

BRANNAN-ANDRUS LEVEE MAINTENANCE DISTRICT

Minutes of Thursday, December 11, 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 (arrived during Engineer's report); Debbie Phulps, Secretary; Gilbert Labrie, Engineer; Victoria Hale, Treasurer
 Guests: Ben Neely of DCC Engineering

2. Agenda Setting. MSC (Silva / Deak) MSC adopting the meeting Agenda [MSC = Motion-Second-Carried unanimously unless otherwise noted].

3. Invitation to Guests to address the Board. None responded. Ben Neely of DCC Engineering was introduced.

4. Financial. Copies of the Balance Sheet, Unpaid Bills Detail, and Open Invoice reports were distributed and reviewed. Director Giles received copies of the bank statements.

4.1 Balance Sheet Summary as of meeting date:

Total Checking / Savings	\$ 1,351,059.54
Total Accounts Receivable	\$ 639,739.38
Total Other Current Assets	\$ 6,641.50
Total Fixed Assets	\$ <u>649,320.46</u>
Total Assets	\$ <u>2,646,760.88</u>
Total Current Liabilities	\$ 728,690.00
Equity	\$ <u>1,918,070.88</u>
Total Liabilities and Equity	\$ <u><u>2,646,760.88</u></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.

<u>Group A</u>		Oilwell Materials	79.11
AT&T Wireless	251.17	Paul Vaz Trucking	4,603.36
California Highway Patrol	500.00	Payroll - PERS	4,164.92
California Waste Mngmt	93.50	Payroll - Liabilities	2,297.72
The Dutra Group	<u>319,233.28</u>	Quickbooks Payroll	3.20
Total Group A	<u>\$ 320,077.95</u>	Ramos Oil	299.96
		Reclamation 2067	360.00
<u>Group B</u>		River Rats	75.00
California Special District	1,062.00	S&W Tire Service	17.01
California Waste Management	93.50	Sacramento County Enviro	311.75
Deak, Joe	100.48	Silva, Frank	100.48
Delta Bookkeeping	1,611.76	Stewart Industrial	271.40
Frontier Communications	97.31	Van De Maele, H. Denis	100.48
Gardiner, Larry	100.48	VISA	1,465.20
Giannini, Andy	2,251.62	Transfer to Superintendent	
Gilbert Labrie, AIA	21,731.24	Account	<u>1,000.00</u>
Giles, Gay	100.48	Total Claims	<u>\$ 70,972.72</u>
Gornto Ditching	26,450.00		
Klipfel, Russel	2,224.26	Total Claims	<u>\$ 391,050.67</u>

MSC (Deak / Giles) authorizing payment of the Group A claims and issuance of six (6) \$50,000 warrants and one (1) \$20,000 warrant.

MSC (Silva / Van De Maele) authorizing payment of the Group B claims and issuance of one (1) \$50,000 and one (1) \$10,000 warrant.

4.3 The Board was advised of the renewal of the Cd with Bank of Stockton.

4.4 Gil Labrie updated the Board as to reconciliation of the OES overpayment amount from the 2006 Disaster Assistance payment. The amount has been reconciled with the OES documents. Discussion ensued regarding the District's ability to cover a single sum payment at this time, particularly given that we are in the flood season. The matter was transferred to the District Treasurer, Vicki, for follow up with the agency to discuss payment options and arrangements.

5. Business — Encroachments

5.1 William Kearns Property Drainage. Originally, a request was presented at the October Board meeting for the installation of a 3-foot wide concrete swale drain along the levee side of the existing residential structure on Terminous Road. The proposed swale is intended to capture storm water runoff via drainage inlets and a collection system to carry storm water runoff to the drainage ditch adjacent to Terminous Road. Approval was tentatively granted as an addition to an existing District permit issued for reconstruction of the residence. In October, and again during the November meeting, discussion ensued about the roadside drainage ditch functionality, and the drainage culvert/irrigation line and manhole intersection re-constructed as part of the Comstock drainage improvement project located just south of Mr. Kearns property line. The mechanical separation in the manhole between the two systems has been tampered with since it was constructed by the District. As discussed in November, it is likely that the tampering was necessitated by the fact that the drainage ditch and culvert crossing Terminous Road at the south end of the Comstock property was not working properly. That culvert situation has since been corrected but the roadside ditch has not been cleaned up to the manhole discussed above. It is not clear to this office whether or how to proceed on this matter: direct Mr. Kearns to repair the damage as a condition of his permit and get Bruce Gornto to clean out the drainage ditch up to the new manhole, or leave the current dual use inlet/outlet configuration in the manhole that was enabled by Mr. Kearns.

MSC (Silva / Van De Maele) authorizing the District Superintendent to interface with Gornto Ditching for the re-opening of the old ditches to complete the flow to the subject collection point.

5.2 Bruno's Island PG&E Service Pole Relocation. This office received a request from PG&E for the Board's endorsement of the relocation of the main power line crossing Sevenmile Slough and servicing Bruno's Island. The request involves shifting the existing service line, which currently parallels the island access bridge, to another power pole on the main line that parallels the District levee and is located off the levee crown on the land side slope. Completing the switch may require replacing the existing power pole and adding a guy wire at the new service connection location. The existing connection and service connection configuration was permitted by the State Reclamation Board in 1968. The line relocation is necessitated by an upcoming project to undertake major repairs to the bridge and support structure involving some crane work. This office supports the endorsement request as long as PG&E follows accepted protocol when doing any service pole replacement work on a levee slope and below the ordinary high water line in the adjacent waterway.

The Board concurred with the District Engineer's recommendation.

5.3 Ox Bow Marina Mutual Water Company. Request involves construction of a new 12-inch water main connecting Ox Bow with the California American Water system supplying the City of Isleton. The proposed line alignment includes crossing the levee opposite the entrance to the Ox Bow complex and then paralleling the Georgiana Slough levee toe to the City property where the sewer ponds are located and then paralleling that property line across to the Isleton City Limits. The line crossing the levee will be above the 100-year design flood elevation and will be installed with 24 inches of cover when it goes down the levee slope. There will be positive closure valves on either side of the levee crown per State and Federal standards. The new water main will somewhat parallel the existing forced sewer main connecting the Ox Bow to the City system, but will always be located at least 10 feet away from the base of the new rock toe berm installed in 1997. A District encroachment permit and Flood Board endorsement are needed to complete the submittal package to the CVFPB for its encroachment permit. Construction is not anticipated to get underway until late summer 2015.

To assist Ox Bow in the permit process it is requested that the District act as a Lead Agency for the CEQA process and adopt a determination that the project is Categorical Exempt because there are no significant adverse impacts and meets the requirements of a Class 3 project identified in Section 15303 (d).

MSC (Silva / Deak) fulfilling the role of Lead Agency for the filing of a Notice of Categorical Exemption; and authorizing the endorsement on the Flood Protection Board permit application and issuance of a District encroachment permit with standard conditions in keeping with the

District Engineer's recommendations.

6. Staff Reports

6.1 Secretary - Debbie Phulps. MSC (Giles / Van De Maele) approving the November 13, 2014 minutes.

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 — For the last few months the main focus of DWR Subventions Program efforts that could significantly affect administration of the Levee Program is the development of a Delta Levees Investment Strategy (DLIS) methodology. As previously reported, this effort is being undertaken by outside consultants reporting to the Delta Stewardship Council (DSC). The purpose for this effort is to objectify the decision making process of allocating fiscal resources for flood protection vs ecosystem restoration vs water system reliability. However, the PR documents published by the DSC 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”. The best indication of what is behind effort is in the 2009 Delta Reform Act , which directs 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 with the help of the RAND Corporation, is described as being a computer-based decision support tool to ultimately produce an “optimized suite of investments”. Such a tool will be used to propose a list of prioritized investments, for budgeting consideration, that purportedly best address State goals within a tiered ranking of selected islands and tracts based on benefit cost analysis. These investment priorities will replace the interim Delta Plan policies and implementing regulation that currently guide DWR and State budgeting allocations of Water Bond monies.

One of the key weak links in this process rests with the fact that it is on a fast time line and the consultants are relying on the data and results of previous out-dated Delta levee study efforts. Essentially, this means the DRMS Report, the DPC Economic Sustainability Report and the LMA's 5-Year Plans. Only one of those documents represents a more reliable barometer of benefits and costs associated with Delta Levee maintenance and rehabilitation. Because the study consultants and assigned DSC staff are attempting to reach out to Key Delta stakeholder representatives, they are being made aware of the holes and inaccuracies in the information resource documents being relied upon, particularly the DRMS Report. It is also being continually stressed by key Delta stakeholders that the Delta islands have to be viewed as part of a system and not individually and that all levees have to be brought up to and maintained to the PL 84-99 or Bulletin 192-82 standards first, before some are taken to a higher level of protection.

To date Gilbert Cosio (MBK), Chris Neudeck (KSN) and myself have participated in only two discussion sessions with DPC representatives and the consultant team working to develop an investment strategy and compile the report.

Prior to the DLIS kick off another 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. DWR issued this PSP on June 13, 2014, calling for initial concept proposals to be submitted by July 17, 2014 with a total of \$75 million potentially available for projects ultimately selected through a two-phase selection process.

BALMD's planned erosion repair/habitat enhancement project involving the Sacramento River levee between Cache Slough and Isleton, that has in the preliminary design stage in preparation for USACE and Flood Protection Board permitting submittal was initially submitted and ultimately was one of the 5 concept Proposal projects had been selected. This was announced on August and proponents were invited to submit a Full Application for funding consideration by September 16, 2014. Only four out of the five LMA's on the short list chose to continue in the selection process. Subsequently, this prepared and assembled a more detailed Full Application package, responding to the more detailed requirements of the Program Guidelines and successfully met the deadline established by DWR. Thereafter, 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, which was met by this office. It is our understanding that the District will be contacted by DWR and January and

advised of the next steps in the PSP process. If BALMD's project is selected to move forward to construction, the District will be presented with a work agreement for consideration along with all the guidelines that would come with participation in the Special Projects Program.

- 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 projects that involved PL 84-99 crown raising along the Mokelumne River levee between the Lighthouse Resort and Pirates Lair Resort; and expanding the upper levee cross section and some HMP crown maintenance at several locations 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. To comply with current regulatory requirements, that project is being subjected to the Central Flood Protection Board's permitting process review nightmare. In terms of long range planning, the protocol for the geotechnical testing needed to proceed with the engineering design and environmental assessment study for a stability berm project on the Mokelumne River and Sevenmile Slough levee across from Bruno's Island is being developed. Additionally, the permitting effort for the Sacramento River erosion repair and habitat enhancement project submitted for the PSP discussed above will be moving forward in earnest after the holiday lull in Sacramento government circles. Current survey crown data is also being gathered along the levee reach between Pirates Lair Resort and Happy Harbor in anticipation of a future crown maintenance and improvement project. That area has seen some settlement and shifting since it was last rehabilitated and is an extremely vulnerable stretch of levee when the southeast storm winds accompany the high tides during December and January.

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. Most of that work was undertaken in November 24, 25, and 26 and arrangements were made with the California Highway Patrol to assist with traffic control. There is a section of land side vegetation that was not completed along Highway 160 that is scheduled for next Wednesday, December 17. The District's annual rip-rap maintenance effort for 2014 included both Georgiana Slough and the Sacramento River that 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 were on the DWR inspection list, as well as the removal of the remnants of the arundo removal effort that has been essentially completed. Some small, non-critical, items that were expected to be addressed were missed and will get picked up on a future Sacramento River erosion repair effort.

- E. DR 200601- CDAA Obligation — This issue has been presented to the Board in prior reports. It involves an over-payment situation emanating from the closeout of the District's 2006 disaster claim and subsequent reimbursements from CalOES and FEMA. A detailed synopsis of the circumstances that revealed this CalOES error appeared in the August 2014 District Engineer Report and was reprinted in September. This office has communicated on numerous occasions with CalOES individuals and has poured over historical files in the office and recent ledger information provided by CalOES. The result of that effort is that the resolution of this matter will require that the District issue a check to the Governor's Office of Emergency Services in the amount of \$150,561.
- 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. A more recent visit revealed some significant localized areas of vertical settlement as well as emergent cracking in the newly surfaced roadway on the eastbound travel lane, which is closest to the waterway.

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, which does not seem to be acceptable to the District's geotechnical engineer. This office has not had the opportunity to discuss the latest signs of levee movement with John Raney and have him take another reading of the inclinometer. He did recently indicate that he would revisit the boring file to look for any anomaly that might have been missed earlier.

DCCE will investigate bentonite use as a means of sealing the crown crack and stabilizing the section.

6.3 Superintendent - Andy Giannini. The Superintendent's current activities have been related to flood preparedness and pumping activities. Information was relayed about the requested interface with Gornto to restore the ditch at Terminous both ways from the culvert, to recreate the ditch from Comstock to Biagioni, and to cut the unauthorized AC curb dikes retaining water on the levee crown in the vicinity upstream of Delta Bay.

6.4 Counsel - Scott Shapiro. No report. Correspondence requesting that Downey Brand staff be assigned to the District was dispatched to Scott Shapiro under the President's signature. A response has not been received.

7. Director Reports — No reports.

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

9. Call to Order. The meeting was reconvened by President Gardiner with the following in attendance: Gay Giles, Joe Deak, Denis Van De Maele, Gil Labrie, Ben Neely and Debbie Phulps. Discussions included the upcoming storm system and levee crown issues at Delta Bay.

10. Adjournment. With no further business to come before the Board, the meeting was adjourned at 1:25 p.m.

Respectfully submitted,

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

Date Approved: January 8, 2015
MSC: Giles / Van De Maele