

BRANNAN-ANDRUS LEVEE MAINTENANCE DISTRICT

Minutes of Thursday, November 13, 2014

The stated meeting of the Brannan-Andrus Levee Maintenance District's Board of Directors was called to order by President, Larry Gardiner, at 10:00 a.m. on the above cited date at the District Office, 310 Second Street, Isleton, California.

1. Roll Call indicated a quorum with the following in attendance:

Directors: Joe Deak, Larry Gardiner, Gay Giles, Frank Silva Jr. and Denis Van De Maele
 Staff: Andy Giannini, Superintendent; Debbie Phulps, Secretary; Gilbert Labrie, Engineer; Victoria Hale, Treasurer
 Guests: Kirk West

2. Agenda Setting. MSC (Silva / Giles) **MSC** adopting the meeting Agenda following addition of two encroachment items: Kearns drainage and Greenfields Turf concrete pads. [MSC = Motion-Second-Carried unanimously unless otherwise noted].

3. Invitation to Guests to address the Board. None responded.

4. Financial. Copies of the Balance Sheet and Unpaid Bills Detail were distributed and reviewed. Director Giles received copies of the September and October bank statements. Vicki noted the receipt of the FY2012-13 Subventions Claim check.

4.1 Balance Sheet Summary as of meeting date:

Total Checking / Savings	\$ 1,742,166.54
Total Accounts Receivable	\$ 434,715.41
Total Other Current Assets	\$ 6,641.50
Total Fixed Assets	\$ 649,320.46
Total Assets	<u>\$ 2,832,843.91</u>
Total Current Liabilities	\$ 751,087.45
Equity	<u>\$ 2,081,756.46</u>
Total Liabilities and Equity	<u>\$ 2,832,843.91</u>

4.2 The following claims were submitted for payment approval. Invoices were available and those presented by DCC Engineering and Delta Bookkeeping were reviewed.

Applied Water Resources	12,836.25	Mattos	2,000.00
AT&T Wireless	246.89	North Delta Water Agency	317.82
Bertholf, Inc.	1,920.00	Oilwell Materials	117.46
California Waste Management	93.50	Payroll - PERS	4,164.61
California Waste Management	712.59	Payroll - Liabilities	2,297.59
Deak, Joe	100.48	Quickbooks Payroll	3.20
Delta Bookkeeping	1,746.92	Ramos Oil	1,884.90
Frontier Communications	147.47	Reclamation 2067	360.00
Frontier Communications	54.54	River Rats	75.00
Gardiner, Larry	100.48	Sacramento Tax Collector	2,465.72
Giannini, Andy	2,251.62	Silva, Frank	100.48
Gilbert Labrie, AIA	34,284.65	Stewart Industrial	23.65
Giles, Gay	100.48	Van De Maele, H. Denis	100.48
John Deere Financial	668.48	VISA	548.56
Klipfel, Russel	2,224.26	Total	<u>\$ 71,948.08</u>

MSC (Deak / Van De Maele) authorizing payment of the claims presented and issuance of one (1) \$50,000 and one (1) \$25,000 warrant.

4.3 As follow-up to last meeting's discussion regarding the \$1,000 threshold for registering work with the Contractor's Monitoring Unit, Vicki distributed information from Scott. The handout related to the \$25,000 threshold for competitive bidding requirements. Her understanding following conversation with Scott was that the District was not subject to the CMU \$1,000 reporting requirement because the District falls under the

Water Code. Discussion ensued including input from the District Engineer following his conversations on the matter with the engineering representation of neighboring reclamation districts advised by Dante Nomellini. It was decided that further input was required since the Board was uncertain how Scott's information married with the other interpretation and whether we are discussing the same matters.

5. Business — Encroachments

5.1 Herman Helmand Security Fencing - the District Engineer has received no new correspondence or communicated with Mr. Helmand.

5.2 William Kearns - This request, which was presented at the October Board meeting, is for the installation of a 3-foot wide concrete swale drain along the levee side of the existing residential structure located on Mr. Kearns' Terminous Road property. It is proposed to construct a raised curb along the outside edge of the swale to contain the toe of the levee slope. The proposed swale is intended to capture storm water runoff via drainage inlets and a collection system that will carry the runoff to the drainage ditch that is in the front of the parcel and adjacent to Terminous Road. This office recommended that the request be granted and added to an existing permit, previously granted by the District for reconstruction of the residence. The Board concurred but a question was subsequently raised about the roadside ditch's drainage culvert/irrigation sump intersection that is located just south of Mr. Kearns property. A concern was raised that the mechanical separation between the two systems had been tampered with since reconstruction of the sump. This office was asked to investigate the situation before following up on Mr. Kearns request. That investigation confirmed the suspicion and revealed that any drainage flows emanating from the north along Terminous Road was discharging into the sump and exiting through the irrigation line that crosses under the Road. As noted, this same situation was previously corrected by the District. There appear to be two options to consider in order to correct the problem. Restore the drainage culvert cross connection or eliminate the problem all together by relocating the sump. Whomever removed the crossing link can do it again unless it is modified. Having Mr. Kearns repair the damage as a condition of his permit addition may or may not ensure that the same thing does not happen in the future.

A lengthy discussion ensued regarding the current configuration of the sump and its operation. Superintendent Giannini excused himself from the meeting to make a site visit and gather preliminary data. Report was provided on his return during the course of the Engineer's Report.

5.3 Bruno's Island - This office was recently appraised of an upcoming project involving repairs to the bridge that connects Bruno's Island to the District's Sevenmile Slough levee. The proposed repair primarily involves sleeving existing piling and replacing elements of the deck structure and planking. The closest pile to be sleeved is approximately 90 feet away from the District's levee and no work is planned for the bridge abutment that is constructed at the edge of the levee crown. However, the proposed in-water construction, which cannot take place until next year, will occur within the District's Area of Jurisdiction. An LOP would probably suffice in this situation, as the potential impact of the project on the levee structure is not considered to be a concern.

5.4 Greenfields Turf - This situation recently was made apparent to this office by a District Board member and involves the intended construction of two 25-ft x 30-ft concrete slabs to support pumps and filter systems that will connect to existing irrigation lines that connect to Georgiana Slough. The structures will be located approximately 25 feet off of the toe of the lower stability berm slope and are well out of the CVFPB Are of Jurisdiction but within the District's. The situation is similar to an earlier irrigation equipment slab construction project that the District reviewed and permitted that is located next to the RD 407 pump station. An LOP is recommended for this proposed slab construction as there should be no impact on the levee structure. However any excavation towards the levee to connect with the existing drainage pipe should be submitted for review and issuance of an encroachment permit by the BALMD Board.

6. Staff Reports

6.1 Secretary - Debbie Phulps. MSC (Giles / Deak) approving the October 9, 2014 minutes. Correspondence was read. She noted that a claim under the FY2013-14 Subventions Program had been compiled and submitted to the State in the amount of \$1,265,805.13.

(Director Silva exited the meeting due to a prior engagement.)

6.2 Engineer - Gil Labrie. The District Engineer (DE) presented his written report. Discussion points in the course thereof are noted by the use of inset paragraphs.

A. Levee Subventions Program Issues Overview — Levee Subventions Program Issues Overview
- The current main focus of efforts that could significantly affect administration of the levee

Subventions Program is the development of a *Delta Levees Investment Strategy* methodology, which is being undertaken by outside consultants reporting to the Delta Stewardship Council (DSC). The purpose for this effort appears to be to objectify the decision making process of allocating fiscal resources to levee repairs and rehabilitation. Information documents provided by the DSC staff indicate that the purpose of the effort is to “update priorities for State investments in the Delta levee system to reduce the likelihood and consequences of levee failures”. While the DSC seems to recognize the importance of the Delta levees to “help protect people, property, natural resources and numerous infrastructure systems of statewide importance”, that the State is lacking a long-term strategy to guide future investments of its limited funding. The 2009 Delta Reform Act directed the DSC to develop funding priorities “that achieve an optimal reduction of risk and further the coequal goals of water supply reliability and restoring the Delta ecosystem”.

The “comprehensive methodology” being developed will need to consider the assets being protected by the Delta levees, the treats that exist to individual levied units, the multiple beneficiaries affected, and the structural and non-structural options available for reducing risk. The goal is to develop a computer-based decision support tool to ultimately produce an “optimized suite of investments”. A final report will propose a strategy and outline a list of prioritized investments that purportedly best address State goals with a tiered ranking of selected islands and tracts that and an allocation of costs based on those who benefit. These priorities will replace the interim Delta Plan policy and implementing regulation. The product of this effort will then be submitted to the State Legislature to help guide future decisions about funding.

A key to where this new effort is going rests with the fact that it is on a fast time line and therefore will be relying on the data and results of previous Delta levee planning efforts. This means the DRMS Report, the DPC Economic Sustainability Report and the LMA's 5-Year Plans. Depending upon what information is used, whether it is judiciously verified, and how it is used could lead to the axiom of “garbage in - garbage out”. Because the study consultants and DSC is reaching out to Key Delta stakeholder representatives in this formative stage of the process they are being made aware of the holes and inaccuracies in those existing resources, particularly the DRMS Report and finding out that Delta stakeholders and likely the broader community are not on the same page. The Delta position has been and still is that the islands have to be viewed as part of a system and not individually, the levees are in much better shape than depicted in the DRMS Report, and what is protected by the levees has habitat value that is being overlooked.

There is no question that the DSC is embarking on a daunting task. Particularly, striving to produce a document that is objective and not unduly influenced by the water contractors or current executive branch bias. Additionally, the concept of State budget decisions being influenced by “return on investment” predictions seems out of context with governments role of taking care of unmet public needs that are not self sustaining let alone being quantifiable.

To date Gilbert Cosio (MBK), Chris Neudeck (KSN) and myself have participated in discussion sessions with DPC representatives and the consultant team working to develop an investment strategy and compile the report and have also been asked to review and respond to the information being gathered and compiled.

In prior months it was reported that the other principal item of focus by DWR involving the Delta Levees Subventions Program was the PSP (Project Solicitation Proposal) package for Delta Levees Special Flood Control (Multi-benefit) Projects. This is the fourth in a series of separate project proposal solicitation campaigns to support larger projects than can be funded and (initially thought) accomplished in a single budget year under the Subventions Special Projects umbrella that was established as a separately administered segment of the Levee Program. DWR issued this fourth PSP on June 13, 2014, calling for initial concept proposals to be submitted by July 17, 2014. The project Guidelines emphasized water supply reliability, channel margin habitat enhancement, and improvement to levee system integrity with a total of \$75 million targeted for projects ultimately selected through a two-phase selection process.

As previously reported to the Board, this office proposed the erosion repair/habitat enhancement project involving the Sacramento River levee between Cache Slough and Isleton, that is in the District's 5-Year Plan and in the preliminary design stage in preparation for USACE and Flood Protection Board permitting submittal. On August 1 DWR formally announced that 5 concept Proposal projects had been selected and the proponents were invited to submit a Full Application for funding consideration by September 16, 2014. BALMD's Erosion Control/Habitat Enhancement

Project was one of the five. Only four out of the five LMA's on the short list chose to continue in the selection process.

Because of the short time line for preparation of a more detailed Full Application package, this office proceeded with the preparation effort required to respond to the requirements of the Program Guidelines and prepare a complete submittal package presuming Board concurrence. It seemed prudent to spend the time and effort as the information compiled will facilitate a District effort to proceed with the phased project as originally planned for the 5-Year planning period laid out for DWR in an earlier document.

In terms of the status of the Sacramento River levee erosion repair project PSP, this office received correspondence from DWR requesting some additional information and formatting changes for the project scheduling data provided, along with some additional detail. The deadline for this follow up submittal was October 13 and was met by this office. To date there has been no follow up communication from DWR.

- B. Periodic Inspection Report — On the agenda for a special November, three-day USACE scheduled Levee Screening National Roll-Up Presentation is a time slot assignment for RD 556 and BALMD. In October the BALMD Board was previously appraised of a Flood Protection Board agenda item where the USACE would be presenting the results of a recent "screening" involving RD 563 and 554. That session focused on the same issues involving the Project Levees involved as will be the result for RD 556 and BALMD when that report comes out. Because of a moving schedule conflict this office was unable to attend a pre-screening that was scheduled for September 3 with CVFPB staff and LMA representatives regarding BALMD findings. CVFPB member Joe Countryman did pose some good questions and observations for the USACE regarding urban vs. rural levee O&M and design criteria and the lack of different standards in order to get the issue on the table. What will come of the CVFPB discussion is difficult to predict.
- C. 2013-14 Subventions Projects — The two 2013-14 levee crown projects that were bid on May 22; the PL 84-99 crown raising on the Mokelumne levee between the Lighthouse Resort and Pirates Lair Resort, and levee cross section enhancement on Sevenmile Slough between the dams, are now complete.
- D. 2014-15 Subventions Budget — The main construction project that is budgeted for this fiscal year is the seepage management and French drain project for Georgiana Slough, designated the Gardiner/Still project. That project is currently bogged down in the Flood Protection Board's permitting process review nightmare. Additionally, the District's Subventions budget also anticipates moving forward with geotechnical testing, design and environmental assessment for the stability berm project planned for the Mokelumne River and Sevenmile Slough levees, as well as the permitting effort for the Sacramento River erosion repair and habitat enhancement project discussed above. However, if this project is selected through the PSP process it will move forward on a different funding path.

As part of the District's Fall 2014 construction efforts, a contract has been negotiated with Arborwell to undertake the focused tree trimming effort on the Sacramento River levee to eliminate a critical unacceptable vegetation maintenance deficiency at two critical locations. That work is now scheduled to take place on November 24, 25, and 26. Arrangements are being made with the California Highway Patrol to assist with traffic control. The District's annual rip-rap maintenance effort for 2014 included both Georgiana Slough and the Sacramento River. The project bid documents called for two barge loads of rip-rap to be placed along Georgiana Slough, downstream of the Ox Bow, and one on the Sacramento River levee at three designated primary sites that have noted in previous levee inspection reports generated by both the State and USACE. The Sacramento River rip-rap repair project description included clean up of the arundo sites between Cache and the Isleton Bridge.

There was only one qualified bidder for the advertised rip-rap project. Dutra Construction submitted the only bid for the rip-rap project and has completed all the work outlined in the contract documents. As part of the project, some rip-rap was stockpiled at strategic locations for land-side placement behind floating structures. Because the scope of that effort could not be determined in advance, a land based contractor, Gornto Construction was contacted to arrange for the placement of that material under a separate work order.

Over the last few months this office has recommended proceeding with a subsurface conductivity

investigation of the Sacramento River levee, based on a quote obtained from CSI and similar to an investigation that was undertaken on the remaining island levees. The purpose of the earlier investigations was to look for subsurface anomalies needing further investigation potentially posing a threat to levee integrity. An investigation of the District's Sacramento River levee is considered essential to better determine the precise location and extent of the penetrations that were identified in the DWR study. Such an investigation would facilitate the future District effort that will be required to address many of the items identified in the DWR study during 2014-15. The cost of the subsurface conductance study and report would be \$21,000. Board approval has been postponed in order to better manage cash flow until the State reimbursement of 2012-13 Subventions expenditures was received.

The only other project that is being contemplated for development during the 2014-15 budget year is a crown raising project for the San Joaquin River levee west of Pirates Lair and extending to the former Happy Harbor restaurant structure. There has been some settling of this reach since it was last rehabilitated by the District and it is a vulnerable stretch because of the long fetch of the San Joaquin River in the south easterly direction. An early start developing the design and construction drawings for this project would facilitate an effort to get Sacramento County funding participation for some of the paving work.

- E. DR 200601- CDAA Obligation — This issue has been presented to the Board in prior reports and is being carried forward as a reminder. It involves an over-payment situation emanating from the closeout of the District's 2006 disaster claim and subsequent reimbursements from OES and FEMA. It is the contention of this office that a final resolution will cost the District \$122,210 to clear up. A detailed synopsis of the circumstances that revealed this OES error appeared in the August 2014 District Engineer Report and was reprinted in September. This office received a recent call from a CalOES individual that we worked with after the 2006 event who suggested that it is time to follow up with the person who is handling the over-payment reimbursement claim. The final resolution of this matter has been awaiting CalOES. Apparently, the excess workload generated by fire related disaster assistance has subsided. An effort will be made by this office to reach a consensus on the amount the District has to remit back to the State.
- F. Delta Bay Monitoring — As previously reported, this office has been conducting periodic monitoring surveys of the San Joaquin River levee at the Delta Bay Resort because of the localized settlement that has been occurring there over the years necessitating periodic rehabilitation. Last year a bathymetric survey adjacent to the this levee section revealed some slope failure at the water side toe prompting a District declared emergency project, just before flood season, to bolster the levee with rip-rap. To conclude that effort the levee crown was re-graded and re-paved. Subsequently there has been new evidence that the localized movement is continuing to occur, both lateral and vertical shifting. This movement is being detected by an inclinometer that was installed by Raney Geotechnical installed a few years ago in order to detect where internal movement may be occurring. A recent reading of the monitoring device indicates continued movement at the minus 20 foot level, measuring from the levee crown.

At the October Board meeting there was some discussion about the history of the site in relation to the 1972 flood event and speculation about the source of the problem. It was suggested that one solution might be to install sheet piling along this levee reach to cut off any excess under seepage that may be contributing to the instability. This option was recently discussed with John Raney who expressed some reservations regarding the effects of the sheet pile installation process on levee stability. Another mitigation option that was discussed and will be studied further is the installation of a drainage system to lower the phreatic water level in the levee and thereby strengthen the levee structure. This would require obtaining an easement through the RV Park in order to install a drain line to the RD 317 drainage ditch to the north of the park but might be a less costly alternative than installing 40-foot, steel sheet piles along the edge of the crown. Initially, some investigative borings may need to be taken along the land-side levee toe to further define the potential problem. Because of the vulnerability of the levee at this location, it is recommended that more attention be devoted to engineering a geotechnically supportable stability improvement strategy.

6.3 Superintendent - Andy Giannini. Andy reported as to the mowing efforts, flood season preparations, rodent abatement efforts, and equipment repairs. The F150 is in need of repair, and a new vehicle may be needed for Russell while it is out of commission. The annual Flood Fight Drill on Twitchell will be conducted on Thursday, November 20. He and Russell will be attending. The Directors are likewise invited to attend.

Discussion ensued regarding the upcoming tree trimming effort. Andy was contacted about seepage at Rancho Marina, which is an older seepage site under watch within the marina near their water supply. A coffer dam was constructed some time earlier, and Andy has continued to monitor the site. He reported on attending the Delta Chambers mixer and responding to local water issue inquiries. A follow-up article is proposed for the Yachtsman. Correspondence was received related to HAZMAT Plan filing requirements for the coming year.

6.4 Counsel - Scott Shapiro. No report.

7. Director Reports — No reports.

8. Announcements / Recess and Change of Venue. Those present were invited to join the Board for lunch at Rogelio's in Isleton following the recess. President Gardiner called a 15 minute recess for relocation.

9. Reconvened. The meeting reconvened by Vice President Van De Maele with the following in attendance: Gay Giles, Joe Deak, Andy Giannini, Gil Labrie and Debbie Phulps. Discussions included levee stability down by Korth's, encroachment enforcement, as well as the special project application.

10. Adjournment. With no further business to come before the Board, the meeting was adjourned at 1:30 p.m.

Respectfully submitted,

Debbie Phulps, District Secretary
DCC Engineering Co., Inc.

Date Approved: December 11, 2014
MSC: Gay Giles / H. Denis Van De Maele