

CENTRAL VALLEY FLOOD PROTECTION BOARD

California Natural Resources Agency – State of California

CVFPB Office Location

3310 El Camino Avenue, Suite 170

Sacramento, California 95821

Phone (916) 574-0609 – Fax (916) 574-0682

<https://www.cvpfb.ca.gov>

AGENDA

CENTRAL VALLEY FLOOD PROTECTION BOARD MEETING

Friday, March 22, 2024 – 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 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 jonah.knapp@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
Vacant

Assembly Member Diane Papan, Ex Officio
State Senator Dave Min, Ex Officio

3. REVIEW OF AGENDA

4. APPROVAL OF MINUTES

- January 26, 2024
- February 23, 2024

5. CONSENT ITEMS (Action)

A. Permit 19696 Department of Water Resources (*Humberto Negrete, Operations Branch, Board Staff*)

Approve permit 19696 to remove an existing agricultural road crossing the Tule Canal and replace it with an 80-foot-long, 24-foot-wide, 2-span, pre-cast concrete slab agricultural road crossing with rock slope protection. Additional improvements include new approach roads and an 18-inch diameter water line attached to the north side of the new crossing. A temporary cofferdam will be utilized during construction. The proposed crossing will be constructed across Tule Canal, approximately 0.4 miles downstream of Sacramento Bypass, northeast of the City of West Sacramento, and within the Yolo Bypass (Yolo County).

B. Resolution No. 2024-05, New Boundary and Levee Units of Levee District 1 Sutter (*Mike Zelazo, Flood System Improvement Branch, Board Staff*)

Adopt Resolution No. 2024-05 to recognize the new levee units within the boundary of Levee District 1 - Sutter, resulting from the dissolution of State Maintenance Area 3 and the annexation of its territory as approved by the Sutter Local Agency Formation Commission (Sutter County).

6. PUBLIC COMMENT (non-agenda items only)

7. LEGISLATIVE UPDATE

- A. Written update on pertinent State legislation and federal news

8. UNITED STATES ARMY CORPS OF ENGINEERS

- A. Middle Creek Levee Systems
(*Zubair Dosu, Operations Branch, Board Staff; Juan Gonzalez, Inspection Section Chief, U.S. Army Corps of Engineers*)

Presentation of the U.S. Army Corps of Engineers' Levee Inspection Results for the six (6) Middle Creek Levee Systems (Lake County).

9. DEPARTMENT OF WATER RESOURCES ITEMS

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

10. BOARD ITEMS

- A. San Joaquin Area Flood Control Agency (Information)
(*Dustin Sanoski, Flood System Improvement Branch, Board Staff; Chris Elias, Executive Director, San Joaquin Area Flood Control Agency*)

Briefing on the status of key San Joaquin Area Flood Control Agency projects, to include progress updates for the Smith Canal Gate Project, the Lower San Joaquin River Project Phase I, the Lower San Joaquin River Project Phase II Feasibility Study; and the Paradise Cut Bypass Expansion and Multi-Benefit Project.

- B. Resolution of Necessity – Pacific Gas and Electric Company (Action)
(*Andrea Buckley, Environmental and Land Management Division Manager, Board Staff; Omar Fernandez, Associate Right of Way Agent, Division of Engineering; Rachel Taylor, Attorney, Department of Water Resources*)

Adopt Resolution of Necessity 2024-06 authorizing the use of eminent domain to acquire, for the American River Common Features 2016 Flood Risk Management Project, Sacramento River Erosion Contract 2, the following property: Pacific Gas and Electric Company, APN 009-0012-018 (Sacramento County).

- C. Permit 19320 California Department of Parks and Recreation (Action)
(*Humberto Negrete, Operations Branch, Board Staff*)

Approve permit 19320 to remove two existing berms, non-native vegetation, and walnut orchard; plant riparian vegetation and native grasses; create trails and vehicle barriers along a 43-acre parcel adjacent to the Sacramento River, west of the City of Chico. The project is a component of the Bidwell-Sacramento River State Park Habitat Restoration and Outdoor Recreation Facilities Development Project. The project is located along River Road approximately 5.65 miles southwest of Chico, near River Mile 193.9 (Butte County).

- D. Board Staff Activities Report – Operations Branch (Information)
(*Yiguo Liang, Operations Branch Manager; Steven Lamb, Permitting Section Manager; Angeles Caliso, Enforcement Section Manager; Preston Shopbell, Inspection Section Manager, Board Staff*)

Informational briefing on the activities of the Operations 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 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 Workshop, April 12, 2024 (SACOG)
- Board Meeting, April 26, 2024 (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: *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

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 - <https://cvfpb.ca.gov>
- b) Navigate to the "Meetings" page.
- c) Identify the current meeting, and click on the link to the meeting webcast - <https://us06web.zoom.us/j/86859173646>
- 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: +1 669 219 2599
- b) Enter Webinar ID: *868 5917 3646
- 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 jonah.knapp@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 jonah.knapp@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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