

**MINUTES**  
**MEETING OF THE CENTRAL VALLEY FLOOD PROTECTION BOARD**  
**September 28, 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 September 28, 2018, 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  
Mr. Ryan Okajian, Ex-Officio, representing Assembly Member Eduardo Garcia

**Board staff present:**

Ms. Leslie Gallagher, Executive Officer  
Ms. Andrea Buckley, Chief, Environmental Services and Land Management Branch  
Mr. Kanwarjit Dua, General Counsel  
Mr. Ali Porbaha, Senior Engineer  
Mr. Darren Suen, Legislative Director, Policy Advisor  
Mr. Michael Wright, Chief, Plan Implementation and Compliance Branch  
Ms. Amber Woertink, Acting Board Clerk

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

Mr. Jon Ericson, Chief, Division of Flood Management  
Ms. Reena Jawanda, Staff Engineer  
Ms. Mary Jimenez, Supervising Engineer, Division of Flood Management  
Ms. Maria Lorenzo-Lee, Senior Engineer  
Mr. Kristopher Tjernell, Deputy Director, Integrated Watershed Management

**Also Present:**

Mr. Michael Bessette, Sutter Butte Flood Control Agency  
Central Valley Flood Protection Board Meeting – Minutes  
September 28, 2018

**Also Present (continued):**

Mr. Mike Inamine, Sutter Butte Flood Control Agency  
Ms. Francis Coats  
Ms. Betsy Weiland  
Mr. Ryan Larson, United States Army Corps of Engineers

**1. WELCOME, INTRODUCTIONS AND ANNOUNCEMENTS**

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

Ms. Leslie Gallagher, Board Executive Officer, announced that Ms. Kelly Soule has been promoted to the permanent Board Operation Branch Chief position. She also welcomed new Board Permitting Section employee Mr. Natnael Kibret.

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

Ms. Amber Woertink called the roll and a quorum was established.

**3. RESOLUTION**

**A. Flood Preparedness Week, October 20-26, 2018**

**The Board will present a resolution for Flood Preparedness Week, October 20-26, 2018**

Mr. Darren Suen, Board Legislative Director and Policy Advisor, presented the resolution, which highlights the statewide, multiagency effort to educate the public on the risk of catastrophic flooding.

*Upon motion by Vice President Suarez, seconded by Board Member Macdonald, the Board unanimously approved the Resolution.*

**4. APPROVAL OF MINUTES – July 27, 2018 Meeting**

*Upon motion by Secretary Dolan, seconded by Board Member Macdonald, the Board unanimously approved the July 27, 2018 Minutes.*

**5. REVIEW OF AGENDA**

President Edgar reviewed the day's agenda.

Ms. Leslie Gallagher, Board Executive Officer, noted that Consent Calendar Items 6A and 6F will be discussed separately.

**6. CONSENT ITEMS**

- A. Permit Nos. 2161-1, 4232-2, 7151-6, 18181-2, 19174, 19175, 19176, 19177, 19178, 19179, 19180, 19181 and 19182, a total of thirteen encroachments along Feather River West Levee Project**

**Consider approval of the above thirteen permits for pipe penetrations, access ramps, habitat restorations, and a paved road related to the encroachments along 6.1 miles of levees in Project Area B of Feather River West Levee Project located south of Yuba City from Shanghai Bend upstream to Star Bend. (Sutter County).**

Mr. Francis Coats, Yuba City Resident, expressed concerns about the effect of the permits on public access to the Feather River.

Mr. Ali Porbaha, Board Senior Engineer; and Mr. Michael Bessette, Sutter Butte County Flood Control Agency Director of Engineering, explained some of the permit elements.

Mr. Jit Dua, Board General Counsel, stated that the Board and Board staff had met their obligations regarding the permits and recommended action on the Item.

*Upon motion by Board Member Countryman, seconded by Vice President Suarez, the Board approved Consent Calendar Item 6A by a vote of 5-1 (Villines-absent; Macdonald-No).*

- B. Permit No. 1603-1 PG&E L-220, 10-inch Diameter Gas Transmission Pipeline Project**

**Consider approval to install a new section of an existing PG&E gas transmission pipeline (L-220) across Putah Creek; and abandon and grout the existing gas line, authorized under Permit No.1603, after completion of the new section of gas line L-220. The project is located south of the City of Davis, paralleling Old Davis Road and crossing Putah Creek. (Solano County).**

- C. Sutter Basin Project, Local Project Partnership Agreement**

**Consider Board approval of Resolution No. 2018-07 to execute a Local Project Partnership Agreement with the Sutter Butte Flood Control Agency (SBFCA) to construct approximately 4.9 miles of in-place improvements to the Feather River West Levee from the Start Bend setback levee near Tudor Road downstream to Cypress Avenue.**

- D. Permit No. 19190 Chandless, James**

**Consider approval of Permit No. 19190 to construct a new 5,850 square-foot dwelling on the right (north) bank area in Area C of the Yuba River Designated Floodway. (Yuba County).**

**E. Permit No. 19310 Chevron Oil Wells in Kern River Designated Floodway**

**Consider approval of Permit No. 193 to install four new wells and two pumping units with associated electrical poles and powerline, waterline, lowline, and pipe supports located on the left (south) bank of the Kern River within the Kern River Designated Floodway. (Kern County)**

*Upon motion by Vice President Suarez, seconded by Secretary Dolan, the Board unanimously approved Consent Calendar Items B, C, D and E.*

**F. American River Watershed Project, Natomas Basin PPA and LPPA Amendment**

**Consider Board approval of Resolution 2018-09 to execute Amendment #1 to the Project Partnership Agreement (PPA) and Local Project Partnership Agreement (LPPA) for the American River Watershed Project, Natomas Basin.**

Mr. Reena Jawanda, DWR Staff Engineer, clarified some elements of the Item.

*Upon motion by Board Member Countryman, seconded by Secretary Dolan, the Board unanimously approved Consent Calendar Item 6F.*

**7. PUBLIC COMMENTS**

Ms. Betsy Weiland, Save the American River Association Board Member and Land-Use Chair, discussed a Discovery Park tree and vegetation removal project planned by PG&E.

Mr. Francis Coats discussed an access issue at Fremont Weir on the Sacramento River.

**8. U.S. ARMY CORPS OF ENGINEERS (USACE) ITEMS**

**A. New Policy and Procedural Guidance for Processing Requests to Alter U.S. Army Corps of Engineers Civil Works Projects Pursuant to 33 USC 408, dated September 10, 2018**

**Update on the new Engineer Circular for processing Section 408 Requests, including how the policy has changed and implementation.**

Mr. Ryan Larson, USACE Section 408 Coordinator, provided the update and answered questions.

## **9. DEPARTMENT OF WATER RESOURCES (DWR) ITEMS**

### **A. Monthly Report of the DWR**

#### **DWR Project Updates and Recent Events**

Mr. Jon Ericson, DWR Division of Flood Management (DFM) Chief, gave the report and answered questions.

## **10. BOARD ITEMS**

### **A. Informational Briefing regarding the Yolo Bypass and Cache Slough Partnership**

**Presentation and discussion of recent Partnership activity, including upcoming executive-level meetings and potential implementation strategies, such as a multi-phased programmatic USACE Section 408 approach.**

Ms. Andrea Buckley, Board Environmental Services and Land Management Branch Chief; Mr. Kris Tjernell, DWR Integrated Watershed Management Deputy Director; and Ms. Mary Jimenez, DWR DFM Supervising Engineer, gave the briefing and answered questions.

## **11. 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**

Executive Officer Gallagher briefly commented on aspects of the updates.

Members discussed the status of the Statewide Improvement Framework Letter of Intent (SWIF-LOI) program.

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

Secretary Dolan attended the recent Floodplain Management Association Conference as a participant.

**13. UPCOMING MEETINGS AND TOPICS FOR THE BOARD**

- Executive Committee Meeting, October 11, 2018 (Sacramento)
- Workshop, October 12, 2018 (Sacramento)
- Board Meeting, October 26, 2018 (Sacramento)
- Board Meeting, November 16, 2018 (Sacramento)

The Board briefly discussed elements of the upcoming schedule.

**14. CLOSED SESSION**

- A. Pursuant to the authority of Government Code Section 11126 (e)(i). To discuss litigation: Friends of Putah Creek v. Central Valley Flood Protection Board, Solano County Superior Court Case No. FCS051040. (Kanwarjit (Jit) Dua, Board Counsel).
- B. Pursuant to the authority of Government Code Section 11126(e)(i). To discuss litigation: Grass Valley Neighbors v. California State Water Resources Control Board, et al., Sacramento County Superior Court Case No. 34-2018-80002957. (Kanwarjit (Jit) Dua, Board 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 (Kanwarjit (Jit) Dua, Board Counsel).

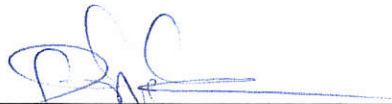
**15. CLOSED SESSION REPORT - None**

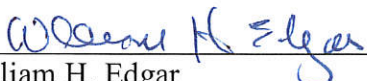
**16. ADJOURNMENT**

The Board unanimously adjourned the Open Session at 1:08 p.m.

Dated: 12/14/2018

The foregoing Minutes were approved:

  
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Jane Dolan  
Secretary

  
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William H. Edgar  
President