

# CENTRAL VALLEY FLOOD PROTECTION BOARD

California Natural Resources Agency – State of California

CVFPB Office Location  
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## **AGENDA**

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### CENTRAL VALLEY FLOOD PROTECTION BOARD MEETING

**Friday, July 28, 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.**

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*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](mailto: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
- May 26, 2023

## 5. CONSENT ITEMS (Action)

### A. Permit 19575 Stockton East Water District (*Deb Biswas, Operations Branch, Board Staff*)

Approve Permit 19575 to remove an existing low water crossing across Mormon Slough and replace it with a precast concrete box culvert as part of the Hosie Low-Water Road Crossing Fish Passage Project. The proposed project is located approximately 1.25 miles southeast of Linden, at Mormon Slough River Mile 13.2 (San Joaquin County).

### B. Final Statement of No Objection, Permit Application 19643, Black Rascal Creek Flood Control Project (*Mike Zelazo, Flood System Improvement Branch, Board Staff*)

Approve the final Statement of No Objection to the U.S. Army Corps of Engineers pursuant to 33 USC 408 affirming that the Board supports Merced County Stream Group's proposed alteration to the federal channels and levees through the Black Rascal Creek Flood Control Project in Merced County and agrees to assume operation and maintenance responsibilities for the completed work as the non-federal sponsor. Approval also authorizes Board staff to transfer operation and maintenance responsibilities to Merced County once the project is complete. The purpose of the project is to construct a flood control detention basin to provide flood attenuation and reduce flood-related damages to the city of Merced and surrounding areas (Merced County).

C. Permit 19702 - Stanislaus County Public Works, 7th St Bridge Replacement Project (*Sagun Bhattarai, Operations Branch, Board Staff*)

Approve Permit 19702 to remove and replace the existing 1,165-foot long, 35-foot wide, 14-span structurally and functionally deficient bridge (#38C0023) with a new 1,238-foot long, 79-foot wide, 8-span arched, cast-in-place concrete box girder bridge over the Tuolumne River. (Stanislaus County).

**6. PUBLIC COMMENT** (non-agenda items only)

**7. LEGISLATIVE UPDATE** (Information)

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

**8. UNITED STATES ARMY CORPS OF ENGINEERS** (Information)

A. Cache Creek Unit 1 – Yolo Bypass Unit 2 – Knights Landing Unit 1 Levee System (*Eric Miao, Operations Branch, Board Staff; Ryan Larson, Levees and Channels Branch, U.S. Army Corps of Engineers*)

Presentation of Levee Inspection Results for Cache Creek Unit 1 – Yolo Bypass Unit 2 – Knights Landing Unit 1 Levee System (Yolo County).

**9. DEPARTMENT OF WATER RESOURCES ITEMS** (Information)

A. Report of the Department of Water Resources (Written)

B. Delta Conveyance Project (*Carrie Buckman, Department of Water Resources, Environmental Program Manager*)

Informational briefing on the status of the Delta Conveyance Project (DCP) including the Environmental Impact Report (EIR) for the DCP, public comments received on the Draft EIR, and next steps.

## 10. BOARD ITEMS

- A. Yolo Bypass Comprehensive Study Feasibility Cost Share Agreement and Local Feasibility Cost Share Agreement (*Ruth Darling, Flood Planning and Programs Branch, Board Staff; Mary Jimenez, Manager, Systemwide Multibenefit Initiatives Branch, Department of Water Resources*) **(Action)**

Adopt Resolution 2023-07 to approve a Feasibility Cost Share Agreement among the U.S. Army Corps of Engineers, the Central Valley Flood Protection Board (Board), and the Sacramento Area Flood Control Agency (SAFCA) and a Local Feasibility Cost Share Agreement between the Board and SAFCA, for a comprehensive study to investigate alternatives intended to improve flood risk management, ecosystem restoration, recreational opportunities, and other features in the Yolo Bypass region.

- B. Sacramento and San Joaquin Drainage District Assessment District Feasibility Study (*Ruth Darling, Flood Planning and Programs Branch, Board Staff; Scott Brown, Larsen Wurzel & Associates, Inc.*) **(Information)**

The team will provide a briefing on the Sacramento and San Joaquin Drainage District Assessment District Feasibility Study, detailing the status of the study and preliminary results in advance of the draft Report of Findings, to be released this year.

- C. U.S. Army Corps of Engineers Public Law (PL) 84-99 Rehabilitation Assistance for 2023 Storms (*Angeles Caliso, Enforcement Section Chief, Board Staff*) **(Information)**

Board staff will provide an update on current activities related to the U.S. Army Corps of Engineers Public Law 84-99 Rehabilitation Assistance for the 2023 storms.

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

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

- E. 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.

## 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

- Board Workshop, August 11, 2023 (Hybrid/SACOG)
- Coordinating Committee, August 23, 2023 (TBD)
- Board Meeting, August 25, 2023 (Hybrid/Sacramento City Hall)

## 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: 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)*
- 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](mailto: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](mailto: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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