

MINUTES

MEETING OF THE CENTRAL VALLEY FLOOD PROTECTION BOARD

June 28, 2024

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 HEARD IN ANY ORDER. THESE MINUTES ARE PRESENTED IN AGENDA ORDER, BUT ITEMS WERE NOT NECESSARILY HEARD IN THAT ORDER.

A regular meeting of the Central Valley Flood Protection Board was held at the Sacramento Area Council of Governments Building, Third Floor, 1415 L Street, Sacramento, California and concurrently online (on WebEx) on June 28, 2024, beginning at 9:07 a.m.

Board Members present:

Jane Dolan, President
Mike Villines, Vice President
Brian Johnson, Secretary
Betty Andrews
Joe Countryman
Mary Jane Griego
Keely Bosler

Board staff present:

Christopher Lief, Executive Officer
Andrea Buckley, Deputy Executive Officer, Land Management Branch, Environmental Services and Flood Planning Programs
Kanwarjit (Jit) Dua, General Counsel
Michael Wright, Chief Engineer
Zubair Dosu, Manager, Deferred Encroachment Compliance Section, Operations Branch
Jonah Knapp, Board Clerk
Mike Zelazo, Senior Engineer, Flood System Improvement Branch

Department of Water Resources:

Sandra Maxwell, Senior Engineer
Mark List, Flood Maintenance Office Technical Support Section Manager

Also present:

Juan Gonzalez, United States Army Corps of Engineers
Brenda Gustin
Brian Manning, Desmond Law Firm, representing Michael Rue

Also present (continued):

Tessa Marlow, Kjeldsen, Sinnock & Neudeck
Mick Martin
Sarah Martin
Pete Spaulding, americanrivertrees.org

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

Jonah Knapp, Board Clerk, called the roll and a quorum was established.

2. WELCOME, INTRODUCTIONS AND ANNOUNCEMENTS

Jane Dolan, Board President, welcomed the participants and introduced Gubernatorial appointee Betty Andrews as the newest Board Member.

Executive Officer Christopher Lief introduced Abigail Muntean, a Youth Aid working in the Operations Branch.

Mr. Lief acknowledged the successful Proposition 238 vote on the Mossdale Track area flood protection assessment, which was approved on June 21st. The San Joaquin Area Flood Control Agency Board will consider approval and implementation of the assessment, which will last approximately 31 years and raise about \$130 million in local funding.

Mr. Lief also noted that the Board has a new *listserv* in place that people can sign up for to get email notifications about when meeting notices are published. A link to the electronic version is available on the Board's website.

3. REVIEW AGENDA

President Dolan reviewed the agenda.

4. APPROVE MINUTES of April 26, 2024 and May 17, 2024

Approval of the May 17, 2024 Minutes was postponed.

Upon motion by Secretary Johnson, seconded by Board Member Griego, the Board unanimously approved, by a 6-0 vote, the April 26, 2024 Minutes (abstained-Andrews).

5. CONSENT ITEMS

- A. Approve Permit No. 19445-5, City of Sacramento – Water Forum, Lower American River Salmonid Habitat Enhancement Program at River Bend, American River, Sacramento County - Jillian Benci-Woodward, Board staff, Operations Branch**

- B. Approve Permit No. 19526, Reclamation District 2062 Check Dams Project, Paradise Cut, San Joaquin County - Humberto Negrete, Board Staff, Operations Branch**
- C. Approve Permit No. 19639, Sukhy Samra & Neetu Kamboj – Single Family Residence, Sacramento River, Yolo County - Celina Ortega, Board Staff, Operations Branch**
- D. Approve Permit No. 19670, Navjeet Kaur – Single Family Residence, Sacramento River, Yolo County - Celina Ortega, Board Staff, Operations Branch**
- E. Approve Permit No. 19792, Swanston Ranch, Inc. Pump Station Project, Yolo Bypass, Yolo County - Humberto Negrete, Board Staff, Operations Branch**
- F. Approve Permit No. 19860, County of Tulare – Avenue 428 Bridge, Sand Creek, Tulare County - Celina Ortega, Board Staff, Operations Branch**
- G. Approve Permit No. 19870, City of Roseville Water Distribution System Improvements Project – Douglas Blvd/Dry Creek Bridge, Dry Creek, Placer County - Jillian Benci-Woodward, Board Staff, Operations Branch**

Upon motion by Board Member Griego, seconded by Board Member Countryman, the Board unanimously approved Consent Items 5A, 5B, 5C, 5D, 5E, 5F and 5G.

6. PUBLIC COMMENTS

Mick Martin, Woodland resident, commented on the continued efforts to provide flood protection to his neighborhood in northern Woodland, which is in a flood risk zone.

Sarah Martin, Woodland resident, requested that the Board continue to advocate for and pursue flood protection in the City of Woodland and explained to the Board her perceptions on the Measure M vote back in March and why it should in no way be considered a mandate.

Ms. Martin also spoke on behalf of Sandy Marks Simpson, another Woodland resident, who wrote a letter asking that the Board continue to work on a plan to help protect Woodland.

Pete Spaulding, americanrivertrees.org, commented on Contracts 3B and 4B of the American River Common Features Project.

Brenda Gustin also commented on Contracts 3B and 4B.

7. LEGISLATIVE UPDATE

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

President Dolan noted that the Board received the written update.

Executive Officer Lief added that, after Board staff submitted the written update, the House version of the Water Resources Development Act (WRDA), WRDA 2024, was released earlier in the week and went through a markup session. Both the House and Senate versions are going through the legislative process.

8. UNITED STATES ARMY CORPS OF ENGINEERS (USACE)

Presentation of the USACE levee inspection results for the Wadsworth Canal Right Bank – Sutter Bypass East Levee System, Sutter County.

Zubair Dosu, Deferred Encroachment Compliance Section Manager, introduced the item and, after the presentation, provided Board staff's analysis of the results.

Juan Gonzalez, USACE Inspection Section Chief, gave the presentation and answered questions.

Mark List, DWR Flood Maintenance Office Technical Support Section Manager, added pertinent information and answered questions.

9. BOARD ITEMS

A. Adopt the Statement of Necessary Work for the formation of State Maintenance Area (MA) 20, Yuba County

Mike Zelazo, Board Flood System Improvement Branch Senior Engineer, gave the presentation, including staff's recommendation to adopt the Statement of Necessary Work for Maintenance Area 20 formation, submitted to the Board in June 2024, and include the Reclamation District 817 Addendum within the Horseshoe Levee System in Yuba County. He further noted that adopting the Statement of Necessary Work does not create a maintenance area.

Brian Manning, Desmond Law Firm, representing Michael Rue, discussed aspects of the Statement pertaining to future analysis of the newly formed MA 20.

Upon motion by Board Member Griego, seconded by Board Member Countryman, the Board unanimously adopted Board staff's recommendation.

B. Affirm Cease-and-Desist Order No. 2024-15667 issued on May 22, 2024, to Gerald Mills and Meredith Mills as co-trustees of the Gerald E/Meredith B Mills Revocable Trust - REMOVED

Item 9B was removed.

10. DEPARTMENT OF WATER RESOURCES (DWR) ITEMS

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

The written report was submitted.

B. Delta Levee Maintenance Subventions Program Approve the FY 2024-25 Subventions Program Funding Allocation Plan, the FY 2023-24 AMENDED Funding Allocation Plan and the FY 2022-23 Subventions Program Estimated Reimbursement Summary.

Sandra Maxwell, DWR Division of Multi-Benefits Initiative Senior Engineer, gave the presentation and answered questions.

Tessa Marlow, Kjeldsen, Sinnock and Neudeck, spoke in support of Sandy Maxwell and the Subventions Program.

*Upon **motion** by Board Member Countryman, seconded by Board Member Griego, the Board unanimously approved the FY 2024-25 Subventions Program Funding Allocation Plan, the FY 2023-24 Amended Funding Allocation Plan and the FY 2022-23 Subventions Program Estimated Reimbursement Summary.*

11. STAFF ACTIVITY REPORTS

Written updates regarding the activities of the Board's staff:

- A. Executive Staff and Administrative Division**
- B. Operations Branch**
- C. Flood System Improvement Branch**
- D. Environmental Services and Land Management Division**
- E. Flood Planning and Programs Branch**

President Dolan acknowledged receipt of all the updates. Board Members briefly commented on aspects of the reports.

Michael Wright, Board Chief Engineer, provided a quick update on staff activities related to the Governor's Broadband Initiative.

12. BOARD COMMENTS AND UPCOMING COMMITTEE UPDATES

Board Member Bosler commented on the ongoing need to help people understand the importance of the Board's regional flood management planning areas and the critical role they

play in setting the table with the right people and the jurisdictions that can really think much more broadly about how to bring multi-benefit solutions to their regions.

Ms. Bosler also discussed visits to two different large DWR projects.

13. UPCOMING MEETINGS

- **Coordinating Committee, July 23, 2024 (West Sacramento City Hall)**
- **Board Meeting, July 26, 2024 (SACOG)**
- **Board Workshop, August 9, 2024 (SACOG)**
- **Board Meeting, August 23, 2024 (SACOG)**

President Dolan briefly discussed the upcoming meetings.

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)**

The Board did not meet in Closed Session.

15. CLOSED SESSION REPORT

As there was no Closed Session, there was no Closed Session Report.

16. ADJOURNMENT

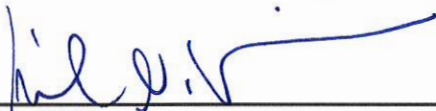
President Dolan adjourned the Board Meeting at 11:29 a.m.

Dated: 7/26/2024

The foregoing Minutes were approved:



Brian J. Johnson
Board Secretary



Mike Villines
Board Vice President