

MINUTES

MEETING OF THE CENTRAL VALLEY FLOOD PROTECTION BOARD October 25, 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 October 25, 2024, beginning at 9:10 a.m.

Board Members present:

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

Board Members absent:

Mike Villines, Vice President

Board staff present:

Chris Lief, Executive Officer
Andrea Buckley, Deputy Executive Officer, Natural Resource Management and Planning Division
Kanwarjit (Jit) Dua, General Counsel
Michael Wright, Chief Engineer
Steve Lamb, Manager, Permitting Section
Jeremiah Peek, Staff Engineer, Flood System Improvement Branch
Mike Zelazo, Senior Engineer, Flood System Improvement Branch

Department of Water Resources (DWR) staff present:

Sean DeGuzman, DWR Flood Operations Section Manager

Also present:

Tony Deus, MBK Engineers, Reclamation District 10
Tom Engler, MBK Engineers, California Central Valley Flood Control Association, Reclamation District 817

David Gibb, Shady Oaks Ranch

Emily Greene, United States Army Corps of Engineers

Brian Manning, Desmond, Nolan, Livaich and Cunningham, representing Michael and Patricia Rue

Patrick Meagher, Reclamation District 784

Ralph Nevis, Day, Carter, Murphy, representing David and Becky Gibb

Peter Spaulding, AmericanRiverTrees.org

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

Chris Lief, Board Executive Officer, called the roll and a quorum was established.

2. WELCOME, INTRODUCTIONS AND ANNOUNCEMENTS

Jane Dolan, Board President, welcomed the participants. There were no introductions or announcements.

3. REVIEW AGENDA

President Dolan briefly reviewed the agenda.

4. APPROVE MINUTES OF SEPTEMBER 27, 2024

Upon motion by Secretary Johnson, seconded by Board Member Griego, the Board unanimously approved, by a vote of 6-0, the September 27, 2024 Minutes (Absent – Villines).

5. CONSENT ITEMS

A. Approve Permit No. 19626, Sutter County - Feather River Toe Fence Project, Sutter County

B. Approve Permit No. 19737, City of Chico - Little Chico Creek Bridge Replacement Project, Butte County

C. Approve Permit No. 19768, Stephen Sinard - Detached Garage on Garden Highway, Sutter County

Upon motion by Board Member Griego, seconded by Board Member Countryman, the Board unanimously approved, by a vote of 6-0, Consent Items 5A, 5B and 5C (Absent – Villines).

6. PUBLIC COMMENTS

Pete Spaulding, AmericanRiverTrees.org, updated the Board about the proposed work under Contract 3B of the Lower American River Reach – River Common Features Project. He suggested and encouraged the Board to focus one of its upcoming workshops on something that could be called “Balancing Erosion Control and Flood Protection with the Environment.”

Tom Engler, MBK Engineers and commenting on behalf of California Central Valley Flood Control Association, gave a formal welcome to new Board Member Betty Andrews. He also discussed the permit backlog and ways to free it up.

7. LEGISLATIVE UPDATE

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

President Dolan noted that the Board did receive the written update.

8. UNITED STATES ARMY CORPS OF ENGINEERS (USACE)

A. Presentation of the USACE Levee Inspection Results for Reclamation District 10 – Honcut Drainage Basin Levee System, Yuba County

Jeremiah Peek, Board Staff Engineer, and Emily Greene, USACE, gave the presentation and answered questions.

Tony Deus, MBK Engineers, added clarifying information and answered questions.

9. BOARD ITEMS

A. Presentation of 2024 Flood Week Resolution 2024-09

Executive Officer Lief gave the presentation and concluded with the staff recommendation that the Board adopt Resolution 2024-09, declare the week of October 19-26 to be California Flood Preparedness Week, and reaffirm that the Board is committed to joining with others in emphasizing the need for increased public awareness of flood threats.

Upon motion by Board Member Griego, seconded by Board Member Andrews, the Board unanimously approved, by a vote of 6-0, Resolution 2024-09 (Absent – Villines).

B. Briefing on the Maintenance Area 20 boundary description

Mike Zelazo, Board Senior Engineer, gave the staff presentation, made some preliminary recommendations and offered next steps.

Brian Manning, Desmond Law Firm and representing Michael and Patricia Rue, offered a differing analysis and approach to the boundary description and answered questions.

Ralph Nevis, Day, Carter, Murphy and representing David and Becky Gibb and Shady Oaks Ranch, discussed the history of maintenance area formations and provided further analysis of boundary descriptions.

David Gibb, Shady Oaks Ranch, offered additional perspective.

Board Members and staff commented on various aspects of the presentations. Board member Bosler requested more background on the situation and how we got here. Secretary Johnson requested clarification from Mr. Manning or Board staff about who would pay to maintain the Horseshoe Levee under Mr. Meaning's client's proposal as compared to the staff approach. He would also like to see additional information about the other maintenance area formations mentioned by Mr. Nevis. Board member Griego suggested that staff consider future meetings in the local area.

10. DEPARTMENT OF WATER RESOURCES (DWR) ITEMS

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

President Dolan noted that the written report was submitted.

B. DWR Flood Operations Center Flood Preparedness Activities

Sean DeGuzman, DWR Flood Operations Section Manager, presented the report and answered questions.

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. Natural Resource Management and Planning Division**

President Dolan acknowledged receipt of all the updates.

12. BOARD COMMENTS AND UPCOMING COMMITTEE UPDATES

President Dolan commented that she had given a talk at the Smith Canal ribbon cutting ceremony.

She, Deputy Executive Officer Buckley and other Board staff will be attending the next Delta Plan Implementation Committee meeting.

She will also be attending the upcoming Water Education Foundation meeting.

Board Member Countryman remarked that the recent Delta Stewardship Council meeting included a Levee 101 Course and that he, Tom Zuckerman and Wendy Wang gave a presentation at the meeting about levees that was well received.

Board Member Griego noted that the Yuba Water Agency distributed a newspaper during Flood Awareness Week that included valuable information on what to do in case of a flood event.

She thanked Board staff for arranging a tour of the Marysville Ring Levee and for their letter to USACE regarding efficiencies.

13. UPCOMING MEETINGS

- **Board Meeting, November 15, 2024 (SACOG)**
- **Board Workshop, December 6, 2024 (SACOG)**
- **Board Meeting, December 13, 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), 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), to consider personnel matters. (Kanwarjit (Jit) Dua, Board Counsel)**

There was no Closed Session.

15. CLOSED SESSION REPORT

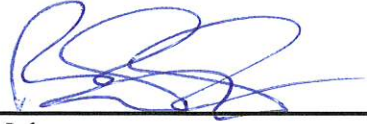
As there was no Closed Session, there was no Closed Session Report to announce.

16. ADJOURNMENT

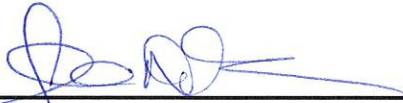
President Dolan adjourned the Board Meeting at 1:16 p.m.

Dated: January 24, 2025

The foregoing Minutes were approved:



Brian J. Johnson
Board Secretary



Jane Dolan
Board President