

CENTRAL VALLEY FLOOD PROTECTION BOARD

California Natural Resources Agency – State of California

CVFPB Office Location
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BOARD MEMBERS

Bill Edgar, President
Jane Dolan, Board Vice-President and Secretary
Joe Countryman
Mary Jane Griego
Brian Johnson
Tim Ramirez
Mike Villines
Assembly Member Eduardo Garcia, Ex Officio
State Senator Henry Stern, Ex Officio

Leslie Gallagher
Executive Officer

Kanwarjit (Jit) Dua
Board Counsel

AGENDA

CENTRAL VALLEY FLOOD PROTECTION BOARD MEETING

November 19, 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 until you are called upon to speak (*6 to mute/unmute *3 to raise/lower hand)*

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.

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). 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

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

3. APPROVAL OF MINUTES (Action Item)

- September 24, 2021 minutes

4. REVIEW OF AGENDA

5. CONSENT ITEMS (Action Item)

A. Permit No. 15488-1 Ryan Bogle (*Deb Biswas, Operations Branch, Board Staff*)

Consider approval of Permit No. 15488-1 to remove the existing boat dock and install a new private boat dock. The proposed boat dock is located at 639 Brickyard Drive in Sacramento, on Unit 1 Sacramento River left (east) bank levee, at Levee Mile 3.04 and Sacramento River Mile 53 (Sacramento County).

B. Permit No. 19216-3 United States Fish and Wildlife Service – Anadromous Fish Restoration Program (*Nate Kibret, Operations Branch, Board Staff*)

Consider approval of Permit No. 19216-3 to construct the phase three of the Hallwood Side Channel and Floodplain Restoration Project that includes – removing approximately 815,000 cubic yards of sediment from the Middle Training Wall and surrounding floodplains in the lower one mile of the project site; enhancing 13 acres of floodplain habitat that consist of grading work to lower the floodplain elevations; installing large wood structures; and planting approximately eight acres of riparian vegetation. The project is located along the Lower Yuba River downstream of Daguerre Point Dam, more than seven miles upstream of Marysville (Yuba County).

C. Permit No. 19520 Union Pacific Railroad Bridge 154.63 Replacement (*Humberto Negrete, Operations Branch, Board Staff*)

Consider approval of Permit No. 19520 to remove the existing single track, 4-span, 59-foot long timber stringer trestle-ballast deck (TST-BD) bridge with vertical concrete piers and concrete abutments and replace it with a single track, 3-span, 90-foot long prestressed concrete box (PCB) bridge on two bents. Each bent consists of six steel H-piles. Riprap will be placed at bridge abutments to provide scour protection. The UPRR track runs parallel to State Route 99 and the bridge is located where the track crosses Miles Creek, approximately 1,700 feet east of the intersection of Healy Road and Vassar Avenue, just southeast from the City of Merced (Merced County).

D. Permit No. 19613 Southern California Gas Company (*Nate Kibret, Operations Branch, Board Staff*)

Consider approval of Permit No. 19613 to construct a single span prefabricated steel truss pipe crossing bridge, 160 feet long by 7 feet wide, across Kern River - Outlet Canal. The project is located approximately 2.3 miles southeast of the town of Tupman and 0.14 miles northeast of the intersection of Tupman Road and Skyline Road (Kern County).

6. PUBLIC COMMENT (non-agenda items only)

7. LEGISLATIVE UPDATE (Informational)

- A. Staff will provide an update on State legislation and federal news (*Darren Suen, Policy Advisor, Board Staff*)

The Federal Emergency Management Agency's (FEMA) Region 9 National Flood Insurance Program Insurance Specialist Edie Lohman will provide an overview of FEMA Risk Rating 2.0

8. UNITED STATES ARMY CORPS OF ENGINEERS (Informational)

9. DEPARTMENT OF WATER RESOURCES ITEMS (Informational)

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

Informational briefing on past CA Flood Preparedness Week, recent storm, and an introductory presentation on the Utility Crossing Inspection Program (UCIP).

- B. 2022 Central Valley Flood Protection Plan Update (*Mary Jimenez, Manager, Systemwide Multibenefit Initiatives Branch, Department of Water Resources*)

Department of Water Resources (DWR) staff will provide an update on development of the 2022 CVFPP Update, with focus on providing a status update on review of the Working Draft that was recently released to the Board and actively involved partners and public interests. DWR staff will also summarize status of ongoing engagement activities related to the Working Draft being conducted in partnership with the Board.

10. BOARD ITEMS

- A. Resolution 2021-15 Declaring Commitment to Diversity, Equity, and Inclusion and Paving a Path Forward for the Central Valley Flood Protection Board (*Wendy Wang, Flood Planning and Programs Branch, Board Staff*) (Action Item)

Consider adoption of Resolution Number 2021-15 declaring the Central Valley Flood Protection Board's commitment to diversity, equity, and inclusion; directing staff to form a task force to develop a vision for diversity, equity, and inclusion; and paving a path forward for making diversity, equity, and inclusion central to implementation of the Board's mission.

- B. Permit No. 19486 Reclamation District (RD) 817, Bear River Setback Levee Project (*Mike Zelazo, Plan Implementation and Compliance Branch, Board Staff; and Tony Deus, MBK Engineers*) (Informational)

Informational briefing on the status of encroachment permit Application No. 19486 for RD 817's proposed Bear River Setback Levee Project (Project) consisting of a 2,800-foot-long setback levee and cutoff wall along with a 7,500-foot-long landside levee buttress. The Project is located on the north (right) bank of the Bear River within Unit 146 of the

Sacramento River Flood Control Project about two miles west-southwest of the City of Wheatland in Sutter County. The setback levee will mitigate an ongoing erosion site, provide protection from under- and through-seepage, and add resiliency to the existing federal levee embankment.

- C. American River Watershed Common Features - Natomas Basin (ARCF Natomas) and American River Common Features 2016 (ARCF 2016) Projects (*Selva Selvamohan, Plan Implementation and Compliance Branch, Board Staff; Kyle Bickler and Corey Lasso, Flood Projects Branch, Department of Water Resources*) **(Informational)**

Informational briefing on proposed amendments to the Project Partnership Agreements (PPA) and Local Project Partnership Agreements (LPPA) that will allow up to \$101,564,000 in excess credits to be transferred from the ARCF-Natomas Project to the ARCF-2016 Project.

- D. Review of the Board Calendar for 2022 (*Leslie Gallagher, Executive Officer*) **(Informational)**

The Board's proposed calendar for 2022 will be presented for review.

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
- E. Update on the activities of the Flood Planning and Programs Branch

12. BOARD COMMENTS AND COMMITTEE UPDATES

13. UPCOMING MEETINGS AND TOPICS FOR THE BOARD

- Inspection Compliance Workgroup, December 8, 2021 (WebEx)
- Board Workshop, December 10, 2021 (WebEx)
- Board Meeting, December 17, 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