

MINUTES
MEETING OF THE CENTRAL VALLEY FLOOD PROTECTION BOARD
July 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 July 24, 2015, beginning at 9:05 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, Planning and Environmental Branch
Mr. Gary Lemon, Staff Engineer
Ms. Amber Woertink, Board Analyst
Ms. Debbie Smith, Board Counsel

Department of Water Resources (DWR) staff present:

Mr. Mike Mierzwa, Chief, Central Valley Flood Planning Office
Mr. Tom O'Neil, Senior Right of Way Agent
Ms. Terri Gaines, Environmental Program Manager

Also Present:

Mr. Scott Brown, Natomas Mutual Water Company
Ms. Kelly Pope, Natomas Mutual Water Company

1. ROLL CALL

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

2. APPROVAL OF MINUTES – April 10, 2015 Board Financing Plan Workshop and May 29, 2015 Board Meeting

Secretary Dolan remarked that the April 10 Workshop attendance needed to be rechecked and corrected.

*Upon **motion** by Secretary Dolan, seconded by Board Member Macdonald, the Board unanimously approved the April 10, 2015 Workshop and May 29, 2015 Meeting Minutes, with the attendance correction noted above.*

3. APPROVAL OF AGENDA

Ms. Leslie Gallagher, Acting Executive Officer, remarked that there were no changes to the Agenda.

*Upon **motion** by Board Member Macdonald, seconded by Secretary Dolan, the Board unanimously approved the Agenda “as is.”*

4. CONSENT

A. Permit No. 18313-2-2, West Sacramento Area Flood Control Agency

Consider approval of Permit No. 18313-2-2 to place clusters of instream woody material on the top of a riprap bench, anchored by cabling a portion of the material to boulders within the Sacramento River, north of Riverbank Road and Todhunter Avenue. (Yolo County)

B. Permit No. 19028, Carmichael Water District

Consider approval of Permit No. 19028 to construct a new pipeline beneath the American River from Carmichael to Rancho Cordova using horizontal directional drilling; to remove the existing pipeline from the American River; to replace culverts and perform bank stabilization; to perform stream restoration along the north and south banks of the American River; and to plant vegetation in the staging areas. (Sacramento County)

*Upon **motion** by Secretary Dolan, seconded by Board Member Countryman, the Board unanimously approved the Consent Calendar.*

5. PUBLIC COMMENTS - *None*

6. INFORMATIONAL BRIEFINGS

A. Draft Central Valley Flood System Conservation Strategy release for public review

Mr. Mike Mierzwa, DWR Central Valley Flood Planning Office Chief, gave the presentation. He announced that the last of the technical appendices have been completed and the Draft Conservation Strategy has been released, which begins a formal 60-day review and comment period. Terri Gaines, DWR Environmental Program Manager responded to a Board question and stated the Draft Conservation Strategy document was presented to the Board in January 2014 and a Workshop was held in February 2014 and now the entire document with all appendices has been released for a 60-day public comment period.

7. REQUESTED ACTIONS

A. Natomas Central Mutual Water Company Deed

Approval of a Resolution and grant deed authorizing the sale of Property to the Natomas Central Mutual Water Company with a reservation of rights for flood protection purposes in association with the Sankey Road Diversion Pump Station Project, CVFPB Encroachment Permit No. 18491 BD issued April 30, 2010.

Mr. Tom O'Neil, DWR Senior Right of Way Agent, gave the presentation and answered Board Member questions. He stated that the applicant's proposal is the transfer of approximately 0.80 of an acre of Sacramento and San Joaquin Drainage District (SSJDD) land, held in fee, to the Natomas Water Company, for the American Basin Fish Screen and Habitat Improvement Project and the Sankey Diversion and Canal (also known as the Sankey Diversion Project), that the Board had previously approved five years ago.

Today's action is for the Board to accept the offer from Natomas Water to acquire the SSJDD parcel and to delegate to the Board President the authority to execute the deed.

Mr. Len Marino, Board Chief Engineer; Ms. Debbie Smith, Board Counsel; and Mr. Scott Brown and Ms. Kelly Pope, Natomas Mutual Water Company, provided additional clarifications.

Board Member Macdonald suggested that the public access be widened from the 10 feet to 20 feet or more, and as close to the water plant as is practicable to give the most public access, and that Board staff be authorized to determine the exact new dimensions and amend the wording of the documents to reflect the new location.

*Upon **motion** by Secretary Dolan, seconded by President Edgar, the Board unanimously approved the Resolution and grant deed, with the amendment cited above.*

8. DISCUSSION WITH POSSIBLE ACTION

A. Update on the progress of the Central Valley Flood Protection Board Financing Plan requested by the Senate Budget Subcommittee

Ms. Leslie Gallagher, Acting Board Executive Officer, commented that this item will be placed on the agendas to allow any comments or questions as this process of preparing the plan moves forward. The Board has hired, under contract, Mr. Russell Mills, a DWR employee with extensive experience in creating financing plans and working with the legislation.

9. BOARD COMMENTS AND COMMITTEE UPDATES

Board Member Macdonald commented that he has been continuing talks with DWR about integration issues, and he and Vice President Suarez will be meeting with some of the NGOs to discuss the issues further.

Secretary Dolan remarked that she and Board member Suarez would like input on a potential one- or two-day Board workshop that would be held in northern California on September 11. The goal of this workshop is to have an overview of the flood control system and issues, but the logistics of viewing many sites over a large area is challenging. Following discussion, the Board decided to move the workshop to Sacramento, have written and visual material and to keep it at one day.

10. FUTURE AGENDA

Board Member Countryman requested that the Engineer's Report be added to the Agenda. Acting Executive Officer Gallagher stated that it would be added to the Agenda as a standing item for comments and questions.

11. CLOSED SESSION

- A. To interview and discuss the evaluation, selection, and employment of candidates for the position of Board Executive Officer pursuant to Govt. Code section 11126(a).**
- 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.**

12. CLOSED SESSION REPORT - *None*

(The Board recessed into Closed Session at 10:18 a.m.)

13. ADJOURN-REGULAR BOARD MEETING

The Board unanimously adjourned the Open Session at 4:32 p.m.

Dated: _____

The foregoing Minutes were approved:

Jane Dolan
Secretary

William H. Edgar
President