

BRANNAN-ANDRUS LEVEE MAINTENANCE DISTRICT

Minutes of Thursday, March 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 and Fran Silva
- Staff: Andy Giannini, Superintendent; Debbie Phulps, Secretary; Gilbert Labrie, Engineer; Victoria Hale, Treasurer
- Guests: None

2. Agenda Setting. MSC (Silva / Giles) **MSC** adopting the meeting Agenda as amended to include an encroachment item by B&R Resort. [MSC = Motion-Second-Carried unanimously unless otherwise noted].

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

3.1 Balance Sheet Summary as of meeting date:

Total Checking / Savings	\$	906,985.21
Total Accounts Receivable	\$	204,468.96
Total Other Current Assets	\$	6,641.50
Total Fixed Assets	\$	<u>649,320.46</u>
Total Assets	\$	<u>1,767,416.13</u>
Total Current Liabilities	\$	226,252.62
Equity	\$	<u>1,541,163.51</u>
Total Liabilities and Equity	\$	<u><u>1,767,416.13</u></u>

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

AT&T Wireless	288.86	Payroll - Liabilities	2,453.81
Cal OES	25,000.00	Quickbooks Payroll	3.20
Deak, Joe	100.59	Ramos Oil	212.18
Delta Bookkeeping	1,614.70	Rio Vista Ford	1,436.40
Frontier Communications	95.50	River Rats	75.00
Gardiner, Larry	201.18	Silva, Frank	100.59
Giannini, Andy	2,272.28	Stewart Industrial	6.45
Gilbert Labrie, AIA	38,023.47	Van De Maele, H. Denis	100.59
Giles, Gay	100.59	VISA	<u>640.36</u>
Kipfel, Russel	2,233.88		79,564.95
Kouri, Elliot	75.00	Superintendents Fund	<u>1,000.00</u>
Net Business Consulting	270.00	Total Claims	<u><u>\$ 80,564.95</u></u>
Payroll - PERS	4,260.32		

MSC (Giles / Silva) authorizing issuance of (1) \$50,000 and (1) \$25,000 warrant and payment of the presented claims.

4. Business

4.1 Encroachment Request(s) and Reviews

A. Greenfields Turf. Request authorization to trench near the Georgiana Slough levee toe to locate an existing siphon pipe crossing the levee near the Isleton sewer pond property and connect a new pipe line extending from a new pump station located approximately 50 feet from the levee toe. Connection was made landward of an existing gate valve and the trench depth was approximately 4 feet. This office was contacted about the project, and advised the Owner to submit an encroachment application to the District. Because of an urgency to proceed with the installation, this office determined that the levee structure would not be adversely impacted and authorized the

Owner/Applicant to proceed. Staff from this office was dispatched to the project site to ensure that the excavation and pipe installation was as initially presented. Given the minor nature of the encroachment and the fact that an existing penetration was involved, it is recommended that the after-the-fact permit be granted. **MSC** (Silva / Deak) authorizing issuance of the permit with the District's standard conditions.

- B. Removal of downed and compromised trees. **MSC** (Giles / Silva) to contract with Arborwell for tree removal services as directed by the District Engineer.
- C. B&W Resort "Motor Shed". Director Deak advised the Board of a severely deteriorated structure at the marina which they have begun to demolish and remove. The anticipated removal also involved relocation of electrical panel and utility conduits to the "ice house". He requests authorization to extend the roof of the ice house to provide protection for the relocated electrical panel. Because the levee is oversized at this location and the activities are not likely to impact the levee, the Board provisionally authorized the work, allowing it to proceed; but requested that the Applicant submit a formal permit request for action at the next meeting to document the activities.

5. Staff Reports

5.1 Secretary - Debbie Phulps. MSC (Giles / Deak) approving the February 12, 2015 minutes following correction of the Ramos Oil item from \$227.26 to read \$260.59.

5.2 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 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 had been no followup until recently when, just before the outside consultants made a progress report to the DSC, some compiled "technical" data was e-mailed to the LMAs for early review and feedback. A two-week period was given to review over 100 pages of "Baseline Information on Islands and Tracts".

With such a short time period for that review, this office has barely begun to wade through the data collected by the consultants covering more than 76 individual LMA's. A cursory review of some of the information tabulated for BALMD revealed some missing information that could be critical to any future risk and consequence assessment. A DSC staff member has indicated a willingness to meet with this office independently to go over the data specific to BALMD. It is important to again note that this Investment Strategy effort is generating information in existing documents relating to levees that previously emanated from DWR, the DSC and the DPC. This includes previous out-dated Delta levee study efforts, primarily the DRMS Report, the DPC Economic Sustainability Report and the LMA's 5-Year Plans.

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. Consequently, the consultants are forced to rely on existing data and have limited time to ground truth or vet the information that has been published. Of course there is also no incentive to produce a budgeting methodology that is counter to the prevailing notion that spending money on levees that are unreliable is not cost effective.

The most important input put forth by LMA representatives, and is still resonating, is the notion that the Delta islands have to be viewed as part of a system, not individually; and that 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. The draft outline of alternative approaches for guiding State investments in the Delta levees presented to the DSC by the consultants at its February 26, 2015 meeting included this concept in Alternative 3, characterized as the "Delta as Fortress" approach. Obviously that characterization is indicative of the bias that the DSC staff and consultants working on this investment strategy effort have guided their effort. Of course it has been suggested that the DSC has completed its assigned tasks and has no role to play without adding oversight of the levee program to its authorities. At this juncture, the Levee Program proponents are getting bombarded with paperwork being produced by a team of consultants developing a Levee Investment Strategy to recommend for adoption by the DSC,

along with other planning instruments being generated for or by DWR, the CVFPB or the USACE.

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. A short list of 5 concept projects selected after the first round of submittals 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. On February 25, 2015 the District was officially notified that the erosion repair project had been approved to receive State funding at a cost-share level of 94%. A project funding agreement is currently being prepared to provide up to \$6,442,096 in State monies for 8,000 lineal feet of revetment remediation and habitat enhancement on the Sacramento River left bank below Isleton. That equates to a \$6,853,293 project with a District contribution of \$411,198.

In addition to the above PSP process, and as reported in February 2015, there is currently a new DWR request that has gone out to LMAs for submittal of *Directed Action* project concepts, with an available funding pot of \$150 million.

- B. Periodic Inspection Report — Numerous past Engineering Reports from this office have chronicled the continuing saga that has followed the USACE Periodic Inspection Report which resulted in an Unacceptable rating for BALMD Project Levees and District ineligibility for Federal PL 84-99 Rehabilitation expenditures following a high water incident. In fact, the follow up of a 2014 USACE re-inspection of BALMD Project Levees was on the agenda of a National Levee Rollup 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. According to USACE staff the Levee Screening assessment determination (which was also Unacceptable) will have no bearing on PL 84-99 status.

Now there is a new twist to add to the confusion. The USACE recently announced that it is considering changes to policies and procedures for activities administered under authority of PL 84-99. These changes will update USACE policies and procedures to align with national preparedness and response frameworks and encourage broader flood risk management activities by sponsors, to highlight the affected areas applicable to the State's Project Levees. More particularly, the USACE is considering changes to eligibility criteria for rehabilitation assistance from a strict condition-based assessment to a set of requirements that encourage flood risk management activities and risk based maintenance priorities. Overall system rating will no longer be the determining factor for eligibility. However, a more detailed look at where the USACE is going with the proposed changes is not that encouraging when consideration is given to the likelihood of most local LMAs not meeting the benefit/cost formula, even if Federal monies materialize for rehabilitative repair efforts.

- C. 2014-15 Subventions Projects — The main construction project budgeted for this fiscal year, the seepage management and French drain project for Georgiana Slough, designated the Gardiner/Still project, is still in the Central Valley Flood Protection Board Encroachment Permit process; but could make it on the April calendar. However, recent efforts by this office have been to focus on the project discussed below which may be more critical than the seepage management efforts programmed for Georgiana Slough in the District's 5-Year Plan.
- D. Delta Bay Monitoring — This office continues to be concerned about the lateral movement being measured in an unstable section of the levee at the Delta Bay Resort; and has been conducting periodic monitoring surveys of the particular section of the San Joaquin River levee in question for several years. The lateral movement being detected is occurring approximately 22 feet below the crown. The most recent reading of the monitoring device placed in the levee crown at this location indicates an increased rate of movement, at the minus-22 foot level during a 12-month period.

The potential mitigation option being pursued and refined by this office 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 and permission to remove some trees and relocate some irrigation lines. A field survey effort was undertaken to obtain more detailed on-site elevation information to enable the refinement of a design for the drainage management solution, and development of plans to enable a geotechnical evaluation, and development and estimate of

probable construction costs. To address a vegetation issue involving the future potential for immediately adjacent trees in the RV Park to ultimately damage the functionality of a drainage system with intrusive root migration, the installation of a sheet pile cutoff wall has been included in the design to inhibit such an occurrence while also serving as a cut off wall to force the seepage into the drain. The design that has been 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 the proposed French drain. The drainage management design has been refined and the necessary documents developed enable a formal engineering evaluation by Raney Geotechnical before moving forward to address construction issues with the RV Park management and owners and refine project cost estimates.

- E. Mokelumne River Bridge Closure - Commencing March 2, 2015 the Mokelumne River Bridge has been closed to barge and large pleasure boat traffic. According to CalTrans the bridge will not be operable for 4 months. An effort by this office to obtain funding support for and initiate an emergency response contingency plan involving standby equipment, namely a crane barge and loaded rock barges stationed upstream of the bridge for the 4-month period of non-operation, was not fruitful. However, that effort did call attention to the need for revisions to the State's flood emergency response program in terms of funding and response strategies that are more suited to more significant levee failure scenarios than can be addressed with fabric and sand bags. In terms of the current Mokelumne River Bridge closure impediment to upstream flood emergency response capabilities, there has been increased communication between the various local and state emergency response agencies as well as CalTrans and the Coast Guard. Additionally, San Joaquin County OES is taking steps to place some of its emergency Connex boxes closer to the vulnerable Delta islands in its jurisdiction.

5.3 Superintendent - Andy Giannini. A few sheep are still grazing. Owner was concerned about reduction of feed due to die-off caused by over spray of the adjacent field. Boom mower is running well. Andy rented a bobcat to remove slope brush for burning. He intends to step up spraying routine in lieu of mowing where most practical to reduce mower wear. The on-going battle with burrowing rodents has resulted in increased fumigant costs. Project levee inspection is occurring this morning. Andy was asked to advise the District Engineer when such inspections are scheduled in the future. Andy has followed up with District Counsel regarding pickup acquisition. He is awaiting input. Additionally, Andy followed up with tenant at Roy Garcia's property regarding a fence being constructed without proper authorizations.

5.4 Counsel - Scott Shapiro. No report.

6. Director Reports

6.1 Deak. No report.

6.2 Gardiner. Debbie was asked to follow-up with Elliot Kouri about setting the office equipment to enable scan to e-mail.

6.3 Giles. No report.

6.4 Silva. No report.

7. Announcements. Those present were invited to join the Board for lunch at Pineapple's in Isleton following the meeting.

8. Adjournment. With no further business to come before the Board, the meeting was adjourned at 12:00 p.m.

Respectfully submitted,

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

Date Approved: April 9, 2015
MSC: Deak / Silva