



MINUTES

PLACER COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT BOARD OF DIRECTORS Monday, January 11, 2016

The Board of Directors for the Placer County Flood Control and Water Conservation District met in session beginning at 4:00 P.M., Monday, January 11, 2016, in the Rocklin City Council Chambers, 3970 Rocklin Road, Rocklin, California. Brian Keating, District Manager, Brad Brewer, Development Coordinator and Brett Holt, District Counsel, represented the District.

1. **ROLL CALL:**

By roll call, Directors present: Weygandt, Duran, Roccucci, Yorde, Morillas, Berlant, Joiner and Janda
Directors Not Present: None

2. **AGENDA APPROVAL:**

Motion made to approve the agenda for January 11, 2016.

MOTION: Duran/Janda

APPROVED: Unanimous

3. **Action Item:**

a. **Acknowledgement of rotation of BOD Chair and Vice Chair for 2016**

In accordance with previously adopted (Resolution No. 06-02) the motion was made for the annual rotation of Directors serving in the positions of Board Chair and Vice-Chair. The rotation this year would appoint the Director representing the Town of Loomis as the Chair and the new Vice-Chair would be the Director representing the City of Roseville

MOTION: Duran/Yorde

APPROVED: Unanimous

4. **APPROVAL OF SEPTEMBER 14, 2015 MINUTES:**

Motion made to approve the minutes of the September 14, 2015 meeting.

MOTION: Joiner/Janda

APPROVED: Unanimous

5. **PUBLIC COMMENT:**

None

6. **ITEMS FOR INFORMATION:**

a. **Introduction of new District staff, Bradley Brewer, Development Review Coordinator**

Brad Brewer was introduced to the Board Members.

b. **Review of State Department of Water Resources (DWR) Regional Flood Management Plans and possible impacts to Placer County**

Brian Keating, District Manager updated the Board on DWR's regional effort to develop six comprehensive regional flood management plans (RFMPs) that describe local flood management

priorities, challenges and potential funding mechanisms, as well as define site-specific improvement needs (projects) that DWR intends to pursue in the future. The RFMPs present a prioritized list of projects including an assessment of the costs and benefits, that were developed from local agency input. Brian reported that our District would best be considered part of two regions including the Feather River and the Lower Sacramento River/Delta North planning regions. District staff participated in the initial coordination meetings for the Lower Sacramento region.

At a recent District TAC meeting, the engineering consultant working with DWR on the RFMP, GEI Consultants Inc., presented the hydraulic study results of two prioritized regional project recommendations that have the potential to impact both Sutter and Placer County. Those two projects include the widening of the Fremont Weir on the Sacramento River and the widening of the Yolo Bypass. Their combined benefits would have the impact of significantly reducing backwater effects from the Sacramento River through the Cross Canal. Brian reported that the future stage reduction in the Cross Canal will be in the range of approximately 3 feet for both the 100-year and 200-year events. The floodplain reduction will be approximately 5-6 square miles in areal size. These benefits will primarily be realized within portions of the Cross Canal watershed that lie within Sutter County, however, there are small portions of Placer County that will also be impacted.

Brian reminded the Board that stage reduction through volumetric regional retention efforts, is a key recommendation from our 1994 dated flood control plan for the Cross Canal Watershed. Increased runoff volume and flow rates due to upstream development in Placer County at full build-out condition was projected to result in a 0.1 foot to 1.0 foot stage increase in the downstream Cross Canal area of Sutter County. DWR's planned RFMP projects on the Fremont Weir/Yolo Bypass would have the effect of eliminating these observed impacts. However, Brian recommended that current regional retention projects proposed by the Cities of Roseville and Lincoln as well as Placer County, including the Reason Farms, Lakeview Farms, and Scilacci Farms projects continue to move forward in order to mitigate impacts within Placer County. Director Roccucci asked if member agencies will be required to help fund mitigation projects. Brian stated that the State would likely fund any future projects through State bond measures.

7. ACTION ITEM:

- a. Update on the completed 2015 Stream Channel Maintenance Program and Authorization for the Executive Director to procure consultant services, in an amount not to exceed \$25,000, to complete CEQA requirements for long term stream channel maintenance routine maintenance agreement with Department of Fish and Wildlife**

Brian informed the Board that the District has also completed Placer County's fall 2015 stream channel maintenance program in which channel capacity is maintained through critical areas of the Dry Creek Watershed as well as Cross Canal watershed. Similar to years past, the program completed approximately 1.5 miles of channel maintenance over 23 days. The District is completely reimbursed for all labor and expenses associated with this County sponsored maintenance program.

The existing long term 1600 streambed alteration agreement with the DFW for stream channel maintenance activities in Placer County is in the process of being renewed. This agreement regulates the annual fall stream channel maintenance program within unincorporated areas of the County and the proposed new agreement is for an additional 12 years. It will also allow work to occur in areas of the Cross Canal watershed rather than solely in the Dry Creek watershed, as has been the arrangement in the past.

DFW has informed us that accompanying our new long term agreement application, a CEQA filing as a "mitigated negative declaration" or MND is now required, rather than the previously acceptable "categorical exemption" for maintenance work that had routinely been filed over the last 15 years.

DFW staff have stated this change is necessary since a majority of the works occurs within or near creeks with special status species of plants and wildlife, and as such, a more formal CEQA Notice of Determination is required to be on the record. The efforts to produce a biological assessment and produce written findings to accompany the future required MND are more significant and requires the District procure outside professional consulting services. The estimated costs to do so is approximately \$25,000 and staff recommend proposals be solicited from Placer County's existing pre-qualified environmental services consulting list. Three proposals will be solicited, ranked and a qualified firm selected from this list.

Brian requested the Board by motion procure consultant services, in an amount not to exceed \$25,000, to complete CEQA requirements for long term stream channel maintenance routine maintenance agreement with the Department of Fish and Wildlife.

Director Yorde asked who pays for this program. Brian stated that depending on the watershed, funds come from either the County's Community Service Area 28 or from the County General Fund. Director Rocucci asked how long the CEQA mitigated negative declaration will last. Brian said it should apply for the entire 12 year length of the new agreement with DFW.

MOTION: Duran/Rocucci
APPROVED: Unanimous

b. Project update and request to approve Addendum No. 4 to the existing professional services agreement with HDR Engineering relating to the Antelope Creek Flood Control Project

Brian reported that the Antelope Creek Flood Control Project, Upper Weir, is at a 100% level of planning and design completion. Construction plans and a construction bid package for public advertisement were prepared earlier in the year in hopes to go to bid and start construction by June 2016. Required land acquisitions and agency permitting remain the key project milestones not yet realized. Land acquisitions (flood easements) are now complete, except those from the City of Roseville which we anticipate will soon be finalized and recorded. Regulatory agency permitting through the 404 process of the United States Corps of Engineers (Corps) is our biggest challenge.

The submittal of required agency permitting applications were made in advance, as long as two years ago in some cases, in anticipation of receiving permits prior to the public bidding process. A significant number of these permits have already been obtained. The remaining permits and agency approvals include a tree permit and flood encroachment permit issued by the City of Roseville, the 404 permit from the Corps, and a determination letter from FEMA on the Conditional Letter of Map Revision (CLOMR). Regarding the 404 permit issued by the Corps, a recent decision to process the District's application through a minor Letter of Permission (LOP) track rather than the original Nationwide Permit process track (proposed over 1.5 years ago), will mean extensive and expedited additional effort must be made to meet our planned June 2016 construction start date. The Corps is now requiring a lengthy formal consultation with the federal National Marine Fisheries (NMFS) rather than the originally proposed, informal consultation process. NMFS has requested additional project plan submittals including a "Fish Rescue Plan" and a 10-year long "Streambed Monitoring Plan". The possible presence of critical fish habitat within this reach of Antelope Creek appears to be their primary issue of concern, and follows a September site visit conducted by Corps staff during which they claim to have observed steelhead and salmon fry within the creek. A requirement to construct a gravel spawning area immediately upstream of the site may also be required. Additionally, the Corps is requesting a 3:1 mitigation objective rather than the 1:1 objective originally proposed, which will result in the purchase of credits within approved mitigation bank sites in the area.

The Central Valley Regional Water Quality Control Board has also issued an extensive letter of comment regarding possible project inundation impacts to the adjacent City of Roseville closed

landfills. Their concerns require we confirm and increase the level of rip-rap type slope protection already in place at the site, provide an amended "Post Closure Maintenance Plan", expand the "Site Winterization Plan", and conduct additional facility monitoring during project construction and after any future extreme flooding events. Additionally, the City is requesting the District enter into a future reimbursement agreement to reimburse their landfill closure consultant who must address a significant portion of these comments, at a current estimated additional cost of \$91,000. Staff will return to the Board in the near future with a separate request to enter into this agreement once it is determined necessary.

Brian stated that we will continue to coordinate with the extensive number of regulatory agencies involved, although it should be noted that the project schedule could easily be impacted by delays in agency review, delaying the start of construction to yet another season (June 2017). Staff have requested an extension to the existing Department of Water Resources grant aid under the Proposition 84 IRWM program, as the grant deadline to utilize funds expires in June 2016. This extension is likely to be granted based on our conversations to date with DWR staff.

In order to address the permitting review comments and concerns, our consultant, HDR Engineering Inc., will be required to perform out of scope work. These efforts include processing the 404 permit application under a minor LOP track, responding to a formal consultation process, and extended project management duties to accommodate the lengthened overall project schedule. Following review and negotiation with District staff, we agree these out of scope efforts are necessary and estimate these costs to be \$70,802. The costs are the result of negotiations with Staff to arrive at a fair and reasonable price and there are adequate funds available in the Dry Creek Trust Fund to fund this amendment. If approved, the total amount of HDR's full contract will become \$921,762. Total project costs are now estimated at 3.2 million which is an approximate 12.5% increase over our last reported estimate.

Brian requested the Board by motion, authorize the Executive Director to execute Amendment No. 4 to the professional services agreement (PSA) with HDR Engineering Inc. relating to the Antelope Creek Flood Control Project, Upper Weir.

Director Weygandt asked if the changes the Corps have requested could cause us to lose our grant funding. Brian stated that Regional Water Authority is applying for an extension on our behalf. Director Duran suggested that the District challenge the Corps statement that they observed steelhead and salmon fry within the creek. Director Roccucci wondered if they could come up with a standard agreement on how to perform fish surveys.

MOTION: Duran/Joiner
APPROVED: Unanimous

8. **NEXT MEETING** The next regularly scheduled Board meeting on February 8, 2016 at 4:00 pm at the Rocklin City Council Chambers.

9. **ADJOURNMENT:**

The meeting was adjourned by the Chair, Director Morillas at 4:35 pm

Respectfully submitted,

Tracie Coyle
District Secretary