

CENTRAL VALLEY FLOOD PROTECTION BOARD

California Natural Resources Agency – State of California

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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
State Senator Henry Stern, Ex Officio

Leslie Gallagher
Executive Officer

Kanwarjit (Jit) Dua
Board Counsel

AGENDA

CENTRAL VALLEY FLOOD PROTECTION BOARD MEETING

September 24, 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)

- July 23, 2021 minutes

4. REVIEW OF AGENDA

5. CONSENT ITEMS (Action Item)

A. Permit No. 19461 Mark Lawrence Ludwig Revocable Trust (*Humberto Negrete, Operations Branch, Board Staff*)

Consider approval of Permit No. 19461 to authorize the following existing encroachments: a 3,316 square foot dwelling, a 17-ft by 37-ft by 7.5-ft deep swimming pool with associated landscaping, and a wooden perimeter fence and gates. The project is located at 5732 Coda Lane, along the right (west) waterside berm of the American River and approximately 3,300-feet downstream from the Ancil Hoffman golf course, within the City of Carmichael. (Sacramento County)

B. Permit No. 19488 Reclamation District 3 (*Deb Biswas, Operations Branch, Board Staff*)

Consider approval of Permit No. 19488 to alter approximately 1,250 linear feet of levee along the left (east) riverbank of Steamboat Slough by constructing a seepage cutoff wall through the levee centerline to address a critical underseepage deficiency. The seepage cutoff wall will be 30 inches wide and approximately 60 feet deep. The project will also address through seepage and landside slope stability deficiencies by repairing the landside slope. The proposed project is located along the left (east) bank of Steamboat Slough between Levee Mile (LM) 4.72 and LM 4.96, on Grand Island, south of the City of Sacramento and northeast of the town of Rio Vista. (Sacramento County)

C. Permit No. 19524 Taylor Morrison of California LLC (*Deb Biswas, Operations Branch, Board Staff*)

Consider approval of Permit No. 19524 to authorize the Auburn Ravine floodplain stabilization by placing sub-grade along the 5,500-foot long Ferrari Ranch Road alignment with a two-lane road with a median, bike lanes, sidewalks, and an off-street, multi-use trail, north of McBean Drive. The project also includes the excavation of the south overbank (including additional excavation of the existing pond) between the proposed Oak Tree Lane crossing and the existing McBean Park Drive crossing along the Auburn Ravine to increase flood attenuation and conveyance capacity. Trails for pedestrian use are proposed in the open space corridors along the Auburn Ravine. This project is related to Enforcement Case No. 15554. The project begins at the intersection of Ferrari Ranch Road and McBean Park Drive and runs north parallel to Auburn Ravine in the City of Lincoln. (Placer County)

D. Permit No. 19598, County of Kern (*Nate Kibret, Operations Branch, Board Staff*)

To authorize and rehabilitate the existing Adobe Peacock House for reuse as a visitor center as part of the Hart Park Peacock House Blight and Historic Rehabilitation Project. The project is located on the left (west) bank of the Kern River, just east of the intersection of Bison Drive and River Road, within Hart Memorial Park, northeast of the City of Bakersfield (Kern County).

E. Sacramento River Bank Protection Project, Transfer of Operation and Maintenance Responsibilities, Yolo County (*Mike Zelazo, Plan Implementation and Compliance Branch, Board Staff*)

Consider approval of Board Resolution 2021-08 that transfers operation and maintenance responsibilities of completed erosion protection and revegetation work along the west levee of the Sacramento River at River Mile 71.3 to Reclamation District 1600 and delegate the Executive Offer to sign and send a letter informing the District of the transfer.

F. Sacramento River Bank Protection Project, Transfer of Operation and Maintenance Responsibilities, Sutter County (*Mike Zelazo, Plan Implementation and Compliance Branch, Board Staff*)

Consider approval of Board Resolution 2021-09 that transfers operation and maintenance responsibilities of completed erosion protection and revegetation work along the east levee of the Feather River at River Miles 1.0 and 5.5 to Reclamation District 1001 and delegate the Executive Offer to sign and send a letter informing the District of the transfer.

G. American River Watershed Common Features, Water Resources Development Act of 2016 (ARCF 2016) Project, American River Contract 2 (*Jennifer Calles, Environmental Services and Land Management Branch, Board Staff; David Moldoff and Wilbur Huang, Department of Water Resources Flood Projects Branch*)

Consider adoption of Resolution Number 2021-11 to certify the ARCF 2016 Project, American River Contract 2 Supplemental Environmental Impacts Statement / Environmental Impact Report; adopt the Mitigation Monitoring and Reporting Program, Statement of Findings, and Statement of Overriding Considerations; approve the ARCF 2016 Project, American River Contract 2 Project; and delegate authority to the Executive Officer to execute the Notice of Determination.

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*)

8. U.S. 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*)

Department of Water Resources project updates and recent events

- B. 2022 Central Valley Flood Protection Plan Update (*Kristopher Tjernell, Deputy Director, Integrated Watershed Management, Department of Water Resources; Mary Jimenez, Manager, Systemwide Multibenefit Initiatives Branch, Department of Water Resources*)

Department of Water Resources staff will provide an overview of the 2022 CVFPP Update Working Draft and request review by the Central Valley Flood Protection Board and closely involved partners and stakeholders for early input. Specifically, this will include: an overview of CVFPP background; chapters of the working draft document with highlighted contents; and next steps for continued development of the 2022 CVFPP.

10. BOARD ITEMS

- A. Permit No. 19523 California Department of Water Resources (DWR), Yolo Bypass Salmonid Habitat Restoration and Fish Passage (Big Notch) Project (*Ali Porbaha, Plan Implementation and Compliance Branch, Board Staff; and Maninder Bahia, Division of Integrated Science and Engineering, Department of Water Resources*) (Action Item)

Consider adoption of Resolution 2021-10 to approve Permit number 19523 for the Yolo Bypass Salmonid Habitat Restoration and Fish Passage (Big Notch) project (Project) to allow increased flow from the Sacramento River to enter the Yolo Bypass through a gated notch on the east side of the Fremont Weir. The Project includes an intake channel from the Sacramento River to the new gated headworks structure (notch) in the Fremont Weir; a control building on the Yolo Bypass east levee; a transport channel from the headworks structure to the Tule Pond; downstream channel improvements from the Tule Pond through a wooded area to Agricultural Road Crossing 1; improvements to Agricultural Road Crossing 1 for fish passage and water delivery; and to install a conduit with electrical and networking components to provide the Fremont Weir Adult Fish Passage Structure with permanent, reliable power and network connection. The Project is located at the north end of the Yolo Bypass floodway along the Sacramento River (Yolo County).

- B. Mid-Valley Area Phase III Levee Reconstruction Project, Yolo County Service Area No. 6, Statement of No Objection (*Mike Zelazo, Plan Implementation and Compliance Branch*) (Action Item)

Consider approval of a Statement of No Objection to be issued to the U.S. Army Corps of Engineers (USACE) pursuant to 33 USC 408 (Section 408) requesting that

USACE evaluate the Section 408 request to alter levees of the Sacramento River Flood Control Project (SRFCP) in the vicinity of Knights Landing. Yolo County Service Area No. 6 proposes to construct a slurry cutoff wall, regrade the levee crown and slope to meet current design standards, and place aggregate base on the levee crown at two sites on the right (west) levee of the Sacramento River within Unit 127 of the SRFCP approximately two miles east-southeast of Knights Landing.

- C. American River Watershed Common Features, Water Resources Development Act of 2016 (ARCF 2016) Project, Sacramento River East Levee Contract 3
(Jennifer Calles, Environmental Services and Land Management Branch, Board Staff; Kyle Bickler and Kalia Schuster, Department of Water Resources Flood Projects Branch) **(Informational)**

Informational briefing on the Supplemental Environmental Impact Report/Environmental Assessment for the ARCF 2016 Project, Sacramento River East Levee Contract 3, which consists of the installation of approximately 10,580 cumulative feet of cutoff wall along the Sacramento River to address seepage and stability.

- D. Regional Flood Management Plan Update – Lower Sacramento / Delta North
(Ruth Darling, Flood Planning and Programs Branch, Board Staff; Greg Fabun, City of West Sacramento; Gary Bardini, Sacramento Area Flood Control Agency)
(Informational)

Informational briefing on the status of the planning efforts for the Lower Sacramento/Delta North Regional Flood Management Plan (RFMP). Representatives from the Lower Sacramento/Delta North RFMP will provide background on the accomplishments of their planning efforts, projects completed and information on the current RFMP update.

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, October 13, 2021 (WebEx)
- Board Workshop, October 8, 2021 (WebEx)
- Board Meeting, October 22, 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