 miles (18,200 feet) of the Knights Landing Ridge Cut left (east) bank levee. The proposed project will reduce the risk of historical landside levee slope failures by replacing the landside levee face with lean clay, constructing a spoils berm, replacing pump station discharge lines, and relocating drainage ditches in the construction area away from the levee slope. (Yolo County)

- Items on the Consent Calendar may be removed at the request of any Board member or person.

12. INFORMATIONAL BRIEFINGS

- A. Abbott Lakes Restoration Project - Project proponents and Board staff will brief the Board on project features and recent progress in preparing the encroachment permit application. (Sutter County) (*Jason Holley, California Department of Fish & Wildlife and Helen Swagerty, River Partners*) – **2:00 PM**

13.* REQUESTED ACTIONS

- A. Bay Delta Conservation Plan Draft Environmental Impact Report (EIR) and Chief Counsel Update (*Board and staff*)

Consider approval to submit Board comments on the Bay Delta Conservation Plan Draft EIR prior to the deadline and authorize the Board President to sign on behalf of the Board.

14.* BOARD SPONSORED PROJECTS

- A. American River Common Features Project, Project Cooperation Agreement Amendment No. 5 (*Matt Pi*)

Consider approval of Resolution No. 2014-19 to:

1. Approve Amendment No. 5 to the Project Cooperation Agreement; and
2. Delegate to the Board President the authority to execute the Amendment.

15. BOARD COMMENTS AND TASK LEADER REPORTS

16. FUTURE AGENDAS

17. ADJOURN