

# **MINUTES**

## **MEETING OF THE CENTRAL VALLEY FLOOD PROTECTION BOARD February 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 Sacramento Area Council of Governments Building, Third Floor, 1415 L Street, Sacramento, California and concurrently online (on WebEx) on February 28, 2025, beginning at 9:11 a.m.

### **Board Members present:**

Jane Dolan, President  
Mike Villines, Vice President  
Brian Johnson, Secretary  
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  
Jonah Knapp, Board Clerk and Executive Assistant  
Steve Lamb, Manager, Permitting Section, Operations Branch  
Celina Ortega, Staff Engineer, Operations Branch  
Michael Zelazo, Senior Engineer, Flood System Improvement Branch

### **Department of Water Resources (DWR) staff present:**

Dave Wheeldon, Supervising Engineer

### **Also present:**

Mark Berry, Save the American River Association  
Michael Bessette, Sutter Butte Flood Control Agency  
Jake Bippart

**Also present (continued):**

Adam Borchard, California Central Valley Flood Control Association  
Kathy Campbell  
Michael Fong, United States Army Corps of Engineers  
Fernando Gonzalez, United States Army Corps of Engineers  
Brenda Gustin, American River citizen  
Erik James, United States Army Corps of Engineers  
Dr. Lisa Merritt  
Meegan Nagy, California Central Valley Flood Control Association  
Nicole Ortega-Jewell, MBK Engineers  
Dan Pskowski  
Dirk Ruthrauff  
Edward Smith  
Pete Spaulding, American River Trees  
Branden Strahm, Olsson Associates

**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 Hugo Sanchez, who recently joined Board staff as an engineer in the Sacramento Levee Section.

Mr. Lief also recognized the outstanding efforts of two Board staff members, Zach Ramsey and Josh Kaup, who were recently activated to lead local and State Conservation Corps teams in post-fire watershed protection efforts in Los Angeles County. Their service had a meaningful impact on California's wildlife recovery efforts.

**3. REVIEW AGENDA**

President Dolan briefly reviewed the agenda.

**4. APPROVE MINUTES – January 24, 2025**

*Upon motion by Secretary Johnson, seconded by Board Member Griego, the Board unanimously approved the January 24, 2025 Board Meeting Minutes.*

## **5. CONSENT ITEMS**

- A. Approve Permit No. 19644, City of Manteca Storm Outfall, San Joaquin County.  
-Humberto Negrete, Board Staff, Operations Branch**
- B. Approve Permit No. 19758, City of Rancho Cordova Chase Drive Multi-Use Trail Project, Sacramento County.  
-Humberto Negrete, Board Staff, Operations Branch**

Mark Berry, Save the American River Association Vice President, thanked the Board for approving the permit.

- C. Approve Permit No. 19891, San Joaquin County Duck Creek Bridge Replacement, San Joaquin County.  
-Humberto Negrete, Board Staff, Operations Branch**

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

*Upon motion by Board Member Bosler, seconded by Board Member Griego, the Board unanimously approved Consent Item 5B.*

## **6. PUBLIC COMMENTS**

Meegan Nagy, California Central Valley Flood Control Association (CCVFCA) Vice President, introduced the Board to Adam Borchard, new CCVFCA Executive Director.

Mr. Borchard expressed his appreciation for the opportunity to represent CCVFCA and noted that he looked forward to a long and fruitful relationship and partnership between the Board and the Association.

Michael Bessette, Sutter Butte Flood Control Agency Executive Director, discussed the Tudor Flood Risk Reduction Project.

Brenda Gustin, from a citizen concerned about the Wild and Scenic American River, commented on the need for erosion control but without devastation of the river through USACE American River erosion projects. She expressed her concern that many of the questions she and her group officially asked through Board Public Comment, as well as the Bank Protection Working Group, remain unanswered. She again asked the Board to provide a liaison between Board staff and the public for dialogue with knowledgeable citizens. (President Dolan noted for the record that numerous people stood up and applauded in agreement with Ms. Gustin's comments.)

Edward Smith provided context and comments on concerns with American River Project 3B and others that USACE has put forward. (President Dolan again noted for the record that numerous people stood up and applauded in support of Mr. Smith's comments.)

Pete Spaulding, American River Trees, offered comments on Contract 3B, remarked that the Board has a five-hour workshop scheduled for April 11<sup>th</sup>, and urged the Board to dedicate that workshop to Contract 3B.

Dirk Ruthrauff expressed his concerns about Contract 3B.

Dan Pskowski discussed the loss of health benefits associated with the removal of trees from Sacramento's urban forest; and also, the importance of counting the CO2 sequestration that is lost from these removals.

Kathy Campbell commented that the American River Parkway was designed as a natural space for humans, trees, plants and wildlife. If those are stripped away, you strip away the soul of the parkway and the whole purpose of its existence. USACE needs to incorporate the trees and habitats already in place to provide flood protection while also protecting habitat wildlife and ensuring the daily joy the parkway provides for the humans who live there.

Dr. Lisa Merritt spoke about the health benefits the river offers and the importance of looking at the engineering of the projects with Nature principles that we all know.

Board Members thanked the speakers for their thoughtful remarks. President Dolan noted that the final design of the project is still in discussion and thus final necessary information has not been decided. Further, the Board will hold a meeting in advance of any decisional actions. Board Secretary Johnson expressed his interest in a process that provides for more discussion with the public.

## **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)**

There were no USACE items.

## **9. BOARD ITEMS**

### **A. Approve Permit No. 19759, Union Pacific Railroad Bridge replacement, Butte County.**

Celina Ortega, Board Permitting Engineer, gave the presentation, answered questions, and concluded with the staff recommendation: that the Board adopt the CEQA findings; approve the variances to Board Standard 128(a)(3) and the permit as provided in the staff report; and direct the Executive Officer to file a Notice of Exemption with the State Clearinghouse.

Branden Strahm, Olsson Associates, added clarifying information.

*Upon motion by Board Member Griego, seconded by Board Member Countryman, the Board unanimously approved the staff recommendation.*

**B. Briefing on the Sacramento Riverbank Protection Project.**

Michael Zelazo, Board Senior Engineer, provided the briefing and answered questions.

Board Member Countryman discussed the ongoing debate within USACE on whether projects should be based on system-wide or site-specific benefits.

Nicole Ortega-Jewell, MBK Engineers, provided additional context.

Meegan Nagy, CCVFCA, thanked Mr. Zelazo for his presentation and reiterated her association's support for the Board's efforts and to please let them know how they can help further.

Board Members and others discussed some of the ongoing challenges with fulfilling the funding needs for this and other projects.

**C. Joint presentation to discuss the Board's Permitting process and USACE Section 408 Permissions process.**

Steve Lamb, Board Permitting Section Manager, started the presentation by discussing the Board Permitting process and answering questions.

Michael Fong, USACE, provided an overview of the Section 408 Permissions process and answered questions.

Board Members and others discussed the ongoing need to streamline the permitting processes and minimize the timeframes involved.

Ms. Nagy, CCVFCA, asked if a small group could be formed that includes her association, the Board and USACE to discuss how to make the process quicker and more efficient.

Erik James, USACE Sacramento District Levee Safety Program Manager, gave a presentation on levee drilling programs, including horizontal directional drilling.

Jake Bippart, President of Mom's Farm in Biggs, California, discussed the arduous and time-consuming nature of obtaining a permit in the Central Valley.

**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**

There were no comments.

## **13. UPCOMING MEETINGS**

- **Coordinating Committee, March 25, 2025 (CVFPB offices and online)**
- **Board Meeting, March 28, 2025 (Yuba County Government Center, Marysville)**
- **Board Workshop, April 11, 2025 (Yuba County Government Center, Marysville)**
- **Board Meeting, April 25, 2025 (location to be determined)**

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 2:23 p.m.

Dated: 3/28/2025

The foregoing Minutes were approved:



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Brian J. Johnson  
Board Secretary



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Jane Dolan  
Board President