

CENTRAL VALLEY FLOOD PROTECTION BOARD

California Natural Resources Agency – State of California

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BOARD MEMBERS

Bill Edgar, President
Jane Dolan, Board Vice-President
and Secretary
Joe Countryman
Mary Jane Griego
Brian Johnson
Tim Ramirez
Mike Villines
Assembly Member Eduardo García
Ex Officio
State Senator Henry Stern, Ex Officio

Leslie Gallagher
Executive Officer

Kanwarjit (Jit) Dua
Board Counsel

AGENDA

CENTRAL VALLEY FLOOD PROTECTION BOARD MEETING

September 25, 2020 – 9:00 a.m.

Virtual Meeting

Due to the COVID-19 outbreak we ask that the public attend the meeting virtually and view the webcast of this meeting via the link provided on the event page.

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 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 ryan.jones@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.

PUBLIC COMMENTS FOR VIRTUAL 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*
- b. Navigate to the "Meetings" page*
- c. Identify the current meeting, and click on the link to the meeting webcast:
<https://cadwr.webex.com/meet/CVFPB>*
- 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 1-844-517-1271*
- b. Enter passcode: 132 803 8260*
- c. Please press mute*

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 Ryan.Jones@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. Please indicate whether you wish to have your comment read out loud, into the record during the meeting.

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 Ryan.Jones@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). Comments received at or before the time the item is called will be read aloud during the meeting. 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.

Background for agenda items is available electronically. Please email the Clerk at Ryan.Jones@CVFlood.ca.gov to request an electronic copy of any agenda item. 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.

For technical support during the meeting, please send your question to Questions@CVFlood.ca.gov.

1. WELCOME, INTRODUCTIONS, AND ANNOUNCEMENTS

- Flood Week Resolution
- FMA Wrap-up

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

3. APPROVAL OF MINUTES (Action Item)

- June 26, 2020
- July 24, 2020

4. REVIEW OF AGENDA

5. CONSENT ITEMS (Action Item)

A. Permit No. 1223-1 Garden Highway Mutual Water Company (*Priscilla deLamare, Operations Branch, Board Staff*)

Consider approval of Permit No. 1223-1 to install two ISI "Tee" style, cylindrically shaped, self-cleaning, 304 stainless steel fish screens; To construct and seal a new concrete well sump that encloses three existing intake pumps authorized under Permit No. 1223; To excavate and widen the existing pump station intake channel; To construct a debris deflector at the entrance to the intake channel; To dredge in the Feather River at the confluence with the intake channel; To modify the pump platform with 7 new piles to support the retrieval track, screen, wet well sump structure, intake adapter/docking inlet, and bracing support structure. The project is approximately 3.74 miles north from the intersection of State Route 99 & Garden Highway on the right (west) bank levee of the Feather River. (Sutter County)

B. Permit No. 19319 Chris & Sarah Dicharry (*Deb Biswas, Operations Branch, Board Staff*)

Consider approval of Permit No. 19319 to construct a new 2,624 square-foot single-story dwelling to be built atop an already existing slab foundation along with an 820 square foot of an attached garage and a driveway. The project will also include the construction of a new groundwater well and pump. The proposed project is located at 8566 County Road 67, approximately 0.4 miles northeast of the town of Afton within the Area E of the Butte Basin. (Glenn County)

C. Permit No. 19361, James Salisbury (*Justin Logan, Operations Branch, Board Staff*)

Consider approval of Permit No. 19361 to remove and replace sheds, authorize and install sections of a boat dock, and to remove an existing dwelling and construct a new dwelling. The project is located on the left (east) bank levee of Georgiana Slough, approximately 50 feet south of Georgiana Slough Bridge. (Sacramento County)

D. Permit No. 19451 – Reclamation District 1614 (*Humberto Negrete, Operations Branch, Board Staff*)

Consider approval of Permit No. 19451 to upgrade the Wisconsin Avenue Pump Station by removing and replacing existing 20-inch and 18-inch diameter discharge pipes; expanding the pump station by installing two (2) new 75 horsepower pumps and two (2) new 24-inch diameter pipes; and the construction of a new concrete outfall structure with ArmorFlex block matting below the waterside levee hinge. The proposed project is located on the left (south) bank of the Calaveras River, approximately 4,100-feet downstream of Interstate 5 in the City of Stockton. (San Joaquin County)

E. San Joaquin Area Flood Control Agency, U.S. Army Corps of Engineers Project Partnership Agreements (*Ali Porbaha, Plan Implementation and Compliance Branch, CVFPB; Larry Ito, Flood Projects Office, Department of Water Resources; Patrick Howell, U. S. Army Corps of Engineers; and Chris Elias, Executive Director, San Joaquin Area Flood Control Agency*)

Consider approval of Resolution No. 2020-07 for the Project Partnership Agreement between the CVFPB, U. S. Army Corps of Engineers and the San Joaquin Area Flood Control Agency (SJAFCA), and approval of the Local Project Partnership Agreement between the CVFPB and SJAFCA for the San Joaquin River Basin, Lower San Joaquin River California Project.

6. PUBLIC COMMENT (non-agenda items only)

7. LEGISLATIVE UPDATE (Out of Session)

8. DEPARTMENT OF WATER RESOURCES ITEMS (Informational)

A. Monthly Report of the Department of Water Resources (*Jeremy Arrich, Chief, Division of Flood Management, Department of Water Resources*)

Department of Water Resources project updates and recent events

B. Board Encroachment Permit Inspection Support Services (*Sterling York, Chief of Flood Project Inspection Section A, Hydrology and Flood Operations Office, Division of Flood Management, Department of Water Resources*)

Purpose is to inform the board members on the Flood Project Inspection and Assessment Branch's role and authorities, process, and progress when performing encroachment permit inspections this work.

C. FOC Flood Preparedness (*Elizabeth Bryson, Chief of Flood Operations Branch, Hydrology and Flood Operations Office, Division of Flood Management, Department of Water Resources*)

Purpose is to inform the board and public of the preparedness activities the FOC leads in preparation for flood season; rosters, training and exercises, flood fight materials/supplies, pre-season flood coordination, grants. This is a regular report done each year.

- D. Annual SPFC Flood Risk Notification Program Update (*Michael Mierzwa, Chief of the Flood Plain Management Office (FPMO) Division of Flood Management, Department of Water Resources*)

Annual update on the production and mailing of over 300,000 flyers notifying central valley property owners of their flood risk

- E. 2022 Central Valley Flood Protection Plan Update (*Mary Jimenez, Acting Chief, Systemwide Multi-Benefit Initiatives Branch, Department of Water Resources and Chris Williams, Chief, Flood Planning Branch, Department of Water Resources*)

DWR staff will provide an overview of recent activities and progress developing the 2022 Central Valley Flood Protection Plan Update, with a focus on Regional Flood Management Planning and the Floodplain Management Association (FMA) Conference.

9. BOARD ITEMS

- A. Adopt the Amended Board Policy Regarding Board Member Participation on Committees and Liaison Assignments (*Leslie Gallagher, Executive Officer*) (**Action Item**)

Consider approval of the proposed update to the Board Policy for Board Member committee and liaison assignments.

- B. Water Commission Overview (*Darren Suen, Policy Advisor, Laura Jensen, Asst. Executive Officer CA Water Commission*) (**Informational**)

California Water Commission staff will brief the Board on the Commission's roles and responsibilities, strategic plan, and current work on the Water Storage Investment Program and assessing a State role in financing water conveyance.

- C. Great Valley Grasslands Floodplain Restoration Project (*Justin Logan, Operations Branch, Board Staff; Mike Davis, American Rivers; and Reggie Hill, Lower San Joaquin Levee District (LSJLD)*) (**Informational**)

Informational briefing on the Great Valley Grasslands Floodplain Restoration Project in which the California State Parks plans to breach existing levees in three locations to restore floodplain habitat and re-establish natural hydrologic processes at the confluence of the San Joaquin River Designated Floodway and Salt Slough in Merced County.

D. American River Watershed Common Features 2016 Project Environmental Update (Itzia Rivera, Board Staff; Ben Waitman, DWR Flood Projects Office) **(Informational)**

Informational briefing on the American River Watershed Common Features 2016, Sacramento River East Levee Contract 2 Project Supplemental Environmental Assessment / Environmental Impact Report (SEA/EIR).

E. Department of Water Resources, Butte Slough Outfall Gates Project (Greg Harvey, Plan Implementation and Compliance Branch; and Eric McGrath, Division of Flood Management, Department of Water Resources) **(Action Item)**

Consider approval of a letter to the U.S. Army Corps of Engineers (USACE) pursuant to federal Title 33, USC Section 408 requesting that USACE initiate, in cooperation with the Department of Water Resources (DWR) and other federal agencies, a joint review of Butte Slough Outfall Gates Project. The project is located on the east levee of the Sacramento River at Butte Slough in Sutter and Colusa Counties.

F. Tisdale Bypass Sediment Removal Project Maintenance Agreement (MA) and Tisdale Bypass Spoilsite Land Use Memorandum of Understanding (MOU) (Michael Wright, Chief Engineer, Board Staff, and Andrea Buckley, Chief of the Environmental Services and Land Management Branch, Board Staff) **(Informational)**

Informational briefing on two agreements between the Board and DWR in regard to the Tisdale Bypass Sediment Removal Project, a sediment removal project undertaken by DWR in the Tisdale Bypass (Sutter County) to restore channel capacity and reestablish baseline conditions.

G. Enforcement Case No. 2018-723 Palmer Hatch (Eric Miao, Enforcement Section, Board Staff) **(Action Item)**

Consider affirmation of the Cease and Desist Order (CDO) issued to Mr. Palmer Hatch on August 24, 2020. This enforcement case is located on the Cherokee Canal Left Bank Levee at Levee Mile 20.79 at approximately 39.37069, -121.85047 in Colusa County.

10. 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 Plan Implementation and Compliance Branch

D. Update on the activities of the Environmental Services and Land Management Branch

11. BOARD COMMENTS AND COMMITTEE UPDATES

12. UPCOMING MEETINGS AND TOPICS FOR THE BOARD

- Board Workshop, October 9, 2020 (WebEx)
- Coordinating Committee, October 21, 2020 (WebEx)
- Board Meeting, October 23, 2020 (WebEx)

13. CLOSED SESSION

- A. Pursuant to the authority of Government Code section 11126 (e)(i). To discuss litigation: Security National Insurance Co. vs. Central Valley Flood Protection Board, et al., STK-CV-UED-2019-12115 (*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, 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*)

14. CLOSED SESSION REPORT (Action Item)

15. ADJOURNMENT