

MINUTES
MEETING OF THE CENTRAL VALLEY FLOOD PROTECTION BOARD
December 16, 2016

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 16, 2016, beginning at 9:04 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, Executive Officer
Ms. Kathryn Baines, Executive Analyst
Ms. Andrea Buckley, Chief, Environmental Services and Land Management Branch
Ms. Ruth Darling, Senior Environmental Scientist
Mr. Kanwarjit Dua, General Counsel
Ms. Mitra Emami, Acting Chief Engineer
Mr. Michael Wright, Acting Chief, Operations Branch

Department of Water Resources (DWR) staff present:

Mr. Gary Bardini, DWR Deputy Director
Mr. Eric Koch, Acting Chief, Division of Flood Management (DFM)
Mr. Jeremy Arrich, Manager, Flood System Implementation
Ms. Simar Dhanota, Staff Engineer, DFM Flood Projects Office
Ms. Mary Jimenez, Chief, DFM Flood Planning Branch
Mr. Boone Lek, Chief, DFM Reservoir Coordinated Operations Section
Mr. Chris Williams, Senior Engineer, DFM Central Valley Flood Planning Office

Also Present:

Mr. George Booth, County of Sacramento
Mr. Mike Clemens
Mr. Ryan Larson, United States Army Corps of Engineers
Mr. Ric Reinhardt, MBK Engineers
Ms. Sara Schultz, United States Army Corps of Engineers

1. WELCOME, INTRODUCTIONS AND ANNOUNCEMENTS

Mr. Bill Edgar, Board President, welcomed the participants.

2. ROLL CALL/ESTABLISH A QUORUM (Water Code § 8560)

Ms. Kathryn Baines, Board Analyst, called the roll and a quorum was achieved.

3. APPROVAL OF MINUTES – September 23, 2016 Board Meeting

Upon motion by Secretary Dolan, seconded by Board Member Macdonald, the Board unanimously approved the September 23, 2016 Board Meeting Minutes.

4. REVIEW OF AGENDA

Ms. Leslie Gallagher, Board Executive Officer, announced that Item 12C was withdrawn. Also, there will be a Closed Session today.

5. CONSENT ITEMS (Action Items)

A. Permit No. 10818-1, Roland Candee

Consider approval of Permit No. 10818-1 to construct a 20-foot x 30-foot metal garage on a concrete pad, and pave an existing dirt driveway with asphalt. (Sutter County)

B. Permit No. 19139, City of Roseville

Consider approval of Permit No. 19139 to construct a new Class 1 bike trail, two new retaining walls, a new gabion wall, place vegetated rock slope protection, install a new metal rail, authorize an existing 24-inch diameter reinforced concrete drainage pipe, and construct a new rock energy dissipater for the drainage pipe. (Placer County)

Upon motion by Vice President Suarez, seconded by Secretary Dolan, the Board unanimously approved the Consent Calendar.

6. PUBLIC COMMENTS - NONE

**7. DEPARTMENT OF WATER RESOURCES (DWR) ITEMS
(Information)**

A. 408 Updated Guidance Document

Presentation on the "Interim Guidance on Section 408 Decision Level" issued by the United States Army Corps of Engineers (USACE) on November 10, 2016. The interim guidance provides revised direction on the decision level for Section 408 requests and replaces the decision level guidance in Engineer Circular (EC) 1165-2-216.

Mr. Ryan Larson, USACE, presented the revised guidance on how the Corps will be handling the Section 408 program and how that impacts the alterations that come through the Board, and answered Board Member questions.

B. Sacramento River General Reevaluation Report (GRR)

Informational presentation on the current status, accomplishments, and next steps of the Sacramento River GRR.

Ms. Simar Dhaonota, DWR Staff Engineer, gave the presentation and answered Board Member questions. She noted that DWR anticipates coming before the Board with an action request in February 2017.

Mr. Ric Reinhardt, MBK Engineers, speaking on behalf of the Central Valley Flood Control Association, commented that this study presents a great opportunity to get the federal government involved in investing and advancing the Central Valley Flood Protection Plan (CVFPP).

8. DEPARTMENT OF WATER RESOURCES ITEMS (Information)

A. Monthly Report of the Department of Water Resources (DWR)

DWR Project Updates and Recent Events

Mr. Eric Koch, DWR Division of Flood Management Chief gave an update of department activities, including the status of review of applications for Small Communities Feasibility Study. Mr. Boone Lek, DWR Reservoir Coordinated Operations Section Chief, provided the update on water conditions and the Flood Operations Center.

B. 2017 Update to the 2012 Central Valley Flood Protection Plan (CVFPP)

Overview of the Draft 2017 CVFPP Update

Mr. Eric Koch, DWR Division of Flood Management Acting Chief, highlighted some of the significant accomplishments that helped create a more sustainable integrated flood management and emergency response system throughout California and in the Central Valley, in support of the California Water Action Plan and the CVFPP.

President Edgar remarked that this is an extremely significant day for both DWR and the Board, because DWR is making its final presentation of the 2017 update to the 2012 CVFPP. The 2017 Update will be formally delivered to the Board on December 31st.

Mr. Gary Bardini, DWR Deputy Director, discussed DWR and the Board's support and ongoing commitment to the management of the Central Valley flood system, and the responsibilities shared by those in the room.

Ms. Mary Jimenez, DWR Flood Planning Branch Chief, gave an overview of the public draft of the 2017 CVFPP's update that DWR is getting ready to release for public review, with emphasis on the major supporting efforts in stakeholder engagement that have supported development of the plan.

Along with Mr. Chris Williams, DWR Senior Engineer, they covered the Conservation Strategy, the regional planning effort, and the basin-wide study for the plan, and answered questions.

Mr. Ric Reinhardt, MBK Engineers, speaking once again on behalf of the Flood Control Association (FCA), congratulated DWR and the Board on the 2017 plan update and discussed specific areas of interest to FCA.

C. Lower Elkhorn Setback Levee Project

Update on the plans for the lower Elkhorn Setback Levee Project

Mr. Jeremy Arrich, DWR Flood System Implementation Manager, gave an overview of the project, including a packet of information and a Power Point presentation and answered Board Member questions.

9. HEARING (Action Item)

A. Permit No. 19045-1, Sacramento County Department of Water Resources

Consider approval of Permit No. 19045-1 to complete the Elder Creek Phase 1B and Phase 3 Improvement Projects as part of the broader Drainage

Master Plan improvements for the North Vineyard Station Specific and Florin Vineyard Community. (Sacramento County)

Ms. Remy Gill, Board Staff Engineer, gave the presentation and concluded with the staff recommendation that the Board adopt the CEQA findings, approve Encroachment Permit Number 19045-1 in substantially the form provided, and direct the Executive Officer to take the necessary actions to execute the permit and file a Notice of Determination pursuant to CEQA with the State Clearinghouse.

Mr. George Booth, County of Sacramento, provided additional details.

Mr. Mike Clemens, a local resident, spoke in protest of the staff recommendation. Mister Booth responded to Mister Clemens' remarks.

Board Members questioned Mr. Booth and Mr. Clemens, discussed the situation further, and concluded that the proposed improvements would better the flood situation for Mr. Clemens. They also suggested that Mr. Clemens and Board representatives continue their dialogue in hopes of resolving his protest.

Upon motion by Board Member Countryman, seconded by Board Member Ramirez, the Board unanimously approved the staff recommendation.

10. CLOSED SESSION (Action Item)

- A. 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).**
- B. Pursuant to the authority of Govt. 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.**

11. CLOSED SESSION REPORT (Action Item)

President Edgar stated that there were no reportable actions.

12. BOARD ITEMS

A. Vote on Calendar Dates for 2017 (Action Item)

Consider approval of the 2017 Meeting Calendar, including dates for Regular Business Board Meetings and the 2017 CVFPP Hearings.

Upon motion by Vice President Suarez, seconded by Secretary Dolan, the Board unanimously adopted the 2017 Meeting Calendar.

B. Information Regarding the 2017 Central Valley Flood Protection Plan Update Public Release (Information)

Board staff will provide information on the new Board webpage dedicated to the 2017 CVFPP Update and supporting documents, as well as updates on the Public Hearings schedule and venues, and the release of the 2017 CVFPP Update and Supplemental PEIR.

Ms. Ruth Darling, Board Senior Environmental Scientist, gave the presentation and answered Board Member questions.

C. Advisory Committee Charter (Action Item) – *Removed from Agenda*

Activate the Central Valley Flood Protection Plan Update Advisory Committee and approve the draft committee charter.

**13. EXECUTIVE OFFICER'S REPORT
(Documents Submitted for Board Member Review)**

- A. Update on Board Administration**
- B. Update on the activities of the Operations Branch**
- C. Update on the activities of the Plan Implementation and Compliance Branch**
- D. Update on the activities of the Environmental Services and Land Management Branch**

(There were no questions on the report or the updates.)

14. BOARD COMMENTS AND COMMITTEE UPDATES - *NONE*

15. UPCOMING MEETINGS AND TOPICS FOR THE BOARD

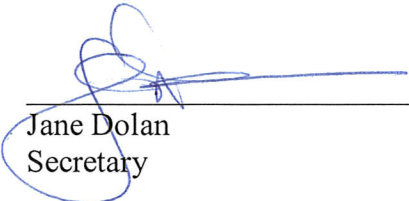
Executive Officer Gallagher and the Board briefly discussed the January 27, 2017 Board Meeting.

16. ADJOURNMENT

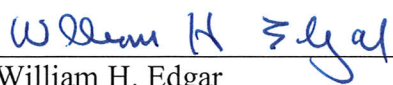
The Board unanimously adjourned the Open Session at 2:45 p.m.

Dated: 2/24/17

The foregoing Minutes were approved:



Jane Dolan
Secretary



William H. Edgar
President