

MINUTES
MEETING OF THE CENTRAL VALLEY FLOOD PROTECTION BOARD
February 27, 2015

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 on February 27, 2015, beginning at 9:07 a.m. in The Sacramento City Hall First Floor Council Chambers, 915 I Street, Sacramento, California.

Board Members present:

Mr. William H. (Bill) Edgar, President
Ms. Emma Suarez, Vice President
Ms. Jane Dolan, Secretary
Mr. Joe Countryman
Mr. Clyde Macdonald
Mr. Tim Ramirez
Mr. Mike Villines

Board staff present:

Ms. Leslie Gallagher, Acting Executive Officer
Mr. Len Marino, Chief Engineer
Mr. Eric Butler, Chief, Environmental and Planning Branch
Ms. Mitra Emami, Chief, Permitting Section
Mr. Michael Wright, Acting Chief, Operations Branch
Ms. Nicole Rinke, Board Counsel
Ms. Amber Woertink, Board Analyst

Department of Water Resources (DWR) staff present:

Mr. Corey Lasso, Staff Engineer
Mr. Michael Sabbaghian, Chief, Project Development Branch
Mr. Keith Swanson, Chief, Division of Flood Management
Mr. John Nosacka, Staff Engineer
Mr. Kevin Brown, Senior Engineer
Mr. Michael Mierzwa, Chief, Central Valley Flood Planning Office
Mr. Stacy Cepello, Chief, Floodway Ecosystem Sustainability Branch
Mr. Ajala Ali, Staff Engineer
Mr. Bob Scarborough, Senior Engineer

Also Present:

Ms. Alicia Kirchner, USACE
Ms. Paige Caldwell, United States Army Corps of Engineers (USACE)
Mr. Pete Ghelfi, Sacramento Area Flood Control Agency (SAFCA)
Mr. Dan Tibbitts, USACE

1. ROLL CALL

Ms. Amber Woertink, Board Analyst, called the roll and a quorum was achieved.

2. APPROVAL OF MINUTES – December 19, 2014

Upon motion by Secretary Dolan, seconded by Board Member MacDonald, the Board unanimously approved the December 19, 2014 Minutes.

3. APPROVAL OF AGENDA

In response to a request from the Sacramento River Preservation Trust, the Board removed Item 4C from the Consent Calendar to a Hearing.

Upon motion by Board Member Macdonald, seconded by Secretary Dolan, the Board unanimously approved the Agenda with the change referenced above.

4. CONSENT

A. Permit No. 18998, Robert Lawson

Consider approval of Permit No. 18998 to replace an existing mobile home; authorize existing steps, propane tank and well; abandon existing septic system and construct a new septic system near the Mokelumne River. (San Joaquin County)

B. West Sacramento, California Project General Reevaluation Report - Amendment No. 3 to the Feasibility Cost Share Agreement

Consider approval of Resolution No. 2015-02 to:

1. Approve the Feasibility Cost Share Agreement (FCSA) Amendment No. 3 for the West Sacramento, California Project General Reevaluation Report between the U.S. Army Corps of Engineers, Central Valley Flood Protection Board and the West Sacramento Flood Control Agency; and

2. Delegate to the Central Valley Flood Protection Board President the authority to execute FCSA Amendment No 3.

Upon motion by Board Member Countryman, seconded by Board Member Macdonald, the Board unanimously approved Consent Calendar Items 4A and 4B.

C. Sacramento River Bank Protection Project, California Phase III General Reevaluation Report - Feasibility Cost Share Agreement

Consider approval of Resolution No. 2015-03 to:

- 1. Approve the Feasibility Cost Share Agreement (FCSA) for the Sacramento River Bank Protection Plan, California Phase III General Reevaluation Report between the Central Valley Flood Protection Board and the U.S. Army Corps of Engineers; and**
- 2. Delegate to the Central Valley Flood Protection Board President the authority to execute the FCSA.**
- 3. Delegate to the Executive Officer the authority to execute those subsidiary documents that may be necessary for the implementation of the FCSA hereby approved by the Board.**

Mr. Corey Lasso, DWR Staff Engineer, gave the presentation and answered Board Member questions. He concluded with the staff's recommendation for approval of the Feasibility Cost Share Agreement (FCSA) for the Sacramento Bank Protection Project between the Board and the Army Corps of Engineers (the Corps), delegate to the Board President the authority to execute the FCSA and delegate to the Executive Officer the authority to execute subsidiary documents.

Ms. Alicia Kirchner, USACE, provided additional background and context of the FCSA. She and Mr. Michael Sabbaghian, DWR Project Development Branch Chief, answered Board Member questions.

The Board discussed adding language to the Resolution adopting the Agreement and suggested language along these lines:

1. "The Panel, or whatever entity will be doing this work, shall evaluate how to continue the integrity of the project levee system while integrating environmental improvements and consideration of the adopted Central Valley Flood Protection Plan and Conservation Strategy.
2. The Panel shall hold public meetings, so that agencies and the public may provide input.
3. The Panel shall make periodic presentations to the Flood Board."

Upon motion by Board Member Macdonald, seconded by Board Member Ramirez, the Board unanimously approved the FCSA, that the Resolution be amended in accordance with the three points referenced above. In addition, President Edgar and Vice President Suarez will be delegated the responsibility to review and sign off on the final draft, and give it to the appropriate authorities.

5. PUBLIC COMMENTS - None

6. U.S. ARMY CORPS OF ENGINEERS (USACE) BRIEFING

A. PL 84-99 Rehabilitation Program policy revision procedures.

Ms. Paige Caldwell, USACE's Sacramento District Emergency Manager, briefed the Board and answered Board Member questions.

7. REPORT OF THE ACTIVITIES OF THE DEPARTMENT OF WATER RESOURCES (DWR)

Mr. Keith Swanson, DWR Division of Flood Management (DFM) Chief, provided a brief overview of DWR activities and answered Board Member questions. Highlights included:

- Reservoir storage increased in February by 2.3 million acre-feet, which is 170% of average. Statewide storage is 17.7 million acre-feet, which is 70% of average for February. This is slightly better than last year. However, the snowpack statewide is only about 19% of average.
- The 2016 President's Budget for the Corps of Engineers was released. It contains about \$100 million for Board-sponsored projects.
- On January 30, the president signed Executive Order (EO) 13690, which updates the EO 11988 floodplain management policy. The new EO establishes new flood risk management standards.
- The draft Lower San Joaquin River Feasibility Report and Joint Environmental Impact Statement/Environmental Impact Report has been released for public comment. The comment period will be open through April 13.
- Mr. Swanson updated the Board regarding the scheduling of the initial DWR budget hearings.

A. Cache Creek Settling Basin Operations and Maintenance

Mr. John Nosacka, DWR Staff Engineer, gave the presentation. He and Mr. Kevin Brown, DWR Senior Engineer, responded to Board Member questions.

B. 2017 Flood Protection Plan (CVFPP) Update

1. Basin Wide Feasibility Study Progress Update

2. Regional Flood Management Plans Reviews

Mr. Michael Mierzwa, DWR Central Valley Flood Planning Office Chief, and Mr. Stacy Cepello, DWR Floodway Ecosystem Sustainability Branch Chief, provided the Update and answered Board Member questions.

8. CLOSED SESSION

A. To discuss litigation (Steamboat Acres, L.P. v. Daniel P. Whaley; Sacramento Superior Court Case No. 34-0212-00134547) pursuant to Govt. Code section 11126(e)(1).

B. To discuss litigation (Hardesty et. al. v. Sacramento Metropolitan Air Quality Management District et. al; United States District Court, Eastern District of California - Sacramento Division Case No. 2:10-cv-02414-GEB-JFM) pursuant to Govt. Code section 11126(e)(1).

C. To discuss litigation (Central Valley Flood Protection Board v. Lino Catabran, Sacramento Superior Court Case No. 34-2013-142003) pursuant to Govt. Code section 11126(e)(1).

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.

9. CLOSED SESSION REPORT - *None*

President Edgar stated that no reportable action was taken.

10. INFORMATIONAL BRIEFINGS

A. Public Release of the American River Common Features General Reevaluation Report

Mr. Ajala Ali, DWR Staff Engineer, gave the Briefing. Mr. Ali, along with Mr. Pete Ghelfi, SAFCA Director of Engineering, and Mr. Dan Tibbitts, the Corps, answered Board Member questions.

Mr. Ghelfi briefly discussed SAFCA's Levee Accreditation Program.

11. DISCUSSION WITH POSSIBLE ACTION

- A. Proposed Updates to Title 23 Regulations Report on input from local agency stakeholders regarding proposed changes to the Board's Title 23 regulations including increasing transparency of permit application process and modernization of technical standards. Receive any additional direction from the Board.**

Mr. Eric Butler, Board Planning and Environmental Branch Chief, gave the presentation and answered Board Member questions.

12. BOARD COMMENTS AND TASK LEADER REPORTS

President Edgar commented that he, Secretary Dolan, and Executive Officer Gallagher have been working in preparation for an important meeting with the Secretary's Office, which has asked them to provide a layout of the Board's Plan. Budget Hearings are also forthcoming.

Board Member Ramirez has spent time familiarizing himself with the new Delta Stewardship Council Implementation Committee.

Board Member Villines has been tracking legislative and administrative work and following the Delta Stewardship Council. He has also been following the drought and the levee issues as they go through the different committees in the Legislature. He has also spent a lot of time in Merced, Madera and Fresno Counties on Board issues.

Board Member Countryman has been involved in discussions aimed at finding common ground on the San Joaquin River Restoration Program, talking with some of the NGO people as well as DWR staff and consultants on what the parameters might be for integrating some of those issues into the State Plan of Flood Control. He has also been tracking some of the modeling in the Yolo Bypass area regarding the widening of the Sacramento Weir.

Vice President Suarez has been doing a lot of webcasting and watching hearings and presentations from different committees in the Legislature and the Water Commission. She and Board Member Macdonald will be meeting with NGOs in the near future.

Secretary Dolan continues to work with President Edgar on determining how to improve the effectiveness and strength of Board organization. She attended the 2015 Water Policy Seminar.

Board Member Macdonald has been keeping in touch with members of the NGO community as well as the Lower Sac Delta North. He attended the February 26th Delta Stewardship Council meeting.

13. FUTURE AGENDA

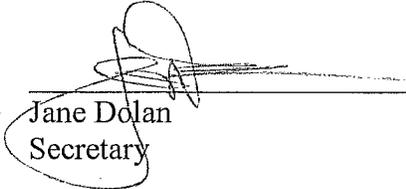
The Board discussed potential future Agenda topics.

14. ADJOURN-REGULAR BOARD MEETING

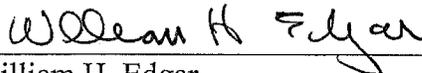
The Board unanimously adjourned the Open Session at 2:20 p.m.

Dated: 4-24-15

The foregoing Minutes were approved:



Jane Dolan
Secretary



William H. Edgar
President

