

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, October 27, 2023 – 9:00 a.m.

Sacramento City Hall, 915 I St. 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 with 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 kathryn.baines@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)

- September 22, 2023

5. CONSENT ITEMS (Action)

A. Reclamation District (RD) 2062 and RD 2107 – Stewart Tract Letter of Intent (*Jenny Tu, Operations Branch, Board Staff*)

Authorize the Executive Officer to transmit a Letter of Intent to develop and implement a System-Wide Improvement Framework to the United States Army Corps of Engineers (USACE) as defined by the USACE's Periodic Inspection Report dated January 2015.

B. Permit No. 19638 Thomas Dwelling (*Humberto Negrete, Operations Branch, Board Staff*)

Approve Permit No. 19638 to construct a 1,512-square-foot single-family residence, including a septic tank and leach field and to authorize an existing well and related utility poles. The project is located directly south of Powell Road, about 0.5 miles east of Unit No. 03 Yuba River Federal Levee Centerline, and 1.82 miles northeast of the city of Marysville. (Yuba County)

C. Permit No. 19745 Department of Water Resources (*Deb Biswas, Operations Branch, Board Staff*)

Approve Permit No. 19745 to demolish and remove the two existing (44 foot x 10 foot) trailers and adjacent decking and replace them with a modular building in the same location (including the utility connections). The project also includes the construction of an overhead cover for boat parking and the demolition/removal of an existing fire pump house and Tuff shed adjacent to the existing structure. The proposed project is located 0.4 miles east of Interstate 80 and 133 feet north of Riverbank Road in West Sacramento. (Yolo 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. Maintenance Area 13 Cherokee Canal Levee Systems (*Angeles Caliso, Enforcement Section Chief, Board Staff; Juan Gonzalez, Chief, Inspection Section, U.S. Army Corps of Engineers*)

Presentation of the U.S. Army Corps of Engineers' Levee Inspection Results for the Maintenance Area 13 Cherokee Canal Levee Systems. (Butte County)

9. DEPARTMENT OF WATER RESOURCES ITEMS (Information)

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

- B. Flood Risk Notification Program (*DWR Staff*)

The Flood Risk Notification (FRN) Program is an annually reoccurring program managed by the Department of Water Resources and mandated by the California Water Code (§ 9121). The FRN Program communicates flood risk awareness to the public and individual property owners, as well as local, state, and federal agencies. The Department mails out approximately 300,000 flyers each year to people in 17 counties in the Levee Flood Protection Zone.

10. BOARD ITEMS (Action)

- A. American River Watershed Common Features Water Resources Development Act 2016 (ARCF 2016), Sacramento River Erosion Contract 4 Project (*Jamie Silva, Senior Environmental Scientist, Board Staff*)

Adopt Resolution 2023-04 to certify the ARCF 2016, Sacramento River Erosion Contract 4 Supplemental Environmental Impact Report/Environmental Assessment; adopt the Statement of Findings, Statement of Overriding Considerations, and Mitigation Monitoring and Reporting Program; approve the ARCF 2016, Sacramento River Erosion Contract 4 Project; and delegate authority to the Executive Officer to execute the Notice of Determination.

- B. Statement of Necessary Work to form a State Maintenance Area for portions of Reclamation Districts (RD) 784 and RD 817 (*Michael Zelazo, Flood System Improvement Branch, Board Staff*)

Adopt the Department of Water Resource's Statement of Necessary Work to form a State Maintenance Area for operation and maintenance of portions of Reclamation District 784 including Unit No. 5 (Interceptor Canal), Unit No. 3 (Bear River), and Unit No. 6 (South Dry Creek), and Unit No. 3 (South Dry Creek) of Reclamation District 817, and direct staff to proceed with the State Maintenance Area formation process. In accordance with California Water Code Section 12878.1, Reclamation Districts 784 and 817 requested the Central Valley Flood Protection Board to form a State Maintenance Area. (Yuba County)

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 MEETINGS

- Board Executive Committee Meeting, October 27, 2023 (Sacramento City Hall / Zoom)
- Board Meeting, November 17, 2023 (Sacramento City Hall / Zoom)
- Board Workshop, December 8, 2023 (SACOG / Zoom)
- Board Meeting, December 15, 2023 (Sacramento City Hall / Zoom)

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)*
- E. 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: cvfpb.ca.gov*
- b) *Navigate to the “Meetings” page.*
- c) *Identify the current meeting, and click on the link to the meeting webcast:*

<https://cityofsacramento-org.zoom.us/j/94975920325?pwd=eXM2MldMbmJ2QzhDL2hWc1JPdmRyZz09>

- d) *Passcode: 276307*
- e) *We recommend that you test out your device and internet connection well before attempting to join the meeting.*
- f) *You will automatically be muted when joining as an attendee*

How to join the meeting by telephone:

- a) *Dial: +16699006833, then enter 94975920325#*
- b) *Enter passcode: *2763073*
- 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 kathryn.baines@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 kathryn.baines@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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