

MINUTES

MEETING OF THE CENTRAL VALLEY FLOOD PROTECTION BOARD

March 28, 2025

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 Yuba County Government Center, 915 8th Street, Marysville, California and concurrently online (on WebEx) on March 28, 2025, beginning at 9:15 a.m.

Board Members present:

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

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
Zubair Dosu, Manager, Deferred Encroachment Compliance Section
Jonah Knapp, Board Clerk and Executive Assistant
Jeremiah Peek, Staff Engineer, Deferred Encroachment Compliance Section
Kristyne Van Skike, Program Manager, Flood Planning and Programs Branch
Michael Zelazo, Senior Engineer, Flood System Improvement Branch

Department of Water Resources (DWR) staff present:

Mary Jimenez, Chief, Systemwide Multi-Benefits Initiatives Branch

Also present:

Jesse Barton, Reclamation District 784
Adam Borchard, California Central Valley Flood Control Association

Also present (continued):

Daphne Dixon

Tom Engler, MBK Engineers, Reclamation Districts 1001 and 817

Juan Gonzalez, United States Army Corps of Engineers

Dominick Gulli

Stuart Hanson, Shady Oaks Ranch

Nancy Kniskern

Brian Manning, Desmond Law Firm, representing Michael and Patricia Rue

Patrick Meagher, Reclamation District 784

Ralph Nevis, Shady Oaks Ranch

David and Becky Gibb

Dirk Ruthrauff

Pete Spaulding, American River Trees

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

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

2. WELCOME, INTRODUCTIONS AND ANNOUNCEMENTS

Jane Dolan, Board President, welcomed the participants.

Chris Lief, Board Executive Officer, introduced Agustin Ortega, newest member of the Board Enforcement Section.

3. REVIEW AGENDA

President Dolan briefly reviewed the agenda and announced that Item 9A would be an informational, rather than an action item.

4. APPROVE MINUTES – February 28, 2025

*Upon **motion** by Secretary Johnson, seconded by Board Member Griego, the Board unanimously approved the February 28, 2025 Board Meeting Minutes.*

5. CONSENT ITEMS

A. Approve Permit No. 13656-1, City of Sacramento Sump 89 Pipelines, Sacramento County.

Humberto Negrete, Board Staff, Operations Branch

B. Approve Permit No. 19754, Krzyminski Dwelling, Yuba County.

Humberto Negrete, Board Staff, Operations Branch

*Upon **motion** by Board Member Countryman, seconded by Board Member Griego, the Board unanimously approved Consent Items 5A and 5B.*

6. PUBLIC COMMENTS

Pete Spaulding, American River Trees, offered two examples from other cities that might help change USACE in California.

Dirk Ruthrauff offered alternatives to Contract 3B on the Lower American River and asked for reassurances that a different approach has been or will be considered for 3B.

Daphne Dixon commented that the current Contract 3B approach seems antiquated. Further, she stressed that community engagement - two-way communication - was needed instead of community outreach, which is only one way.

Adam Borchard, California Central Valley Flood Control Association Executive Director, commented on Section 408 delays with USACE, which has received only sporadic, month-to-month funding. He also thanked Board staff for sending out a congressional funding request to U.S. Senators Padilla and Schiff for the Sac Bank Program; his association will be sending additional support letters.

Nancy Kniskern referenced a recent Scientific American article entitled "The Nation's Chief Engineers Turn to Nature to Improve Flood Protection. Will this enlightened approach prevail?" as a viable approach and reiterated her request that the Board not approve CEQA compliance when there are so many environmental solutions currently available that are more suitable and have not yet been considered.

Dominick Gulli provided an update on the Smith Canal Gate Project.

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 (RD) 1001 – Nicolaus, Feather River Levee System, Sutter and Placer County.

Jeremiah Peek, Board Staff Engineer, Deferred Encroachment Compliance Section and Juan Gonzalez, USACE, gave the presentation and answered questions.

Tom Engler, MBK Engineers and Zubair Dosu, Board Deferred Encroachment Compliance Section Manager, offered additional perspective and clarification.

9. BOARD ITEMS

A. Informational item on the use of the “breach analysis” methodology to develop the boundaries of State Maintenance Area (MA) 20.

Michael Zelazo, Board Senior Engineer, Flood System Improvement Branch, introduced the item and provided Board staff's presentation.

Patrick Meagher, Reclamation District 784, discussed his district's efforts to continue maintenance in the area.

Tom Engler, MBK Engineers and on behalf of RD 817, provided additional information on funding shortages.

Brian Manning, Desmond Law Firm, representing Michael and Patricia Rue, gave a refresher on some of the history of the Sacramento River Flood Control Project and noted that the Board should be looking at the situation from a perspective that incorporates that history.

Stuart Hanson, Shady Oaks Ranch and speaking on behalf of his partners as well as David and Becky Gibb, fellow property owners in the area, offered additional perspective not available in the Board staff report.

Ralph Nevis, representing Shady Oaks Ranch and David and Becky Gibb, requested that the Board direct its staff to engage with them and determine who truly benefits from the proposed maintenance area, and to do so with an eye towards fairness instead of advocacy for their preferred position.

Board Members commented on various aspects of the analyses presented, considered potential solutions, and asked further clarifying questions. They provided additional history and asked the objecting landowners for more clarity about the alternative they would like the Board to pursue.

B. Update on the upcoming release of the Public Draft of the Yolo Bypass Cache Slough Master Plan.

Kristyne Van Skike, Flood Planning and Programs Branch Program Manager and Mary Jimenez, DWR Systemwide Multi-Benefit Initiatives Branch Chief, provided the update and answered questions.

The purpose of the Master Plan is to guide continued project planning and implementation in this region consistent with the Central Valley Flood Protection Plan and its Conservation Strategy, and to inform the Yolo Bypass Comprehensive Study and Yolo Bypass Cache Slough Partnership. They confirmed that the Master Plan will not require a CEQA action.

10. DEPARTMENT OF WATER RESOURCES (DWR) ITEMS

A. Written Report from DWR

President Dolan noted that the written report was submitted.

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 remarked that all written reports had been received.

12. BOARD COMMENTS AND UPCOMING COMMITTEE UPDATES

Board Members Bosler and Griego commented on their recent appearance at the National Association of Flood and Stormwaters Agencies Conference.

Board Member Andrews noted that the Advisory Committee recently conducted its first meeting, which had excellent attendance and great support from Board staff. Secretary Johnson echoed her remarks.

13. UPCOMING MEETINGS

- **Board Workshop, April 11, 2025 (California Natural Resources Agency Headquarters)**
- **Board Meeting, April 25, 2025 (California Natural Resources Agency Headquarters)**
- **Coordinating Committee, May 20, 2025 (West Sacramento City Hall)**
- **Board Meeting, May 23, 2025 (California Natural Resources Agency Headquarters)**

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

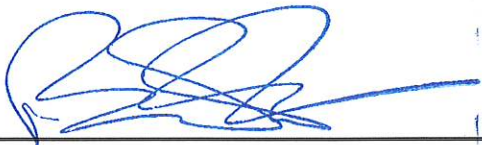
As there was no Closed Session, there was no Closed Session Report.

16. ADJOURNMENT


President Dolan adjourned the Board Meeting at 1:48 p.m.

Dated: 4/25/2025

The foregoing Minutes were approved:



Brian J. Johnson
Board Secretary



Jane Dolan
Board President