

## MINUTES

### **MEETING OF THE CENTRAL VALLEY FLOOD PROTECTION BOARD**

**March 29, 2019**

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 March 29, 2019, beginning at 9:00 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. Jane Dolan, Secretary  
Mr. Joe Countryman  
Mr. Clyde Macdonald  
Mr. Tim Ramirez  
Mr. Mike Villines

#### **Board Members absent:**

Ms. Emma Suarez, Vice President

#### **Board staff present:**

Ms. Leslie Gallagher, Executive Officer  
Mr. Kanwarjit (Jit) Dua, General Counsel  
Ms. Amber Woertink, Board Clerk  
Mr. Greg Harvey, Acting Chief, Plan Implementation and Compliance Branch  
Mr. Ali Porbaha, Senior Engineer  
Mr. Michael Wright, Chief, Plan Implementation and Compliance Branch

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

Mr. Todd Bernardy, Chief, Flood Risk Reduction Projects Branch  
Mr. Jon Ericson, Chief, Division of Flood Management  
Mr. Larry Ito  
Mr. Paul Romero, Supervising Engineer

**Also Present:**

Mr. Peter Blodgett, United States Army Corps of Engineers  
Ms. Katie Charan, United States Army Corps of Engineers  
Mr. Dominick Gulli  
Mr. Patrick Howell, United States Army Corps of Engineers  
Mr. Dave Peterson, Peterson Brustad  
Colonel David Ray, 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. Amber Woertink, Board Clerk, called the roll and a quorum was established.

**3. APPROVAL OF MINUTES – January 25, 2019 Meeting**

*Upon motion by Secretary Dolan, seconded by Board Member Macdonald, the Board approved the January 25, 2019 Meeting Minutes 6-0-1 absent.*

**4. REVIEW OF AGENDA**

President Edgar reviewed the day's agenda.

Ms. Leslie Gallagher, Board Executive Officer, introduced two new Board staff: Mr. Ryan Jones, Executive Assistant; and Ms. Sarah Backus, Attorney III. She also announced that, starting April 2, 2019, current Acting Board Chief Engineer Michael Wright will officially become the new Board Chief Engineer.

In addition, Consent Calendar Items 5A and 5F were withdrawn for special consideration.

**5. CONSENT ITEMS**

**A. Permit No. 19307 Department of Water Resources**

**Consider approval of Permit No. 19307 to reinforce approximately 2 miles of levee with cutoff walls along the existing right (east) bank levee in the Eastside Bypass to improve levee stability and reduce seepage. (Merced County)**

Mr. Paul Romero, DWR Supervising Engineer, answered Board Members questions about local district involvement. Board Members expressed the importance of ensuring that communication channels between the various parties involved remain fully open

throughout the process, including appropriate and timely briefings to the Board on the overall project direction.

*Upon motion by Board Member Ramirez, seconded by Board Member Macdonald, the Board approved Item 5A. 6-0-1 absent*

**B. Permit No. 19331 San Joaquin River Conservancy**

**Consider approval of Permit No. 19331 to construct fishing and accessibility improvements within the existing Sycamore Island recreation area as part of the Sycamore Island Fishing Pond Enhancement Project. The project is located on the right (north) overflow bank of the San Joaquin River Designated Floodway. (Madera County)**

**C. Permit No. 19371 County of Tehama**

**Consider approval of Permit No. 19371 to replace the existing Jellys Ferry Road Bridge (No. 08C- 0043) over the Sacramento River and construct a new bridge over the left (east) bank overflow area to alleviate frequent road closures due to flooding. The project is located approximately 9 miles north of Red Bluff where Jellys Ferry Road crosses the Sacramento River. (Tehama County)**

**D. West Sacramento Area Flood Control Agency, U.S. Army Corps of Engineers Project Design Agreement**

**Consider approval of Resolution No. 2019-09 for the Project Design Agreement between the Board, U. S. Army Corps of Engineers and the West Sacramento Area Flood Control Agency (WSAFCA), and approval of the Local Design Agreement between the Board and WSAFCA for the West Sacramento, California Project.**

**E. Folsom Dam Raise Project, LPPA & PPA**

**Consider approval of Resolution No. 2019-08 to approve the Project Partnership Agreement between the Board, U.S. Army Corps of Engineers, and Sacramento Area Flood Control Agency (SAFCA), and approval of the Local Partnership Agreement between the Board and SAFCA for the American River Watershed, Folsom Dam Raise Project.**

*Upon motion by Board Member Countryman, seconded by Board Member Ramirez, the Board approved Consent Calendar Items 5B, 5C, 5D and 5E. 6-0-1 absent*

**F. Lake Success/Tule River Spillway Enlargement Project**

**Consider approval of Resolution No. 2019-07 to approve the Project Cooperation Agreement between the Board, U.S. Army Corps of Engineers (USACE), and Lower Tule River Irrigation District (LTRID) for the Lake Success/Tule River Spillway Enlargement Project.**

Ms. Katie Charan, USACE, gave the presentation and answered questions.

*Upon motion by Board Member Ramirez, seconded by Board Member Macdonald, the Board approved Item 5F, with the additional contingency that Board staff will confirm with the local agency that the agency fully understands their obligations under the existing agreement. In addition, Board legal staff shall evaluate the existing agreement to ensure that it will continue in perpetuity in conformance with previous agreements. 6-0-1 absent*

**6. PUBLIC COMMENTS**

Colonel David Ray, USACE, briefly addressed the Board. He communicated USACE's appreciation for Board support, as well as the support of local and state partners, as they move forward together with their various common projects.

Mr. Dominick Gulli spoke on behalf of Dad's Point Recreational Area in Stockton. He also suggested that the Board look at the spending practices of the San Joaquin Area Flood Control Agency.

**7. 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.

**8. BOARD ITEMS**

**A. Lower San Joaquin River California Project Update**

Mr. Ali Porbaha, Board Senior Engineer; Mr. Larry Ito, DWR Project Manager; Mr. Patrick Howell, USACE; and Mr. Peter Blodgett, USACE Technical Specialist in Hydraulics, updated the Board and answered questions.

Mr. Todd Bernardy, DWR Flood Risk Reduction Projects Branch Chief, added additional context.

**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**

Executive Officer Gallagher briefly commented on aspects of the updates.

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

Board Members expressed their thanks and appreciation for her service to outgoing Board Member Emma Suarez who, because of family circumstances, is leaving the Board.

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

- Board Meeting, April 26, 2019 (Sacramento)
- Workshop, May 10, 2019 (TBD)
- Board Meeting, May 26, 2019 (Sacramento)

The Board briefly discussed elements of the upcoming schedule.

#### **13. 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: Sacramento Area Flood Control Agency v. Ann Sumiko Amioka, et al., Sacramento Superior Court Case No. 34-2018-00245965. (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)

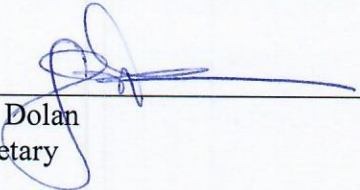
#### **13. CLOSED SESSION REPORT - *None***

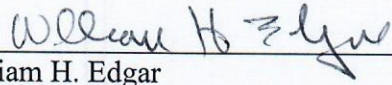
#### **14. ADJOURNMENT**

The Board unanimously adjourned the Open Session at 12:34 p.m.

Dated: May 24, 2019

The foregoing Minutes were approved:

  
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Jane Dolan  
Secretary

  
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William H. Edgar  
President