

“Celebrating 101 Years of Flood Management”

CENTRAL VALLEY FLOOD PROTECTION BOARD

California Natural Resources Agency – State of California

3310 El Camino Avenue, Room 151

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Len Marino, Chief Engineer
Eric Butler, Supervising Engineer
Curt Taras, Supervising Engineer
Lorraine Pendlebury, Staff Analyst
Amber Woertink, Staff Assistant

BOARD COUNSEL

Deborah Smith, Legal Counsel

AGENDA

CENTRAL VALLEY FLOOD PROTECTION BOARD MEETING

September 28, 2012 – 9:00 AM

**The Resources Building Auditorium, First Floor
1416 Ninth Street, Sacramento, CA 95814**

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.

- 1. ROLL CALL**
- 2.* APPROVAL OF MINUTES – July 27, 2012**
- 3.* APPROVAL OF AGENDA**
- 4. PUBLIC COMMENTS (non-agendized items only)**
- 5. REPORT OF ACTIVITIES OF THE DEPARTMENT OF WATER RESOURCES**
(Keith Swanson)
 - Quarterly progress report and scheduled update on deliverables and processes pursuant to Board Resolution No. 2012-25, RESOLVED 11 (y), regarding adopting the Central Valley Flood Protection Plan.
- 6. REPORT OF ACTIVITIES OF THE EXECUTIVE OFFICER** *(Jay Punia)*

***action item**

Anyone may upon request obtain a 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 you need reasonable accommodations due to a disability, or need language assistance, please contact the Equal Opportunity Management Investigations Office at (916) 653-6952, or TDD (916) 653-6934 at least a week prior to the meeting.

7.* CONSENT CALENDAR

A. Permit No. 6870-1, Joe Sanchez Farms, Inc. (Gary Lemon)

Consider approval of Permit No. 6870-1 to install a self-cleaning, retractable fish screen system on an existing agricultural diversion pump (permitted under Permit No. 6870, to H.P. Grain Jr., et al.). This permit covers the new fish screen and facilities, as well as the name change of the permittee to Joe Sanchez Farms, Inc. (Sacramento County)

B. Permit No. 18682, CA Department of Fish and Game (Gary Lemon)

Consider approval of Permit No. 18682 to restore five acres to riparian habitat inside the Colusa Unit of the Sacramento River Wildlife Area (Colusa-North Tract) on the right (west) bank overflow area of the Sacramento River (River Mile 147). (Colusa County)

C. Permit No. 18739, City of Reedley (Sungho Lee)

Consider approval of Permit No. 18739 to replace the existing Manning Avenue Bridge over the Kings River with a new three-span, cast-in-place, pre-stressed concrete box girder bridge; and to plant riparian vegetation onsite. (Fresno County)

D. Permit No. 18766, Diablo Vineyards (Gary Lemon)

Consider approval of Permit No. 18766 to remove and replace a 10-inch diameter steel irrigation pipe in the levee crown. (Solano County)

E. Permit No. 18767, CA Department of Transportation (Caltrans) (Nancy Moricz)

Consider approval of Permit No. 18767 to remove and replace the State Route 99 bridge crossing Butte Creek (Bridge No. 12-0126R) with a reinforced concrete box girder bridge. (Butte County)

F. Permit No. 18768, Burlington Northern & Santa Fe Railway (Jon Tice)

Consider approval of Permit No. 18768 to replace the Burlington Northern & Santa Fe Railroad bridge (Bridge No. 1104.6) over Lone Tree Creek. (San Joaquin County)

G. Permit No. 18773, Three Rivers Levee Improvement Authority (TRLIA) (Jon Tice)

Consider approval of Permit No. 18768 to transplant an additional 228 elderberry seedlings into the Anderson Mitigation Site to meet increased mitigation requirements for the Upper Yuba River Levee Improvement Project. (Yuba County)

H. Permit No. 18790, Yocha Dehe Wintun Nation (Ashley Cousin)

Consider approval of Permit No. 18790 to stabilize an eroding portion of the streambank by constructing a low longitudinal rock toe along the right bank of Cache Creek, with four redirecting rock vanes and 2,000 willow plantings. (Yolo County)

- Items on the Consent Calendar may be removed at the request of any Board member or person.

I. Permit No. 18797, Westlands Water District (*Gary Lemon*)

Consider approval of Permit No. 18797 to authorize an existing waterside access ramp and to reconstruct two tide gates for water supply and controlled water surface elevation for lands irrigated from the levee borrow channel, tributary to Shag Slough, within the Yolo Bypass. (Yolo County)

J. Terminus Dam, Kaweah River Project – Quitclaim of Davis Ranch Excess Lands (*Patrick Luzuriaga, DWR*)

Consider approval of Resolution 2012-40 to approve the Quitclaim Deed to release and quitclaim to the Kaweah Delta Water Conservation District all right, title and interest in the excess 506 acres of Davis Ranch property determined unnecessary for mitigation lands for the project.

K. Folsom Dam Safety & Flood Damage Reduction Joint Federal Project – Supplemental Environmental Impact Report (*Zachary Wright and Vincent Heim, DWR*)

Consider approval of Resolution No. 2012-43 to:

1. Certify the Supplemental EA/EIR, Adopt the Findings, Adopt the Mitigation and Monitoring Plan for the Folsom Prison Staging Area and Stilling Basin Drain Project, and delegate authority to the Executive Officer to execute the Notice of Determination
2. Approve project refinements to the originally approved project.

8.* DISCUSSION WITH POSSIBLE ACTION

A. Review and Discuss DRAFT response to the United States Army Corps of Engineers (USACE) letter to the Board dated August 21, 2012 (*Len Marino*) – **10:00 AM**

The Board received a letter from the USACE indicating that 17 levee systems were declared inactive in the Public Law 84-99 Rehabilitation and Inspection Program (RIP). Levee systems with inactive status in the RIP are not eligible for federally-funded repairs following a flood event. The Board will discuss a draft response letter to the USACE and may take further action.

9.* REQUESTED ACTIONS

A. 2012-13 Delta Levees Maintenance Subventions Program (*Mike Mirmazaheri and Nathan Evenson, DWR*) – **10:45 AM**

Consider approval of the staff recommended funding allocation plan under the Delta Levees Maintenance Subventions Program for FY 2012-13.

LUNCH BREAK

- Items on the Consent Calendar may be removed at the request of any Board member or person.

10. INFORMATIONAL BRIEFING

A. PL 84/99 2005-2006 Rehabilitation Effort – Mitigation Plantings (*Ran Singh, DWR*)

The Department of Water Resources issued a real estate certification package to the United States Army Corps of Engineers to allow mitigation plantings for PL 84-99 2005-2006 rehabilitation sites. Mitigation plantings are planned at some sites which required vegetation variance approval under Engineering Technical Letter 110-2-571, while other sites do not require the variance. Plantings are proposed at locations within Reclamation Districts 3, 17, 150, 551, 755, 765, 2098, and Tehama County.

11. BOARD COMMENTS AND TASK LEADER REPORTS

12. FUTURE AGENDA

13. CLOSED SESSION

- To discuss litigation (*Giudice v. State of California et. al*; San Joaquin County Superior Court Case No. 39-2011-00256176-CU-OR-STK) pursuant to Govt. Code section 11126(e)(1). (*Deborah Smith, Deputy Attorney General*)
- 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.

14. ADJOURN – REGULAR BOARD MEETING

15. MEETING OF BOARD’S EXECUTIVE COMMITTEE

- A. Discussion of Implementation of the Central Valley Flood Protection Plan
- B. Board Management and Scheduling Issues
- C. Budget/Finance/Staffing Issues
- D. Ad Hoc Assignment Issues

16. ADJOURN – MEETING OF BOARD’S EXECUTIVE COMMITTEE