

CENTRAL VALLEY FLOOD PROTECTION BOARD

California Natural Resources Agency – State of California

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BOARD MEMBERS

Jane Dolan, President
Mike Villines, Vice-President
Brian Johnson, Secretary
Joe Countryman
Mary Jane Griego
Tim Ramirez
VACANCY
Assembly Member Rebecca Bauer-Kahan, Ex Officio
State Senator Henry Stern, Ex Officio

Sarah Backus
Executive Officer

Kanwarjit (Jit) Dua
Board Counsel

AGENDA

CENTRAL VALLEY FLOOD PROTECTION BOARD MEETING

August 26, 2022 – 9:00 a.m.

Hybrid Meeting

WebEx and California Natural Resources Building, First Floor Auditorium

715 P St, Sacramento, CA 95814

Due to the COVID-19 outbreak we encourage that the public attend the meeting virtually and view the webcast of this meeting via the link provided on the event page. See page 8 of this agenda for sign-in information

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

1. WELCOME, INTRODUCTIONS, AND ANNOUNCEMENTS

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

3. APPROVAL OF MINUTES (Action Item)

- June 24, 2022 minutes

4. REVIEW OF AGENDA

5. CONSENT ITEMS (Action Item)

A. Permit No. 19597 Pacific Gas & Electric Company – Replacement of Distribution Feeder Main 0630 (DFM-0630/R-1385) Across the Sacramento River: L-130 Crossing (*Jacqueline Hoang, Operations Branch, Board Staff*)

Consider approval of Permit 19597 to remove and replace an existing 10-inch diameter (L-130) gas pipeline with a new 16-inch diameter steel natural gas pipeline across the Sacramento River (River). The first phase of the project, called the Replacement Pipeline Installation Phase, or Phase 1, consists of installing a 16-inch diameter gas pipeline beneath the River and the levee on the left (east) side of the River using Horizontal Directional Drilling (HDD) methods. The second phase of the project, called the Pipeline Decommissioning Phase, or Phase 2, consists of decommissioning portions of existing pipelines owned by PG&E, which will no longer be in service after the replacement pipeline is installed. Approximately 2,942 feet of pipeline will be removed (Solano County).

B. Permit No. 19657 City of Visalia Public Works Department (*Deb Biswas, Operations Branch, Board Staff*)

Consider approval of Permit No. 19657 to construct a new concrete inlet structure, a new concrete outlet structure, a 355-foot long and 48-inch diameter rubber gasket reinforced concrete pipeline (RGRCP) between the new inlet structure and detention basin, and an 80-foot long and 24-inch diameter RGRCP between the detention basin and new outlet structure to enable the surplus water in the Kaweah River to be temporarily held in the adjacent Peoples Basin. This project is part of a larger effort to reduce the flood risk and to increase the groundwater recharge in the vicinity. The project is located within and adjacent to the Kaweah River, approximately 8 miles upstream (east) of the City of Visalia (Tulare County).

C. Permit No. 19659 Caltrans (*Nate Kibret, Operations Branch, Board Staff*)

To authorize an existing 113 feet long, 40 feet wide single span reinforced concrete bridge across the North Branch of Mud Slough. The bridge is located where State Route 140 crosses the North Branch of Mud Slough, approximately 5.2 miles northeast of the town of Gustine (Merced County).

D. Permit No. 19665 Yolo County – Cache Creek Huff’s Corner Levee Restoration
(*Jacqueline Hoang, Operations Branch, Board Staff*)

Consider approval of Permit No. 19665 to restore the 2,700-foot reach of Huff’s Corner levee to its original 1957 design profile height. The project includes removing and replacing 1,100 feet of County Road 18 which is located on the levee crown, widening the base of the levee on the land side by approximately 12 to 15 feet, degrading the portion of the levee extending northward from the hairpin turn of County Road 18 to I-5, and constructing a new levee in the same location as the subsided portion (Yolo County).

E. Sacramento River Bank Protection Project, Transfer of Operation and Maintenance Responsibilities (*Mike Zelazo, Flood System Improvement Branch, Board Staff*)

Consider adopting Board Resolution 2022-10 that approves the transfer of operation and maintenance responsibilities of completed erosion protection and revegetation work along the Sacramento River West Levee at River Mile 42.7 to Reclamation District 999 (RD 999) and delegate the Executive Officer to sign and send a letter informing RD 999 of the transfer (Yolo County).

F. Sacramento River Bank Protection Project, Transfer of Operation and Maintenance Responsibilities (*Mike Zelazo, Flood System Improvement Branch, Board Staff*)

Consider adopting Board Resolution 2022-15 that approves the transfer of operation and maintenance responsibilities of completed erosion protection and revegetation work along the Sacramento River East Levee at River Mile 149.0 to the California Department of Water Resources Sutter Maintenance Yard (Sutter Yard) and delegate the Executive Officer to sign and send a letter informing the Sutter Yard of the transfer (Colusa County).

G. Yuba River Basin Project, Marysville Ring Levee, Phase 2A North and Phase 2A South, Transfer of Operation and Maintenance Responsibilities (*Mike Zelazo, Flood System Improvement Branch, Board Staff*)

Consider adopting Board Resolution 2022-16 that approves the transfer of operation and maintenance responsibilities of completed levee improvements and encroachments on the Feather River East Levee between Levee Miles 0.45 to 1.27 to the Marysville Levee District (District) and delegate the Executive Officer to sign and send a letter informing the District of the transfer (Yuba County).

H. Reclamation District 150 – Merritt Island Letter of Intent (*Eric Miao, Operations Branch, Board Staff*)

Consider authorizing the Executive Officer to transmit a Letter of Intent to develop and implement a System-Wide Improvement Framework to the USACE, prepared by Reclamation District 150 for the Reclamation District 150 – Merritt Island Levee System as defined by the USACE’s Periodic Inspection Report dated March 19, 2015 (Yolo County).

6. PUBLIC COMMENT (non-agenda items only)

7. LEGISLATIVE UPDATE (Informational)

- A. An update on pertinent State legislation and federal news will be provided in the Executive Officer's monthly report.

8. UNITED STATES ARMY CORPS OF ENGINEERS (Informational)

- A. Knights Landing Unit 2 - Yolo Bypass - Service Area 6 levee system (*Eric Miao, Operations Branch, Board Staff; Juan Gonzalez, Chief, Inspection Section, U.S. Army Corps of Engineers*)

Presentation of Levee Inspection Results for the Knights Landing Unit 2 - Yolo Bypass - Service Area 6 Levee System. (Sutter and Yolo Counties)

9. DEPARTMENT OF WATER RESOURCES ITEMS (Informational)

- A. Monthly Report of the Department of Water Resources

Written Submittal

- B. 2022 Central Valley Flood Protection Plan Update – Tribal Engagement (*Anecita Agustinez, Tribal Policy Advisor, DWR and Andrea Buckley, Environmental Services and Land Management Division, Board Staff*)

California Department of Water Resources (DWR) is the California Environmental Quality Act lead on the Central Valley Flood Protection Plan (CVFPP). DWR staff will provide an update on Tribal engagement and Tribal consultation for the 2022 CVFPP Update, focusing on the commitment to meaningful collaboration and government to government consultation with California Native American Tribes* traditionally and culturally affiliated with interest in the 2022 CVFPP Planning area, pursuant to Assembly Bill 52, the California Natural Resources Agency's Tribal Consultation Policy, and DWR's Tribal Engagement Policy.

*Affirmed by Executive Order B-10-11, affirmed N-15-19 and SB18 (2005)

- C. 2022 Central Valley Flood Protection Plan Update Risk Analysis Briefing (*Jason Sidley, Manager, Division of Multi-Benefit Initiatives, Department of Water Resources; Steve Cowdin, Research Data Specialist III, Division of Multi-Benefit Initiatives, Department of Water Resources; and Joanna Leu, Senior Water Resources Engineer, HDR*)

A brief overview will be provided on the 2022 Central Valley Flood Protection Plan Update risk analysis focusing on the Sacramento and San Joaquin River Basins Regional Flood Management Plan flood damage and life loss results.

10. BOARD ITEMS

- A. 2022 Central Valley Flood Protection Plan Update (*Ruth Darling, Flood Planning and Programs Division, Board Staff*) **(Informational)**

Board staff will provide an informational briefing on Board workshops conducted in July and August and aimed at addressing comments received on the Public Draft of the 2022 Central Valley Flood Protection Plan Update.

- B. Enforcement Case No. 2022-15450 Steven and Dawn May (*Peter Thyberg, Staff Counsel; Jenny Tu, Operations Branch, Board Staff*) **(Action Item)**

Consider affirmation of the Cease and Desist Order issued to Mr. Steven and Mrs. Dawn May on July 21, 2022. This enforcement case is located on the right bank of Putah Creek adjacent to Putah Creek Federal Levee Unit 2 at 9155 Olmo Lane in Davis, California (APN 0110-100-010) in Solano County.

- C. Folsom Dam Raise Modifications Project (*Angela Nguyen-Tan, Environmental Services and Land Management Branch, Board Staff; Alcenat Honorat and Kalia Schuster, Department of Water Resources Flood Projects Branch*) **(Action Item)**

Consider adoption of Resolution 2022-09 to certify the 2022 Supplemental Environmental Impact Statement/Environmental Impact Report for the Folsom Dam Raise Modifications Project; adopt the Mitigation Monitoring and Reporting Program, Statement of Findings, and Statement of Overriding Considerations; approve the Folsom Dam Raise Modifications Project; and delegate authority to the Executive Officer to execute the Notice of Determination.

- D. Permit No. 19615, Mid-Valley Area Phase III Levee Reconstruction Project, Right Bank Sacramento River, Sites 9 and 10, Yolo County Service Area 6 (*Mike Zelazo, Flood System Improvement Branch, Board Staff*) **(Action Item)**

Consider adoption of Board Resolution 2022-17 that conditionally approves Permit No. 19615 for the Mid-Valley Area Phase III Levee Reconstruction Project, Right Bank Sacramento River, Sites 9 and 10 to reduce the flood risk to the small, disadvantaged community of Knights Landing by constructing shallow cutoff walls at two sites totaling 1,700 feet in length and making other levee improvements along the right (west) bank of the Sacramento River between Levee Miles 2.6 and 3.3.

- E. Lower San Joaquin River Feasibility Cost Share Agreement and Local Feasibility Cost Share Agreement Upcoming Study (*Dustin Sanoski, Flood System Improvement Branch, Board Staff; Ryan Young, Department of Water Resources; Margaret Engesser, USACE*) **(Informational)**

Board, DWR, and USACE staff will give an informational briefing on a Feasibility Cost Share Agreement among the USACE, the Board, and the San Joaquin Area Flood Control Agency, and a Local Feasibility Cost Share Agreement between the Board and the San Joaquin Area Flood Control Agency, for an upcoming feasibility study on the Lower San Joaquin River.

- F. American River Watershed Common Features, Water Resources Development Act of 2016 (ARCF 2016) Project, Sacramento River Erosion Contract 2 (*Jennifer Calles, Environmental Services and Land Management Branch, Board Staff; Alessia Siclari, Susie Real, Department of Water Resources Flood Projects Branch*) **(Informational)**

Informational briefing on the Supplemental Environmental Assessment/Environmental Impact Report for the ARCF 2016 Project, Sacramento River Erosion Contract 2, which consists of the installation of approximately 14,950 linear feet of bank protection and approximately 3 acres of planting benches along the east levee of the Sacramento River in Sacramento, California.

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 Flood System Improvement 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

- FMA Annual Conference, September 6-9, 2022 (Sacramento)
- Coordinating Committee, September 21, 2022 (WebEx)
- Board Meeting, September 23, 2022 (Hybrid/CNRA Auditorium)

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., San Joaquin County Superior Court Case No. 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 (e)(i). To discuss litigation: The People of The State vs. Yeung Farms Enterprises, Superior Court of the State of California, County of Yolo CV-2020-330. *(Kanwarjit (Jit) Dua, Board Counsel)*

- D. 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)*

- E. Pursuant to the authority of Government Code section 11126, subdivisions (a)(1) and (b), the Board will meet to consider the appointment of an Executive Officer to the Board.

15. CLOSED SESSION REPORT (Action Item)

16. ADJOURNMENT

PUBLIC COMMENTS FOR HYBRID 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.

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