

BRANNAN-ANDRUS LEVEE MAINTENANCE DISTRICT

Minutes of Thursday, February 12, 2015

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 (arrived during Engineer's Report) and Denis Van De Maele
- Staff: Andy Giannini, Superintendent; Debbie Phulps, Secretary; Gilbert Labrie, Engineer; Victoria Hale, Treasurer
- Guests: Josh McCabe of Pacific Gas & Electric

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

3. Invitation to Guests to address the Board. Josh McCabe was present to advise the District of PG&E's intent to remove a palm tree within the District's jurisdiction, near the sewer ponds, impeding PG&E's line maintenance. The tree will be taken down; but the cut-up remnants will be left at site for owner's disposal.

4. Financial. Copies of the Balance Sheet, Unpaid Bills Detail, and Open Invoice reports were distributed and reviewed.

4.1 Balance Sheet Summary as of meeting date:

Total Checking / Savings	\$ 870,710.12
Total Accounts Receivable	\$ 434,192.63
Total Other Current Assets	\$ 6,641.50
Total Fixed Assets	\$ <u>649,320.46</u>
Total Assets	\$ <u>1,960,864.71</u>
Total Current Liabilities	\$ 375,173.87
Equity	\$ <u>1,585,690.84</u>
Total Liabilities and Equity	\$ <u>1,960,864.71</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	10,417.50	Oilwell Materials	66.95
Asta Construction	27,975.46	Payroll - PERS	4,260.32
AT&T Wireless	244.06	Payroll - Liabilities	2,508.01
Cal OES	25,000.00	Quickbooks Payroll	3.20
California Waste Mngmt	93.50	Ramos Oil	260.59
Crop Production Services	823.83	Ramos Oil	308.93
Deak, Joe	100.60	Reclamation 2067	360.00
Delta Bookkeeping	1,756.12	River Rats	75.00
Dutra Construction	34,965.68	Robert Burns Construction	15,444.45
Frontier Communications	150.75	SafeTLite	2,488.01
Gardiner, Larry	100.60	SCI Consulting	1,061.51
Giannini, Andy	2,272.28	Silva, Frank	100.60
Gilbert Labrie, AIA	34,876.46	Soluri Meserve (L.A.N.D.)	17,250.00
Giles, Gay	100.60	Stewart Industrial	137.68
Gornto Ditching	6,120.00	Van De Maele, H. Denis	100.60
John Deere	751.31	VISA	839.77
Klipfel, Russel	2,233.88	Total Claims	\$ <u>193,248.25</u>

MSC (Van De Maele / Deak) authorizing issuance of four (4) \$50,000 warrants and payment of the presented claims.

5. Business

5.1 Encroachment Request / Review: Request involving construction of a septic system adjacent to the Sacramento River levee toe on Assessors Parcel 157-0090-087, at 15175 Highway 160, owned by Delta Diamond Ventures LLC. The 1600 gallon tank and 160 lineal feet of leach line service a recently constructed 40-foot by 80-foot metal shop building. The leach lines are 15 feet from the toe of the levee at the closest point, while the septic tank is at least 50 feet from the toe. The new shop building is greater than 50 feet from the levee toe at its closest point. The District Engineer was contacted by the owner during construction of the septic system after being notified by Superintendent Giannini that a District encroachment permit was necessary for any construction within 150 feet from the centerline of the levee. The closest portion of the building appears to be approximately 100 feet from the centerline of State Highway 160. However the levee is oversized at this location so the building is probably farther from the centerline of the project levee section profile. The septic system was inspected by this office before it was covered up and a verbal approval was given to complete the project and avoid a delay if BALMD Board review was deemed necessary. It is recommended that a Letter of Permission would be sufficient for this encroachment, which is outside the jurisdiction of the State and USACE and not jeopardizing the integrity of the oversized levee at this location. **MSC** (Van De Maele / Deak) authorizing the Letter of Permission as recommended by the District Engineer.

6. Staff Reports

6.1 Secretary - Debbie Phulps. MSC (Deak / Van De Maele) approving the January 8, 2015 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 — Previous Engineering Reports have advised the Board of the effort underway to develop a *Delta Levees Investment Strategy* (DLIS) methodology, which is being undertaken by outside consultants reporting to the Delta Stewardship Council (DSC). After some initial consultation with a few LMA engineers there has been no followup since and the DSC and its outside consultants seem to be marching forward without any type of LMA update. However, the Investment Strategy effort continues to be referenced in documents relating to levees that are emanating from DWR, the DSC and the DPC. BALMD Board members are reminded that the purpose for this report drafting effort is to objectify the decision making process of allocating fiscal resources for flood protection vs ecosystem restoration vs water system reliability and is intended to be a computer-based budgeting decision support tool. The 2009 Delta Reform Act, 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”.

This is supposed to be a transparent process but it is on the fast track and the consultants are therefore forced to rely on the data and results of previous out-dated Delta levee study efforts, primarily the DRMS Report, the DPC Economic Sustainability Report and the LMA's 5-Year Plans.

The most important input that is resonating from the local section is the notion that the Delta islands have to be viewed as part of a system, not individually. Therefore, the highest priority has to be ensuring that all levees are 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. Whether this pre-condition is integrated into the Investment Strategy report is open to speculation.

In past reports it has been noted that another principal item of focus by DWR, involving the Special Projects portion of the Delta Levees Subventions Program, was the PSP (Project Solicitation Proposal) package for Delta Levees Special Flood Control (Multi-benefit) Projects. To recap, DWR issued this PSP on June 13, 2014, with a total of \$75 million potentially available for projects ultimately selected through a two-phase selection process. The short list of 5 concept projects included BALMD's planned erosion repair/habitat enhancement project involving the Sacramento River levee between Cache Slough and Isleton. Only four out of the five LMA's on the short list chose to continue in the selection process, with a final submittal deadline of October 13, 2014. To date there has been no information provided to the 4 Districts that are supposedly being considered for funding. The only information this office has been able to get is that the final determination as to which projects are moving forward is in the hands of the Resource agency administrators. Supposedly a decision will come down by the end of this month, seven months after this hurry-up process was begun. What is even more puzzling is the DWR request that is on the street for *Directed Action* project concepts with an available funding pot of \$150 million with no mention of the status of the \$75 million PSP projects which are essentially directed action projects, given the specific criteria that had to be met to qualify for consideration.

- B. Periodic Inspection Report — It January it was reported that the 2014 USACE re-inspection of BALMD Project Levees was on the agenda of a National Levee Roll-up meeting tentatively scheduled for January 28 in Oklahoma. That meeting was supposedly the next level up in the USACE Periodic Inspection followup that began in 2014. The Levee Screening program is a risk-based assessment using previously collected data and on-site survey. Because of a schedule conflict this office was unable to attend a USACE pre-screening that took place in September with CVFPB staff. Additionally, the Oklahoma Roll-up Session is not the final screening, which will be a few months later. This office was able to participate, to some degree, during the Oklahoma briefing through a webinar that was set up by the Corp. However, it became clear during the 2-hour session that some technical errors in the report could have been corrected or addressed in the pre-screening that was missed. Of course the Rollup presentation gave this office a better idea of what to look for in the future. According to USACE staff the Levee Screening assessment determination (which was Unacceptable) will have no bearing on PL 84-99 status. The unacceptable items included; embankment stability, seepage due to trees on the levee, and waterside erosion. Encroachments were also a big issue, particularly the concrete culverts and retaining walls at the former cannery site in Isleton. It is hoped that the USACE will provide the District with some form of followup record of the important points that came up during that Rollup briefing.
- C. 2014-15 Subventions Projects — The main construction project that was budgeted for this fiscal year, the seepage management and French drain project for Georgiana Slough, designated the Gardiner/Still project is waiting for a Central Valley Flood Protection Board Encroachment Permit in order to comply with a more stringent requirement for CVFPB oversight of levee work on Project Levees. This type of holdup was supposed to be alleviated with the development of Rural Levee Design Criteria but that effort has never been formally recognized by DWR and the Flood Board and thereby implemented as the guide to follow without the additional engineering oversight being currently applied in the Flood Board review process.
- D. Delta Bay Monitoring — This office continues to be concerned about the lateral movement that is being measured in an unstable section of the levee at the Delta Bay Resort. As previously reported, this office has been conducting periodic monitoring surveys of a particular section of the San Joaquin River levee at this location for several years and last year a bathymetric survey adjacent to this levee section revealed some slope failure at the water side toe. That new information prompted a District declared emergency project, to bolster the levee with rip-rap before the flood season officially began. Unfortunately, that effort has not arrested the instability that continues to show up in the readings taken from the inclinometer that was installed at this location in 2013 and the re-paved levee section is again exhibiting differential settlement at the crown. The lateral movement that is still being detected is occurring approximately 22 feet below the crown. The most recent reading of the monitoring device indicates an increased rate of movement, at the minus-22 foot level, compared to 1 1/2 inches of movement in the preceding 12 months before the rip-rap placement.

A potential mitigation option that was previously discussed is being pursued and refined by this office. It includes 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. A field survey effort was initiated to obtain more detailed on-site elevation information to enable the development of a design for a drainage management solution to consider. There is the issue of the trees in the resort that are adjacent to the levee toe, some of which would have to be removed, and the future potential for the remaining trees to ultimately damage the functionality of a drainage system with intrusive root migration. The installation of a sheet pile cutoff wall is being considered to inhibit such an occurrence while serving as a cut off wall to force the seepage into the drain. The current design being developed in this office includes the extension of a drainage blanket up the levee slope to further insure that both under and any through seepage is captured and diverted into a French drain. The drainage management design discussed above has been refined to the point where the concept is ready for a formal engineering evaluation by Raney Geotechnical before moving forward to consider as a project. Obviously, a decision by the Board to move forward will require serious discussions and development of an agreement and easement with Delta Bay along with finalization of the construction documents and fine tuning the project construction cost estimate. At this juncture this office has developed a preliminary engineer's construction cost estimate of \$350,000 to \$400,000. That estimate excludes any costs associated with final project engineering, coordination with Delta Bay and possible acquisition of an easement.

- E. Emergency Preparedness: Mokelumne River Bridge Closure — Commencing March 2, 2015 the Mokelumne River Bridge will be closed to barge and large pleasure boat traffic. At that time CalTrans will begin a 9-month project to replace the bridge deck, control house and controls. The bridge will not be operable for 4 months starting in March. This office was made aware of this eventual closure in December, just weeks before the project was originally scheduled to begin on January 2, 2015, by the US Coast Guard. With the looming prospect of no emergency barge access during Flood Season a protest was lodged with the Coast Guard and its approval of the project was held up. This led to a meeting, organized by CalTrans and involving the Coast Guard official and the LMA representatives that protested the construction schedule, namely this office on behalf of BALMD and Tyler and Staten's manager. The outcome of that meeting was a project start date shift to April 6, 2015. When word got out about the new project schedule marina business representatives from Andrus Island, along with the Delta Chamber clamored for another meeting with CalTrans and the Coast Guard because of the potential effect of the project on their businesses and sought a schedule that would shift the project to after Labor Day in September. Given that CalTrans already had a contractor on board and the potential of the added costs of such a long project delay, the new April 6 project start date was not changed. However, during that meeting it was suggested by this office and RD 38 that a schedule shift to March 2 might be an option if an emergency response contingency plan could be put in place that would include standby equipment, namely a crane barge, and loaded rock barges stationed upstream of the bridge for the 4-month period of non-operation. A followup meeting near the end of January was suggested to consider such a revision in order to allow for development and costing out of the Contingency Plan and further weather experience.

A meeting was held on January 28, 2015 at the offices of CalTrans District 10 in Stockton and the project start date was shifted to March 2, to help satisfy the concerns of the lower Andrus Island business community with a CalTrans initiated effort to get the financial support for the emergency standby contingent of a crane barge and 2 1800-ton rock barges. A field representative from Senator Calgiani's office was in attendance at the January 28 meeting and volunteered to carry a request for \$1.5 million to the State Legislature for special funding consideration. Dutra's proposal to provide the standby equipment totals \$1,281,500. Adding a 15% contingency brings the total close to the \$1.5 million request going forward. That estimate does not include the placement cost for the rock after the bridge closure ends. CalTrans time schedule calls for the bridge to be back in operation for barge traffic on June 31, 2015. Dutra needs authorization and funding commitment by next Wednesday, February 18th, to initiate loading the barges and transport the material to the tie-up point upstream of the bridge in order to beat the timing of the bridge non-operation period.

6.3 Superintendent - Andy Giannini. The sheep are grazing Sevenmile. Andy and Russell have stepped up the rodent abatement program against the squirrels. Squirrel infestations noted near Vierra's, Silva's and Andy's old ranch. Wild turkeys have been spotted on the island as well as a few red tree squirrels. California Fish and Wildlife have placed limits on fumigant applications due to burrowing owls nesting. The issue with the District's locks has been rectified. Andy responded to the Sheriff's request for keys. The Directors were advised of pending mower repairs in the amount of \$7000 +/- due to wear. Parts have not been ordered. Matter is being watched. Andy shared scrapbook information related to the 1972 breach. Discussion ensued concerning the levee activity near Delta Bay.

6.4 Counsel - Scott Shapiro. No report.

7. Director Reports

7.1 Deak. No report.

7.2 Gardiner. No report.

7.3 Giles. No report.

7.4 Van De Maele. Inquiry about fallen trees followed by discussion as to deposition of the encroachment elements. Gil responded and more information will be forthcoming.

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 at 12:00 p.m. for relocation.

9. Call to Order. The meeting was reconvened by Vice President Van De Maele with the following in attendance: Gay Giles, Joe Deak, Denis Van De Maele, Andy Giannini, Gil Labrie, and Debbie Phulps.

10. Adjournment. With no further business to come before the Board, the meeting was adjourned at 1:20 p.m.

Respectfully submitted,

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

Date Approved: March 12, 2015
MSC: Giles / Deak