

MINUTES
MEETING OF THE CENTRAL VALLEY FLOOD PROTECTION BOARD
April 24, 2015

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 April 24, 2015, 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. Amber Woertink, Board Analyst
Ms. Nicole Rinke, Board Counsel

Department of Water Resources (DWR) staff present:

Mr. Keith Swanson, Chief, Division of Flood Management
Mr. Michael Mierzwa, Chief, Central Valley Flood Planning Office
Mr. Mark List, Acting Chief, Flood Maintenance Office
Mr. Chris Williams, Staff Engineer

Also Present:

Ms. Paige Caldwell, United States Army Corps of Engineers (USACE)

Also Present (continued):

Mr. Ryan Larson, USACE
Mr. Glen Reed, USACE
Tom Engler, MBK Engineers
Mr. Ric Reinhardt, MBK Engineers
Mr. Paul Brunner, Three Rivers Levee Improvement Authority
Ms. Julie Rentner, River Partners

1. ROLL CALL

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

2. APPROVAL OF MINUTES – February 27, 2015

Upon motion by Secretary Dolan, seconded by Board Member MacDonald, the Board unanimously approved the February 27, 2015 Minutes.

3. APPROVAL OF AGENDA

Ms. Leslie Gallagher, Acting Executive Officer, remarked that there would be no Closed Session today. Also, per the request of the Item 10B and 10C presenters, those Items will be presented together (the resolutions will still be adopted separately).

Mr. Len Marino, Board Chief Engineer, introduced two new Board employees: Mr. Kevin Marr, and Mr. Minh Chieng.

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

4. CONSENT

A. Permit No. 18956-1, High Speed Rail Authority

Consider approval of Permit No. 18956-1 to construct an elevated viaduct (long bridge) structure to support high speed train use across the Fresno River, parallel to the existing BNSF railroad bridge just northeast of the City of Madera. The bridge is a component of Construction Package 1 of the California High Speed Train (HST) Project, which entails developing approximately 29 miles of track along an alignment extending from Avenue 17 in Madera County to American Avenue in Fresno County. (Madera County)

B. Permit No. 18986, Three Rivers Levee Improvement Authority

Consider approval of Permit No. 18986 to enlarge an existing stability berm along the landside levee slope of the Yuba River south (left bank) levee in Reclamation District 784. (Yuba County)

C. Permit No. 19003, Port of Stockton

Consider approval of Permit No. 19003 to replace the existing two lane Navy Drive swing bridge (bridge no. 29C-0023) with a new four-lane bridge with removable center span across the San Joaquin River, with abutments, placement of rock slope protection, and temporary coffer dams. (San Joaquin County)

Board Member Villines recused himself from Item 4A.

*Upon **motion** by Board Member Countryman, seconded by Secretary Dolan, the Board approved Consent Calendar Item 4A by a vote of 6-0 (recused-Villines).*

*Upon **motion** by Secretary Dolan and Board Member Macdonald, the Board unanimously approved Items 4B and 4C.*

5. PUBLIC COMMENTS - None

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

Mr. Keith Swanson, DWR Division of Flood Management (DFM) Chief, provided a brief overview of DWR activities and answered Board Member questions. Highlights included:

- Mr. Bill Croyle, former DWR Flood Center Chief, has been promoted to Deputy Director position and will lead the Office of Emergency Preparedness and Security. Mr. Jon Ericson, DFM Maintenance Office Chief, continues on special assignment for drought matters. Mark List is acting DFM Office Chief.
- The Department engaged in a Delta Emergency Response Tabletop Exercise. The exercise provided a good opportunity to help develop leadership across the Department, improve communication, and increase the understanding of roles and responsibilities in this kind of catastrophe. It also provided the opportunity to identify areas needing improvement.
- The Basin-wide Feasibility Study efforts continue.
- Progress continues on the Yolo Bypass efforts.
- DWR has been actively providing comments on a couple of national policies: the PL 84-99 rulemaking process; and the new Executive Order on federal flood risk management, which is being done in coordination with the Resource Agency.

- Public meetings were held associated with the Lower San Joaquin River Feasibility Study and the American River Common Features General Reevaluation Report.

A. 2017 Flood Protection Plan (CVFPP) Update

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

1. Operations and Maintenance Workgroup Findings

Mr. Chris Williams, DWR Staff Engineer, presented the findings. He and Mr. Tom Engler, MBK Engineers, answered Board Member questions.

Mr. Ric Reinhardt, MBK Engineers, discussed the inconsistent maintenance practices of some of the LMA's.

7. INFORMATIONAL BRIEFING

A. Three Rivers Levee Improvement Agency's (TRLIA) Levee Improvement Projects in the Goldfields

Mr. Paul Brunner, TRLIA General Manager, provided the briefing and answered Board Member questions.

B. Three Amigos update

Ms. Julie Rentner, River Partners, and Ms. Paige Caldwell, USACE, provided the update and answered Board Member questions.

8. CLOSED SESSION - *None*

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 (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).

C. 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).

D. 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.

9. CLOSED SESSION REPORT - *None*

10. REQUESTED ACTIONS

A. Maintenance Area Budgets

Consider approval of Department of Water Resources' proposed fiscal year 2015-16 maintenance area budgets, pursuant to Water Code § 12878.

Mr. Mark List, DWR Flood Maintenance Office Acting Chief, gave the presentation and answered Board Member questions.

Upon motion by Vice President Suarez, seconded by Secretary Dolan, the Board unanimously approved the 2015-16 maintenance area budgets.

B. San Joaquin Watershed Study Letter of Intent

Consider approval of Resolution No. 2015-07 to:

- 1. Approve a Letter of Intent, in substantially the form provided, to participate as a Non-federal Sponsor with the U.S. Army Corps of Engineers in the San Joaquin Watershed Study; and**
- 2. Delegate to the Executive Officer authority to finalize and execute the Letter of Intent.**

C. Middle and Upper Sacramento Basin Comprehensive Study Letter of Intent

Consider approval of Resolution No. 2015-08 to:

- 1. Approve a Letter of Intent, in substantially the form provided, to participate as a Non-federal Sponsor with the U.S. Army Corps of Engineers in the Middle and Upper Sacramento Basin Comprehensive Study; and**
- 2. Delegate to the Executive Officer authority to finalize and execute the Letter of Intent.**

Presentations for Items 10B and 10C were combined, but the requested actions done separately.

Mr. Chris Williams, DWR Staff Engineer, and Mr. Glen Reed, USACE Sacramento District, gave the presentations and answered Board Member questions.

*Upon **motion** by Board Member MacDonald, seconded by Secretary Dolan, the Board unanimously approved Item 10B.*

*Upon **motion** by Board Member MacDonald, seconded by Secretary Dolan, the Board unanimously approved Item 10C.*

11. DISCUSSION WITH POSSIBLE ACTION

A. Central Valley Flood Protection Board Financing Plan

Ms. Leslie Gallagher, Board Acting Executive Officer, updated the Board. No action was taken.

12. BOARD COMMENTS AND COMMITTEE UPDATES

Secretary Dolan commented that she and Vice President Suarez were invited to a Governor's Reception honoring women who have been appointed to spots in this administration. She also noted that the Executive Committee is working with the Administrative Officer, the Executive Officer, and others as necessary, to determine how to bring discussions on broader topic areas forward to the Board's Agenda.

13. FUTURE AGENDA

The Board discussed potential future Agenda topics.

13. ADJOURN-REGULAR BOARD MEETING

The Board unanimously adjourned the Open Session at 1:24 p.m.

Dated: _____

The foregoing Minutes were approved:

Jane Dolan
Secretary

William H. Edgar
President