

CENTRAL VALLEY FLOOD PROTECTION BOARD

California Natural Resources Agency – State of California

CVFPB Office Location

3310 El Camino Avenue, Suite 170

Sacramento, California 95821

Phone (916) 574-0609 – Fax (916) 574-0682

<http://www.cvfpb.ca.gov>

BOARD MEMBERS

Bill Edgar, President

Jane Dolan, Board Vice-President
and Secretary

Joe Countryman

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Brian Johnson

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Ex Officio

State Senator John Laird, Ex Officio

Leslie Gallagher
Executive Officer

Kanwarjit (Jit) Dua
Board Counsel

AGENDA

CENTRAL VALLEY FLOOD PROTECTION BOARD MEETING

March 26, 2021 – 9:00 a.m.

Virtual Meeting

Due to the COVID-19 outbreak we ask that the public attend the meeting virtually and view the webcast of this meeting via the link provided on the event page.

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 considered in a different order upon determination by the Board President. All items appearing on this agenda may be subject to Board action, whether or not expressly listed as an action item.

Members of the public shall be provided an opportunity to address the Board on any agenda item except closed session items. Comments made during the public comment period should be limited to matters within the Board's jurisdiction. Reasonable time limits may be established for public comments (Government Code Section 11125.7).

Background for agenda items is available upon request through ryan.jones@cvflood.ca.gov

Anyone may request a printed copy of background or other material on an agenda item that has been distributed to the Members of the Board. A fee covering the cost of the provision of such materials may be charged. If reasonable accommodation due to a disability or language assistance is needed, please contact the Office of Work Force Equality at (323) 848-9801 at least one week prior to the meeting.

PUBLIC COMMENTS FOR VIRTUAL BOARD MEETINGS:

These instructions outline how members of the public can access the virtual meeting and provide public comment. You can join the meeting from a desktop computer, laptop, mobile device, or telephone.

How to join the meeting by webinar:

- a. Go to the Central Valley Flood Protection Board website*
- b. Navigate to the “Meetings” page*
- c. Identify the current meeting, and click on the link to the meeting webcast:
<https://cadwr.webex.com/meet/CVFPB>*
- d. We recommend that you test out your device and internet connection well before attempting to join the meeting*
- e. You will automatically be muted when joining as an attendee*

How to join the meeting by telephone:

- a. Dial 1-844-517-1271*
- b. Enter passcode: 132 803 8260*
- c. Please press mute*

How to provide public comment:

Members of the public who wish to provide public comment on a particular agenda item are encouraged to submit those comments prior to the meeting by emailing the Board Clerk at Ryan.Jones@CVFlood.ca.gov. In the email subject line, indicate the meeting date and agenda item number. You can find the agenda item number below. In the body of the email, please include your name and who you represent (e.g., self, another person, an organization). Comments received prior to the meeting will be provided to the Board Members. Please indicate whether you wish to have your comment read out loud, into the record during the meeting.

During the meeting, members of the public may provide comments on a particular matter (at or before the time the item is called) by emailing the Clerk at Ryan.Jones@CVFlood.ca.gov. In the email subject line, include the words “public comment” and the agenda item number. In the body of the email, please include your name and who you represent (e.g., self, another person, an organization). Comments received at or before the time the item is called will be read aloud during the meeting. All written materials received by the Board in advance of or during the meeting are part of the public record and are kept by the Board.

For those members of the public who choose to participate by phone, an opportunity for comment on each item will be given during the Board meeting. Please unmute yourself before providing your comments and mute yourself after concluding your comments. A speaker’s time allotment is generally 3 minutes but is ultimately at the discretion of the Board.

Background for agenda items is available electronically. Please email the Clerk at Ryan.Jones@CVFlood.ca.gov to request an electronic copy of any agenda item. Anyone may request a printed copy of background or other material on an agenda item that has been distributed to the Members of the Board. A fee covering the cost of the provision of such materials may be charged. If reasonable accommodation due to a disability or language assistance is needed, please contact the Office of Work Force Equality at (323) 848-9801 at least one week prior to the meeting.

For technical support during the meeting, please send your question to Questions@CVFlood.ca.gov.

1. WELCOME, INTRODUCTIONS, AND ANNOUNCEMENTS

- Resolution for Gary Lemon

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

3. APPROVAL OF MINUTES (Action Item)

- January 29, 2021

4. REVIEW OF AGENDA

5. CONSENT ITEMS (Action Item)

A. Permit No. 4902-1 Lawrence Bass (*Deb Biswas, Operations Branch, Board Staff*)

Consider approval of Permit No. 4902-1 to repair approximately 90 feet of damaged bank protection along the right (north) bank of the American River and to authorize an existing retaining wall, concrete boat ramp, stairway, and handrail down to the slope of the bank. The project site is located on the waterside of the Units 9 and 10, American River right (north) bank levee at 1622 McClaren Drive in Carmichael. (Sacramento County)

B. Permit No. 18956-5, High Speed Rail Authority (*Ali Porbaha, Plan Implementation and Compliance Branch, Board Staff*)

Consider approval of Permit No. 18956-5 to construct a new two track precast railroad bridge track, 318 feet long and 44 feet wide, supported on two bents, with two 8-foot diameter columns at each bent and abutments with 5-foot diameter Cast-In-Drilled Hole concrete pile foundations for the High-Speed Train. The proposed bridge will cross the Cole Slough which is about 0.3 miles upstream of intersection of Cole Slough and Highway 43 in Laton. (Fresno County)

C. Permit No. 19570 Department of Water Resources (DWR) (*Justin Logan, Operations Branch, Board Staff*)

Consider approval of Permit No. 19570 to breach the perimeter non-federal levee along the left (south) bank of the Consumes River to restore tidal and fluvial flows as part of the Grizzly Slough Floodplain Restoration Project. The proposed project is located at the confluence of Grizzly Slough and the Cosumnes River Designated Floodway, north of New Hope Road. (Sacramento County)

D. Permit No. 19531 Union Pacific Railroad (UPRR) Bridge Replacement (*Humberto Negrete, Operations Branch, Board Staff*)

Consider approval of Permit No. 19531 to replace the existing single-track, 3-span, 180-foot long, deck plate girder open deck bridge on steel cylinder piers and stone abutments with a single-track, 4-span, 252-foot long bridge. Rip rap to be placed at abutments for erosion control. The project is located where the existing UPRR Valley Subdivision rail line spans Deer Creek, approximately 2.5-miles upstream of the confluence with the Sacramento River and approximately 0.5-miles north of the community of Vina. (Tehama County)

6. PUBLIC COMMENT (non-agenda items only)

7. LEGISLATIVE UPDATE (Informational)

A. Receive an update on recently introduced State legislation and federal news
(*Darren Suen, Policy Advisor, Board Staff*)

8. U.S. ARMY CORPS OF ENGINEERS (Informational)

A. USACE Levee Inspection Rating Follow-up (*Preston Shopbell, Chief, Inspection Section, Board Staff; Ryan Larson, Chief, Levees and Channels Branch, and Juan Gonzalez, Chief, Inspection Section, USACE Sacramento District*)

As a follow up to inspection presentations given to the Board in January 2021, this presentation will provide additional details and rationale regarding levee inspection ratings given by USACE to Non-Federal sponsors.

9. DEPARTMENT OF WATER RESOURCES ITEMS (Informational)

A. Monthly Report of the Department of Water Resources (*Jeremy Arrich, Chief, Division of Flood Management, Department of Water Resources*)

Department of Water Resources project updates and recent events.

B. 2022 Central Valley Flood Protection Plan Update (*Mary Jimenez, Chief, Office of Systemwide Multibenefit Initiatives; Lori Price, Office of Systemwide Multibenefit Initiatives*)

Department of Water Resources staff will provide an overview of recent activities and progress on developing the 2022 Central Valley Flood Protection Plan Update, with a focus on alignment with the California Water Resilience Portfolio, as well as an update on DWR's approach on compliance with the California Environmental Quality Act for the 2022 Central Valley Flood Protection Plan Update.

10. BOARD ITEMS

- A. Reclamation District 1001, Natomas Cross Canal Stability Berm and Channel Habitat Enhancements Project (*Ali Porbaha, Plan Implementation and Compliance Branch, Board Staff; and Tom Engler, Principal, MBK Engineers*) (Action Item)

Consider approval to submit a letter to the U.S. Army Corps of Engineers pursuant to federal Title 33, USC Section 408 requesting that USACE initiate, in cooperation with the Reclamation District 1001, and other federal agencies, a joint review of Natomas Cross Canal Stability Berm and Channel Habitat Enhancements Project. The project is located along the Natomas Cross Canal (NCC) North Levee within Sutter County.

- B. Permit Revocation and Encroachment Removal Procedures (Sarah Backus, Staff Attorney, Board Staff) (Informational)

Board Staff Counsel Backus will provide an informational briefing to the Board regarding its permit revocation process pursuant to California Code of Regulations, Title 23 Waters, Division 1, Chapter 1, Article 4, Section 28.

11. EXECUTIVE OFFICER'S REPORT (Documents Submitted for Board Member review)

- A. Update on the Board's 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

12. BOARD COMMENTS AND COMMITTEE UPDATES

13. UPCOMING MEETINGS AND TOPICS FOR THE BOARD

- Advisory Committee, March 24, 2021 (WebEx)
- Board Workshop, April 9, 2021 (WebEx)
- Inspection Compliance Workgroup, April 14, 2021 (WebEx)
- Coordinating Committee, April 21, 2021 (WebEx)
- Board Meeting, April 23, 2021 (WebEx)

14. CLOSED SESSION

- A. Pursuant to the authority of Government Code section 11126 (e)(i). To discuss litigation: Security National Insurance Co. vs. Central Valley Flood Protection Board, et al., STK-CV-UED-2019-12115. (*Kanwarjit (Jit) Dua, Board Counsel*)

B. Pursuant to the authority of Government Code section 11126 (e)(i). To discuss litigation: Liam Meyer v. Central Valley Flood Protection Board, et al., Sacramento County Superior Court Case No. 34-2020-00276397. (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 (Action Item)

16. ADJOURNMENT