

CENTRAL VALLEY FLOOD PROTECTION BOARD

California Natural Resources Agency – State of California

CVFPB Office Location
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AGENDA

CENTRAL VALLEY FLOOD PROTECTION BOARD MEETING

Friday, June 23, 2023 – 9:00 a.m.

**Sacramento Area Council of Governments
1415 L St #300 (Third Floor) Sacramento, CA 95814**

Meetings will be both in person and online. In person attendees are encouraged to follow Covid and flu season protocols. See page 6 of this agenda for online 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)

BOARD MEMBERS

Jane Dolan, President

Mike Villines, Vice-President

Brian Johnson, Secretary

Keely Bosler

Joe Countryman

Mary Jane Griego

Tim Ramirez

Assembly Member Rebecca Bauer-Kahan, Ex Officio

State Senator Dave Min, Ex Officio

3. REVIEW OF AGENDA

4. APPROVAL OF MINUTES (Action)

- April 28, 2023

5. CONSENT ITEMS (Action)

A. Permit 19727 City of Roseville Public Works (*Humberto Negrete, Operations Branch, Board Staff*)

Approve permit 19727 authorizing the following features associated with Phase 1 of the Dry Creek Greenway East Trail (DCGET) Project: widening the existing Darling Way bridge where it spans Dry Creek; relocating an existing 12-inch diameter water main attached to the bridge; and constructing a new paved multi-use off-street trail with an undercrossing, access ramp, retaining walls, erosion control, and storm drains with outfalls along approximately 400-feet of the right (west) bank of Dry Creek. A temporary water diversion will be needed for construction (Placer County).

B. Permit 19728 City of Roseville Public Works (*Humberto Negrete, Operations Branch, Board Staff*)

Approve permit 19728 authorizing the following features associated with Phase 1 of the Dry Creek Greenway East Trail (DCGET) Project: constructing a new 110-foot-long pedestrian steel bridge (Bridge No. 2) crossing Dry Creek with rock slope protection at the new bridge abutments; and constructing a new paved multi-use off-street trail with a trailhead facility, access ramps, erosion control, and storm drains with outfalls along approximately 300-feet of the right (west) bank of Dry Creek. A temporary water diversion will be needed for construction (Placer County).

C. Permit 19729 City of Roseville Public Works (*Humberto Negrete, Operations Branch, Board Staff*)

Approve permit 19729 authorizing the following features associated with Phase 1 of the Dry Creek Greenway East Trail (DCGET) Project: constructing a 155-foot-long pedestrian steel bridge (Bridge No. 4) crossing Cirby Creek with rock slope protection at the new bridge abutments; and constructing approximately one mile of a new paved multi-use off-street trail with retaining walls, riprap, undercrossing, and storm drains with outfalls along the left bank of Cirby Creek. Temporary water diversions will be needed for construction (Placer County).

D. Permit 19730 City of Roseville Public Works (*Humberto Negrete, Operations Branch, Board Staff*)

Approve permit 19730 authorizing the following features associated with Phase 1 of the Dry Creek Greenway East Trail (DCGET) Project: constructing an 80-foot-long pedestrian steel bridge (Bridge No. 14) crossing Linda Creek with rock slope protection at the new bridge abutments; and constructing approximately 1 mile of a new paved multi-use off-street trail with retaining walls, riprap, undercrossing, and storm drains with outfalls along the left and right banks of Linda Creek. Temporary water diversions will be needed for construction (Placer County).

E. Permit No. 19445-4 City of Sacramento Water Forum (*Jacqueline Hoang, Operations Branch, Board Staff*)

Approve Permit No. 19445-4 to perform habitat restoration activities as part of the Lower American River (LAR) Anadromous Fish Habitat Restoration Project - Upper River Bend Phase 1 site, previously authorized under Programmatic Letter of Permission 408-SPK-2022-0009. Project activities include excavating, sorting, grading, and placing materials on side channel and in channel; establishing temporary site access routes; placing 43 instream woody habitat structures; and planting 3.7 acres of shaded riverine aquatic vegetation (such as willows) along project margins. This project is located along approximately 0.9-mile stretch of the American River beginning approximately 4.2 miles downstream from the Sunrise Bridge crossing over the American River in Sacramento County, California (Sacramento County).

6. PUBLIC COMMENT (non-agenda items only)

7. LEGISLATIVE UPDATE (Information)

A. An update on pertinent State legislation and federal news will be provided.

8. UNITED STATES ARMY CORPS OF ENGINEERS (Information)

9. DEPARTMENT OF WATER RESOURCES ITEMS (Information)

- A. Report of the Department of Water Resources (Written)
- B. Delta Levee Maintenance Subventions Program (*Sandra Maxwell, Division of MultiBenefit Initiatives, Department of Water Resources*) (Action)

Approval of the FY2023-24 Subventions Program Funding Allocation Plan, FY2022-23 AMENDED Funding Allocation Plan and FY2021-22 Subventions Program Estimated Reimbursement Summary.

10. BOARD ITEMS

- A. Resolution No. 2023-06, Project Partnership Agreement, Sacramento River Bank Protection Project (*Mike Zelazo, Flood System Improvement Branch, Board Staff*) (Action)

Adopt Resolution No. 2023-06, to approve the Project Partnership Agreement (PPA) between the federal government, represented by the U.S. Army Corps of Engineers, and the State of California, represented by the Central Valley Flood Protection Board, for the Sacramento River Bank Protection Project, Phase II supplemental authorization for an additional 80,000 feet of bank protection measures (Project). The PPA describes the Project and the responsibilities of the parties in cost-sharing and implementing the work, including design, construction, and long-term operation and maintenance. The Project is located along the Sacramento River Flood Control Project levee system from Solano County in the south up through Butte County and into Tehama County.

- B. Third Supplement to the Memorandum of Understanding Respecting the Sacramento River Flood Control Project (*Mike Zelazo, Flood System Improvement Branch, Board Staff*) (Action)

Approve the Third Supplement to the Memorandum of Understanding (MOU) Respecting the Sacramento River Flood Control Project (SRFCP) due to the completion of the 200-Year Goldfields Levee Project (Project). The Project consists of a new levee embankment 2.6 miles in length, the degrade of 0.2 miles of the existing Yuba River left bank levee, and appurtenant system improvements. Federal authorization for the Project is provided by Section 1305 of the Water Resources Development Act of 2018, which requires the U.S. Army Corps of Engineers to amend the SRFCP MOU to reflect the modified levee length (Yuba County).

C. Statement of No Objection, Sutter Butte Flood Control Agency, Tudor Flood Risk Reduction Project. (*Dustin Sanoski, Flood System Improvement Branch, Board Staff*) **(Information)**

Approve the initial Statement of No Objection 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 Nicolaus in Sutter County. Sutter Butte Flood Control Agency proposes to construct 8,800 linear feet of soil-bentonite cutoff wall on the west levee of the Feather River within Unit 143 of the SRFCP approximately sixteen miles south of Yuba City (Sutter County).

D. Yolo Bypass Comprehensive Study Feasibility Cost Share Agreement and Local Feasibility Cost Share Agreement (*Ruth Darling, Flood Planning and Programs Branch, Board Staff*) **(Information)**

Board staff will provide an informational briefing on a Feasibility Cost Share Agreement among the USACE, the Board, and the Sacramento Area Flood Control Agency, and a Local Feasibility Cost Share Agreement between the Board and the Sacramento Area Flood Control Agency, for an upcoming Comprehensive Study for the Yolo Bypass.

E. 2023 Tulare Basin Hydrology and Flooding (*Yiguo Liang, Board Operations Branch Chief, Board Staff*) **(Information)**

Informational briefing on current hydrological conditions and flooding concerns in the Tulare Basin.

F. Middle Mile Broadband Initiative Update (*Michael C. Wright, Chief Engineer, Board Staff*) **(Information)**

Informational briefing on staff activities related to the Middle Mile Broadband Initiative.

G. Board Staff Activities Report – Flood Planning and Programs Branch (*Ruth Darling, Flood Planning and Programs Branch Manager, Board Staff*) **(Information)**

Informational briefing on the activities of the Flood Planning and Programs Branch.

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

12. BOARD COMMENTS AND COMMITTEE UPDATES

13. UPCOMING BOARD MEETINGS

- Coordinating Committee, Wednesday, June 28, 2023 (Hybrid/TBD)
- Board Workshop July 14, 2023 (Hybrid/SACOG)
- Board Meeting, July 28, 2023 (Hybrid/SACOG)

14. CLOSED SESSION

- A. Pursuant to the authority of Government Code section 11126 (e)(i). To discuss litigation: Sierra Northern Railway vs. Central Valley Flood Protection Board, et al., Superior Court of the State of California, County of Yolo Case No. CV-2022-0479. *(Kanwarjit (Jit) Dua, Board Counsel)*
- B. 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)*
- C. 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)*
- D. 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)*
- E. 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)*
- F. Pursuant to the authority of Government Code section 11126, subdivisions (a)(1), (the Board will meet in Closed Session to consider personnel matters. *(Kanwarjit (Jit) Dua, Board Counsel)*

15. CLOSED SESSION REPORT (Action)

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:*
Passcode:
- 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*
- b) *Enter passcode:*
- 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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For technical support during the meeting, please send your question to Questions@CVFlood.ca.gov.