

**MINUTES**  
**MEETING OF THE CENTRAL VALLEY FLOOD PROTECTION BOARD**  
**May 18, 2018**

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 May 18, 2018, beginning at 9:06 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  
Mr. Joe Countryman  
Mr. Tim Ramirez  
Mr. Mike Villines  
Ms. Jane Dolan, Secretary  
Mr. Clyde Macdonald  
Assembly Member Eduardo Garcia, represented by Mr. Ryan Ojakian, Ex Officio

**Board staff present:**

Ms. Leslie Gallagher, Executive Officer  
Ms. Kathryn Baines, Board Analyst  
Ms. Andrea Buckley, Chief, Environmental Services and Land Management Branch  
Ms. Ruth Darling, Senior Environmental Scientist  
Mr. Kanwarjit Dua, General Counsel  
Mr. Geoffrey Shaw, Principal Engineer  
Mr. Mike Thao, Senior Engineer

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

Mr. Jon Ericson, Chief, Division of Flood Management (DFM)  
Mr. Nathan Burley, DFM, Staff Engineer  
Ms. Sandra Maxwell, DFM, Senior Engineer  
Mr. David Rizzardo, Chief, Snow Surveys Section

**Also Present:**

Mr. Kent Anderson, Putah Creek Council

**Also Present (continued):**

Mr. Ken Davis, Wildlife Survey  
Mr. John Donlevy, City of Winters  
Mr. Stephen Karr, Putah Creek Trout  
Mr. Eric Larsen, University of California, Davis  
Mr. Chris Lee, Solano County Water Agency  
Ms. Christina Morkner-Brown, California Attorney General's Office  
Mr. Thomas Pate, Solano County Water Agency  
Mr. Alan Pryor, Friends of Putah Creek  
Mr. Jeff TenPas, Friends of Putah Creek  
Ms. Tara Thronson, representing Yolo County Supervisor Don Saylor  
Mr. Shawn Yarnes, citizen of Winters

**1. WELCOME, INTRODUCTIONS AND ANNOUNCEMENTS**

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

**Resolution recognizing Francis Silva of Yuba City for 80 years of leadership in flood protection and management in Sutter County.**

Ms. Leslie Gallagher, Board Executive Officer, remarked that the Board will be presenting the resolution to Mr. Silva at the upcoming Feather River West Levee Project celebration in Yuba City.

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

Ms. Kathryn Baines, Board Analyst, called the roll, all members present and a quorum was established.

**3. APPROVAL OF MINUTES – February 23, 2018 and March 23, 2018 Board Meetings - *Postponed***

**4. REVIEW OF AGENDA**

President Edgar reviewed the Agenda.

Executive Officer Gallagher announced the following:

The California Senate recently declared the Second Annual Infrastructure Week in California.

The Sutter Buttes Flood Control Agency (SBFCA) will hold a community event on Saturday May 10<sup>th</sup> in Yuba City to celebrate the Feather River West Levee Project.

USACE letters have been received for all Consent Calendar Items except Item C. This letter is en route to the Board, will be available shortly and contains no additional issues.

## **5. CONSENT ITEMS**

### **A. Permit No. 3431-1, Linda County Water District**

**Consider approval of Permit No. 3431-1 for the Wastewater Treatment Facility Upgrade and Expansion Project to increase their existing pipelines to accommodate for the increased inflows from the City of Marysville Wastewater Treatment Plant Project (related to Permit No. 15178-1). (Yuba/Sutter Counties)**

### **B. Permit No. 19050, Joshua and Norman Dietz**

**Consider approval of Permit No. 19050 to construct a single-family dwelling, attached garage, attached decks, a second structure with attached garage and second story livable space, and a chain link fence. (Sacramento County)**

### **C. Permit No. 19152, Sutter Butte Flood Control Agency**

**Consider approval of Permit No. 19152 for the Oroville Wildlife Area Flood Stage Reduction Project to construct: a rock gabion inflow weir, box culverts to connect to the Feather River, 3,000-foot-long berm, and grading improvements to the existing canal. (Butte County)**

### **D. Permit No. 15178-1, City of Marysville**

**Consider approval of Permit No. 15178-1 for the City of Marysville Wastewater Treatment Plant Project to install new 18-inch diameter pipelines from the Wastewater Treatment Plant to Linda County Water District's Wastewater Treatment Facility (related to Permit No. 3431-1). (Yuba County)**

### **E. Permit No. 19205, Dowd Road Bridge Replacement**

**Consider approval of Permit No. 19205 to replace the existing one-lane Dowd Road Bridge (Bridge No. 19C-0095) with a new two-span bridge at the same location. The new bridge will be approximately 150 feet long and 35 feet wide. (Placer County)**

### **F. Deer Creek Watershed Conservancy (DCWC), Lower Deer Creek Flood and Ecosystem Improvement Project, Phase I**



**Consider approval of a letter to the U.S. Army Corps of Engineers (USACE) pursuant to Federal Title 33, USC Section 408 requesting that USACE initiate, in cooperation with the Deer Creek Watershed Conservancy and other federal agencies, a joint review of possible alterations to the Deer Creek levees listed in the State Plan of Flood Control, along Deer Creek in Tehama County.**

*Upon **motion** by Secretary Dolan, seconded by Board Member Countryman, the Board unanimously approved Items 5A through 5F.*

**6. PUBLIC COMMENTS - None**

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

**A. Monthly Report of the Department of Water Resources**

Mr. Jon Ericson, DWR Division of Flood Management Chief, gave the report.

**DWR Project Updates and Recent Events, including:**

**- San Joaquin Forecast-Coordinated Operations (F-CO) Decision Support System**

**Provide brief update on the F-CO Program's decision support system for management of snowmelt runoff into San Joaquin basin reservoirs.**

Mr. Nathan Burley, DWR Staff Engineer, provided the update and answered questions.

**- California Cooperative Snow Survey and Runoff Forecasting**

**Provide brief overview of the Statewide snow pack from WY2018 and give an update on seasonal snow melt runoff projections.**

Mr. David Rizzardo, DWR Snow Surveys Section Chief, gave the presentation and answered questions.

**B. 2018-19 Delta Levee Maintenance Subventions Program**

**Consider approval of the staff-recommended Delta Levee Maintenance Subventions Program Funding Plan for Fiscal Year 2018-19**

Ms. Sandra Maxwell, DWR Senior Engineer, gave the presentation and concluded with the staff recommendation for approval of the 2018-19 Funding Plan for \$12 million. She also answered Board Member questions.

*Upon **motion** by Vice President Suarez, seconded by Board Member Villines, the Board unanimously approved the 2018-19 Funding Plan.*

## **8. PUBLIC HEARING**

### **A. Permit Nos. 19027, 19047, 19047-1 Solano County Water Agency**

**To authorize completed work and to consider approval of proposed work that comprises the Putah Creek Restoration Project. Due to various factors, there are three permits associated with this Project:**

**- 19027: To regrade an existing floodplain to a uniform 1-2% slope, fill and narrow segments of the existing low-flow channel, and create a low-flow side channel. Existing native and nonnative vegetation will need to be removed prior to grading activities. After grading is complete, native vegetation will be installed along the floodplain.**

**- 19047: To authorize the realignment and narrowing of approximately 3,800 linear feet (2,300 linear feet at phase 1 and 1,500 linear feet at phase 2) of existing low-flow channel, recontouring approximately 20.5 acres (12.5 acres at phase 1 and 8 acres at phase 2) of the floodplain, removing invasive weeds, and installing native vegetation and spawning gravel. Phases 1 and 2 of the Putah Creek Channel Restoration Project were completed in 2011.**

**- 19047-1: To realign 1,100 LF of low-flow channel, re-contour the floodplain, remove some native vegetation and invasive vegetation species, and replant with native grasses, shrubs, and tree species. Spawning gravel will be also placed at riffle locations.**

Board President Edgar explained how this hearing would proceed. Mr. Kanwarjit (Jit) Dua, Board General Counsel, swore in the witnesses en masse. (All the witnesses who provided testimony subsequently provided their name and confirmed individually that they had taken the oath.)

Executive Officer Gallagher noted that, prior to the preparation of the record and report for today's hearing, Board staff had received several additional documents. She read a list of these documents into the record.

Mr. Mike Thao, Board Staff Engineer, provided the staff report, answered questions, and asked that the Board approve the staff recommendation that all three Permits be approved.

Ms. Ruth Darling, Board Senior Environmental Scientist, discussed the CEQA documents and the Board responsibility as a Responsible Agency and the recommended findings.

The representative for the Applicant, Mr. Tom Pate, Solano County Water Agency District Engineer, presented the Project information and answered questions.

The following people spoke in support of the Project:

Mr. John Donlevy, City of Winters City Manager  
Mr. Eric Larson, UC Davis Research Scientist  
Mr. Ken Davis, owner of Wildlife Survey and Photo Service  
Ms. Shawn Yarnes, citizen of Winters  
Mr. Stephen Karr, Putah Creek Trout Board Chairman  
Mr. Kent Anderson, Putah Creek Council Executive Director  
Ms. Tara Thronson, speaking on behalf of Yolo County Supervisor Don Saylor

Speaking in opposition to the Project were Mr. Jeff Tenpas and Mr. Alan Pryor, Friends of Putah Creek.

Board Members asked additional questions and commented on various aspects of the project and the testimony heard.

Board General Counsel Dua, Ms. Christina Morkner-Brown, Deputy Attorney General, California Attorney General's Office; and Mr. Chris Lee, Solano County Water Agency, commented on various aspects of the testimony.

*Upon motion by Vice President Suarez, seconded by Board Member Ramirez, Board President Edgar requested that a vote be taken to approve any, or all, of the permits before the Board in this matter. The Board unanimously approved Permit Nos. 19027, 19047, 19047-1.*

- 9. 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.)



## **10. BOARD COMMENTS AND COMMITTEE UPDATES**

Board Member Ramirez attended a conference in the Bay Area, where California Secretary of Agriculture, Karen Ross, was one of the panel members. Secretary Ross mentioned the, “really great” Central Valley Flood Protection Plan” and how it’s helping with open spaces and agriculture and environmental issues.

Vice President Suarez remarked that the Mid Upper Sacramento Regional Planning has received funding and continues operation. The group will continue its work on helping to implement the CVFPP.

Board Member Macdonald commented that he had spoken with DWR’s Chris Orrick, who told him that DWR’s statutory obligation to provide an annual flood notice to landowners who are protected by levees is being revised. Mr. Macdonald offered suggestions on how DWR might be able to revise it to be more effective in getting people to buy flood insurance.

Secretary Dolan will be attending a conference of the Society of Floodplain Managers in Phoenix on June 20-21, where she will be representing the Board and DWR. The organization is giving an award to both organizations for the CVFPP.

## **11. UPCOMING MEETINGS AND TOPICS FOR THE BOARD**

- **Workshop – June 8, 2018 (West Sacramento)**
- **Board Meeting – June 22, 2018 (Sacramento)**
- **Board Meeting – July 27, 2018 (TBD)**

The Board briefly discussed elements of the upcoming schedule.

## **12. CLOSED SESSION - *None***

- A. To discuss litigation (Central Valley Flood Protection Board v. Lino Catabran, Sacramento Superior Court Case No. 34-2013-142003) (Kanwarjit (Jit) Dua, Board Counsel).**
- B. 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 (Kanwarjit (Jit) Dua, Board Counsel).**

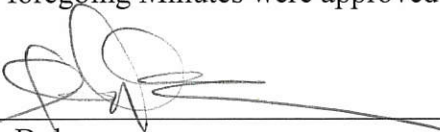
## **13. CLOSED SESSION REPORT - *None***

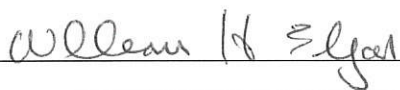
## **14. ADJOURNMENT**

The Board unanimously adjourned the Open Session at 12:24 p.m.

Dated: 7/27/18

The foregoing Minutes were approved:

  
\_\_\_\_\_  
Jane Dolan  
Secretary

  
\_\_\_\_\_  
William H. Edgar  
President